



MedStar Health

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SB 269 - Courts and Judicial Proceedings – Evidence – Rebuttable Presumption of Medical Bills

Position: ***Oppose***

Senate Judicial Proceedings Committee

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MedStar Health is the largest healthcare provider in the Maryland and Washington, D.C. region. MedStar Health offers a comprehensive spectrum of clinical services through over 500 care locations, including 10 hospitals, 33 urgent care clinics, ambulatory care centers and an extensive array of primary and specialty care providers. As a not-for-profit healthcare system, MedStar Health is committed to its patient-first philosophy, emphasizing care, compassion, and clinical excellence, supported by a dedicated team of more than 35,000 physicians, nurses, and many other clinical and non-clinical associates.

Maryland's current system for handling medical records in the context of general tort claims works effectively. Current practices in the state recognize that the correct and reasonable value of medical treatment is the amount actually paid and approved by a health care provider, not an inflated price that could appear on a medical bill for that treatment that is rarely paid. Healthcare organizations are required by regulation to maintain a charge master, and the prices in the charge master serve as the starting point for negotiations with insurance providers. These negotiated rates determine what is reimbursed to the healthcare provider, and represent what is paid by the patient.

Senate Bill 269 seeks to protect damage claims by switching the burden of proof from the plaintiff to the defendant, requiring defendants to prove, by a preponderance of the evidence, that a medical bill/record is *not* reasonable. Traditionally and in most legal proceedings and settings, plaintiffs have the burden of proof to make their case.

The costs associated with the unintended consequences of this legislation could bring about higher verdicts, increased litigation, greater challenges to settlements, and ultimately higher costs for consumers. Senate Bill 269 creates a system where the amount charged, rather than the economic harm suffered, becomes the measure of damages.

For the reasons above, MedStar Health urges an ***unfavorable*** report on **SB 269**.

It's how we treat people.