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## Johns Hopkins Hospital sues patients, many low income, for medical debt



A general view of Johns Hopkins Hospital in Baltimore. (Rosem Morton/Reuters)

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Johns Hopkins Hospital has filed more than 2,400 lawsuits in Maryland courts since 2009 against patients with unpaid bills, including a large number of residents from distressed neighborhoods surrounding the East Baltimore medical campus.

The number of cases has been increasing, from 20 in 2009 to a peak of 535 in 2016, according to a report released by the Coalition for a Humane Hopkins, which includes groups such as National Nurses United and the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).

The report stemmed from the coalition's efforts to monitor charity care provided by the hospital, said Cecilia Behgam, a research analyst for the AFL-CIO. She said the group was surprised to see so many lawsuits from one of the nation's most prestigious medical institutions and has asked Hopkins to halt the practice.

"We want them to stop suing low-income patients," Behgam said. "We want them [to] better educate patients about financial assistance."

The report comes at a time of increasing national attention on the high cost of health care and prescriptions, with various remedies proposed at the federal and state levels. Other hospitals nationwide, including those in Maryland, have been found to have aggressively pursued patients for unpaid bills.

The report cited a 2008 investigation by the Baltimore Sun that found 46 hospitals in the state filed more than 132,000 lawsuits for unpaid bills from 2003 to 2008 and won at least \$100 million in judgments. In some cases, hospitals added annual interest at twice the rate permitted for other types of debts or placed liens against patients' homes.

The hospitals pursued the suits even though they collected millions of dollars from other patients, in the form of higher rates for hospital services, to cover costs for low-income patients who lacked insurance or enough insurance to cover out-of-pocket expenses.

Hopkins dramatically curtailed its debt collection practices for several years after the Sun investigation, only to start again more recently, the coalition report found.

Johns Hopkins spokeswoman Kim Hoppe said in a statement: "It is always our priority to provide the best possible care to every patient who comes to us. We have an extraordinary community benefits program and charity care policy, and it is our practice to inform our patients about our programs for free and discounted services.

"For patients who choose not to pursue those options or who have a demonstrated ability to pay, we will make every effort to reach out to them and to accommodate their schedule and needs. In those rare occasions when a patient who has the ability to pay chooses not to, we follow our state required policies to pursue reimbursement from these patients."

Lakesha Spence, a 34-year-old who was sued and who lives just blocks from Hopkins Hospital, said her life has been upended since she learned last month that her bank account and paychecks were placed on a legal hold by a law firm representing the hospital over about \$5,000 in unpaid medical bills.

The mother of a 3-year-old boy said she has had no access to paychecks from her \$15-an-hour security guard job since April 9. That's when she checked her account, believing she had about \$152 in it, and found the balance at zero.

"It just left me stuck. I was stuck, and my depression kicked in and it messed me up really bad," said Spence, who also cares for her mother. "All my paychecks went in there, and they took all of it out, every penny. I couldn't feed my son or buy medicine for my mom or my son's Pull-Ups. It made my depression go into overdrive."

Spence, who has insurance through work, said she was treated twice at Hopkins, once for a depressive episode in January 2015 when she was brought involuntarily to Bayview after her mother called 911, then at the main hospital in April 2016 when she gave birth to her son. But she said she never was told about the charity care for which she said she would qualify. She also said she received no bills or phone calls.

She learned only in the fall that she was being sued and was due in court. She said she missed the court date because she could not afford to take time off from work.

Spence has since been granted a court motion, with the help of Maryland Legal Aid, that she is hoping will stop the withdrawals and return her pay so she can arrange a payment plan.

She said she is trying to get a breakdown of charges from Hopkins.

“To find out I owed Johns Hopkins Hospital was a shock to me,” she said, adding that the situation has left her “begging and pleading for any handout.”

“I owe everyone now. . . . It is a hard thing to go through,” she said.

The latest report did not examine the court filings of other hospitals in the state to see whether they had resumed such debt collection tactics, which include wage garnishments and bank account collections.

The Maryland Hospital Association said hospitals work with patients who can’t afford their bills and follow policies set by state regulators.

“All of Maryland’s hospitals are committed to serve every person who enters their doors, regardless of ability to pay,” said Erin Cunningham, a spokeswoman for the Maryland Hospital Association. “For those who do not qualify to receive full or partial charity care, hospitals typically work out manageable payment plans, interest-free. If patients still do not pay what they owe, hospitals do seek to recover unpaid medical bills.”

The association noted that Maryland hospitals have had fewer unpaid bills since passage of the Affordable Care Act of 2010 because more people have private plans or Medicaid, the federal-state health plan for low-income residents. “Uncompensated care” has dropped from over 7 percent of hospital revenue to about 4 percent, though Cunningham acknowledged that consumers have higher out-of-pocket costs.

The authors of the coalition report say these out-of-pocket costs — deductibles, coinsurance and co-pays — sometimes are the problem. Many of the lawsuits are for small amounts, which are still difficult for low-income patients to cover.

The report found that the median amount sought by Hopkins was \$1,438, but the total amount added up to \$4.4 million over eight years.

In 400 cases, the hospital won garnishments of patients’ wages or bank accounts, the report found. The totals were less than one-tenth of 1 percent of Hopkins Hospital’s operating revenue each year. In fiscal 2018, the revenue was \$2.4 billion.

The Rev. Ty Hullinger, a coalition member, is pastor of three Catholic parishes in Northeast Baltimore. Hopkins filed 143 lawsuits in the Zip code where two of his churches are located, St. Anthony of Padua and Most Precious Blood.

“It seems that they are targeting certain residents and certain communities to go after these debts,” he said. “We look to our institutions to fulfill their obligations and mission and values. The hospital has a charge to provide charitable care . . . and it’s shocking and disheartening to learn the hospital has been renegeing on this practice in recent years.”

—**Baltimore Sun**