

WRITTEN TESTIMONY BY IDIT DVIR

I am hereby submitting this written testimony at the request of the Office of the Attorney General Consumer Protection Division regarding HB 1149/SB1103. Below please find the letter I wrote said office (private info is redacted):

Dear Sir or Madam,

My name is Idit Dvir and I am contacting you in a matter of resolving a billing dispute with a healthcare provider, Children's National. I am emailing you as my attempt to upload documents through your portal repeatedly failed citing An internal problem was encountered while processing. (nor did it generate a case number).

My pediatrician [REDACTED] referred me to an imaging center, Children's National Montgomery County (9850 Key West Ave. Rockville MD), where on 8.23.23 my son [REDACTED] had an abdominal ultrasound to check his bladder. I called ahead to make sure they accepted my insurance carrier, Cigna.

In early October we received the bill for said service for \$1349. As it happened my husband had an abdominal ultrasound at Community Radiology around the same time, for which he was billed around one-tenth of that sum. Once Cigna assured me Children's National's bill wasn't a mistake, I called Dr. [REDACTED], who shared my surprise, and assured me his office would investigate the matter.

In the meantime, I called Community Radiology to double-check their billing practices: without insurance, the total sum would have been \$170. With it, \$140. I called two more radiology centers within a 3-mile radius of my home, asking for a quote for the same exact service for my son, assuming I had no insurance. All providers supplied immediate responses ranging from \$170 to \$250.

On November 13th, after over a month of back and forth, [REDACTED] Dr. [REDACTED] office notified me that he had been in touch with Children's National on several occasions and was assured by Wilkinson in the billing department they'd contact me to sort it out. Since no such call was ever made to me, he gave me the number: 301.572.3542. I called Children's National's billing department immediately. A nice representative named Serena said no one named Wilkinson existed at the number. She then listened to my complaint and tried to persuade me that given the radiology center's association with the reputable Children's National Hospital, the bill was justified. When I insisted, she suggested sending the bill back to be audited to make sure I was indeed charged for services rendered. She also promised her supervisor would call me back the same day.

No supervisor from the billing department ever contacted me. On November 20th I did receive a call from Carla Q., a supervisor from customer services. She explained to me that the audit concluded I owed the stipulated sum. I renewed my objections and asked to talk to the billing department supervisor; she flat-out refused, stating the audit was final. I alerted her to my plans to contact your office, thanked her for her time, and hung up. That day my family had arrived for the holiday, so I decided to follow up the following Monday.

On 11.27.23 I had my friend [REDACTED] call the same facility where my son received service and request an estimate for the same service, this time without insurance. Unlike other facilities that had the data readily available, Children's National Montgomery County Radiology Department transferred me to the clearance department, which put her on hold and then said they'd call her back later that day. They didn't. She tried again on the 28th and the response was consistent: of the \$1300 (with a 50% discount for self-pay) they'd charge, only "\$100 is the professional charge, and the rest is for the hospital". Their words.

On Friday 12.1.23 I met Dr. [REDACTED] for my son's annual checkup, during which he apologized again for not being more helpful, stating that Children's National had 'given him the run around'. His words. To reiterate - to a potential cash-paying client, it took them 24 hours to respond; to a provider who sends them patients, they have yet to respond. This begs a few questions:

1. **Why are patients subjected to a 'hospital charge' in a facility nowhere near a hospital?** Even on Google, they are identified as Children's National Diagnostics Imaging and Radiology. The sign on the building only reads "Children's National". No mention of the word 'hospital'. I thought I was entering a radiology center. And I was!
2. **Why is reputation rather than services rendered allowed to play a key factor?** (especially since it played no factor whatsoever in my decision, I was following a referral note from my doctor).
3. **Above all: Why is it okay for Children's National to engage in unscrupulous price gouging practices that are five to eight times the going market rate?**

I don't use the term price gouging lightly. Nor do I often complain to regulatory agencies, but a bigger issue is at stake: As far as Children's National is concerned, they are a brand, they set the price, and the discussion should end there. According to them, I decided to utilize their brand name for its evident luxuriousness and should pay accordingly. Nothing could be further from the truth. Whatever reputation they may hold within the industry played no part in my showing up there in August. Had their reputation been the key factor, you'd expect them to advertise their prices so people know they're getting the Michelin Star level of X-ray radiation. A menu outside the restaurant to keep out plebians like me would have helped both sides avoid this situation. Their price-gouging logic isn't sound either: Had Children's National decided to charge \$30,000 for their so-called reputation, should I have taken a second mortgage on my house for an ultrasound?

Bottom Line: Through Cigna I am liable to "only" \$627 of the bill, my problem isn't Cigna; it's the fact that \$1349 is a lot of money for the simple service we received, and it is far higher than any other provider charges for the exact same service.

I am writing to your office in the hopes you share my outlook on basic human decency, and that you have the will to do something about it. If the Office of the Attorney General's Consumer Protection Division has no authority in this matter, please refer me to the right office as soon as possible.

I've attached Children's National's second notice (I'm not disputing the physician's charges, despite never having met a physician while there!) and your authorization form. If there's anything else you require, please let me know.

I look forward to hearing back from your office. Thanks in advance for your time and effort.

Respectfully,

Idit Dvir

(Mother of the patient)

As long as we stick to the ridiculous notion that one's health is a product to be consumed, we should at least offer consumers the courtesy of transparency in pricing so they can make informed decisions based on their budgets. Mandating providers publish a price list on an easily accessible page, clearly marked on their home page labeled 'pricing' would put hospitals on equal footing with any other vendor. It's a preposterous notion that I have more protection as a consumer when buying a stick of gum in a 7-Eleven than I do when I try to decide on services that can potentially put me in financial straits. Nor can I understand for the life of me why the Facility Fee Right to Know Act only applies to some services to the exclusion of others (which just so happen to

be the most highly sought-after services). That makes as much sense to me as legalizing that all car dealers must disclose the full price of a vehicle before purchase is completed, except the gray ones.

Since I wrote the above letter, I've learned that the only reason my friend was given the full quote is because they were legally required to do so since she was a cash-paying customer. The law apparently doesn't extend to people who pay thousands in annual premiums; I wonder, why do we not deserve the same protections? On the bright side, this proves Children's National abides by the law. This gives me hope that the Office of the Attorney General Consumer Protection Division's legislative actions are a necessary first step in the right direction. If I may suggest – focus your next efforts on mandating provider fees (not just facility fees) to be disclosed in advance. That would be nice too!

My thanks to the Office of the Attorney General Consumer Protection Division for making the effort to ensure providers like Children's National can no longer prey on unsuspecting patients.

Idit Dvir