



# Can I get Charity Care benefits to pay for my hospital bill?

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- ❖ Read this *only* if you live in Washington State or got care in a Washington State hospital.
  - ❖ You can find all the fact sheets and Do It Yourself packets we link to here at WashingtonLawHelp.org.
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## What is Charity Care?

Federal and state laws require hospitals to provide you certain types of care for free or at a lower cost if you cannot afford to pay for. Charity Care covers “medically necessary” treatment. This includes inpatient hospital stays and emergency room visits.

Some hospitals have a different name for their Charity Care program. They may call it, for example, Bridge Assistance or Financial Assistance.

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- ❖ Charity Care may not cover medical provider services who are not considered part of the hospital’s medical staff or visits to a hospital’s outpatient clinics.  
**Examples:** It does not cover radiologists or anesthesiologists who work in the emergency room but are not employed by the hospital.
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## How will I know about the hospital’s Charity Care program?

Every hospital that offers Charity Care must do all of these things:

- Post a notice about Charity Care in the emergency room, admissions area, and the financial service or billing areas that are open to patients
- Give a patient Charity Care information at intake or discharge
- Post a plain language summary of the hospital’s current Charity Care policy and the application form on the hospital’s website
- Provide the summary and application in all languages spoken by more than 10% of the population served by the hospital

- Give a patient Charity Care information in every billing statement
- Provide all billing statements and written communications in **both** English **and** the second most spoken language in the hospital's service area

**Not all hospitals provide notice of Charity Care**, even though the law requires them to. Sometimes notice is provided but you do not see it. When you are very sick, you may not be focused on notices or forms you are signing.

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❖ Always ask if there is Charity Care or financial assistance and apply.

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## Where can I get a Charity Care application form?

If you are not given an application form when you are admitted to or discharged from the hospital, you can get one from the hospital's billing office. You can also ask the hospital to mail you the form, or you can get it on the hospital's website. You can ask for Charity Care **at any time**.

## Am I eligible for Charity Care?

It depends. How much Charity Care you may get depends on your income and household size. It also depends on when you got the hospital care. Keep reading to learn more.

If you have Medicaid, Medicare, or other medical insurance, you must use those benefits first.

## What if I got hospital care before July 1, 2022?

If your household income is below 100% of the Federal Poverty Level, the hospital must completely cover (write off) your eligible hospital bill.

If your household income is more than 100% of the Federal Poverty Level, you may get some of your hospital bill reduced.

## What if I got hospital care after July 1, 2022?

If your income is at or below 200% of the Federal Poverty Level, the hospital must write off your eligible hospital bill, no matter the hospital's size.

If your income is more than 200% of the Federal Poverty Level, you may get some of your hospital bill covered or reduced, depending on the hospital's size.

**If you got care from a large hospital:**

- A. The hospital must write off the entire bill if your income is not more than 300% of the federal poverty level (FPL), adjusted for family size.
- B. The hospital must write off 75% of the bill if your income is between 301% and 350% of the FPL, adjusted for family size.
- C. The hospital must write off 50% of the bill if your income is between 351% and 400% of the FPL, adjusted for family size.

**If you got care from a smaller hospital**, which includes all hospitals that do not meet the criteria for the first category:

- A. The hospital must write off the entire bill if your income is not more than 200% of the federal poverty level (FPL), adjusted for family size.
- B. The hospital must write off 75% of the bill if your income is between 201% and 250% of the FPL, adjusted for family size.
- C. The hospital must write off 50% of the bill if your income is between 251% and 300% of the FPL, adjusted for family size.

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❖ Each hospital has its own Charity Care policy. To see your hospital's Charity Care policy, you can find it in [the statewide list](#) at [bit.ly/3xllgEW](http://bit.ly/3xllgEW), or call the hospital to ask for a copy of it. Even if you are not sure you are eligible for Charity Care, you should apply. **Hospitals can give Charity Care discounts of up to 400% of the federal poverty level.**

❖ All patients, if otherwise eligible, can get Charity Care, regardless of citizenship status.

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**How does the hospital decide if I am eligible for Charity Care?**

The hospital first makes an initial determination of eligibility based on information you verbally give it.

After the hospital makes this initial determination, you must give the hospital proof of your income, and your assets, depending on your household's income.

Here are some examples of proof of income:

- Pay stubs
- Income tax returns from the past year
- W-2 statements from your employer
- Social Security or Unemployment income statements
- DSHS documents, including medical coupons and/or approval for cash benefits

**You must give the hospital these documents by the deadline stated in the hospital's letter.**

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- ❖ If you need help or more time with the application because of a language barrier, disability, or any other hardship, call the hospital. Ask for more time or help.
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If you give all the information requested and the hospital needs more, they must ask you in writing. If you do not give the hospital all documentation by the deadline, they may deny your application.

Except for patients getting the entire bill written off, a hospital may reduce the amount of the discount by considering the value of things you own (your assets) and how available they are to you. Hospitals must have a policy about such asset consideration and discounts and make it publicly available.

A hospital policy may **not** consider any of these:

- The first \$5,000 of cash you have on hand or in a bank account if you are a single person, \$8,000 for a family of two, and \$1,500 for each additional family member.
- Any equity in a home you own and use as your primary residence.
- Retirement plans, other than 401(k) plans.
- Any prepaid burial contract or burial plot.
- Any life insurance policy with a value of \$10,000 or less.

- One motor vehicle, and a second motor vehicle that you need for employment or medical purposes.

The hospital has the right to get information about your assets. If other proof of an asset is not available, the hospital must accept your written and signed statement about your asset.

## **How long will the hospital take to decide my Charity Care application?**

Once the hospital gets from you the proof it asked for, it must make a final determination of your eligibility within 14 days.

## **I turned in my Charity Care application. What happens next?**

**If the hospital approves your Charity Care application**, it must send you a letter explaining how much of the bill is covered and how much, if any, you still owe.

**If the hospital denies your Charity Care application**, it must send you a letter of denial. It says how you can fight (appeal) the denial. It must say why they denied you Charity Care. It also must state that you only have 30 days to appeal.

## **I already paid my hospital bills. Should I apply for Charity Care now anyway?**

Yes. If you made payments and then the hospital awards you Charity Care, you can get your money back.

## **I have medical insurance. Should I apply for Charity Care?**

**Yes.** Your insurance might have high deductibles. It might only cover part of a hospital bill. If you have a low income, Charity Care may cover these deductibles or co-pays.

## **When can I apply for Charity Care?**

**You can apply at any time.** You can apply while you are in the hospital. You can also apply after your release. But you should apply as soon as possible, before the hospital sends the bill to collections or before you are sued for the hospital bill.

Some hospitals or debt collectors might tell you it is too late to apply if the debt has gone to collections. This is not correct!

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- ❖ You should always keep a copy of your application and all documents you give the hospital.
  - ❖ Make sure you get proof of the date you submitted your application and documents to the hospital.
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## **I did not apply for Charity Care while I was in the hospital or after my release. I just got a letter from a collection agency about the hospital bill.**

A collection agency notice to collect medical debt must state:

- Your right to ask for the original account number assigned to the debt
- Your right to ask for the date of your last payment
- Your right to ask for an itemized statement that gives you all of these:
  - the name and address of the medical creditor,
  - the dates of service,
  - the services the provider claims it provided you,
  - the amount of principal owed on the debt,
  - any adjustment to the bill, the amount of any payments received from you or anyone else,
  - any interest or fees, and
  - if you were found eligible for Charity Care and if Charity Care payments were applied to the debt

A collection agency may not report information about medical debt to a credit bureau for at least 180 days from the date the collection agency received the information about the debt. Read [Debtor's Rights: Dealing with Collection Agencies](#) to learn more.

If you get a letter from a collection agency about the hospital bill, you should:

- Apply for Charity Care immediately, if you have not already.

- Send the collection agency a letter demanding it stop all collection activity while the hospital is considering your Charity Care application. Keep a copy. See **Sample Letter #1** below.

## **I did not apply for Charity Care. I am being sued for the hospital bill. What should I do?**

If you are sued for the hospital bill and are served with (handed) court papers, you should:

- Apply for Charity Care immediately.
- Respond in writing to the lawsuit. Read [How do I Answer a Lawsuit for Debt Collection?](#) to learn more. It explains how you can state in the Affirmative Defense section of your Answer that you are eligible for Charity Care. We also have a Do-it-Yourself Forms online interview [Answer a Lawsuit for Debt Collection](#) that generates forms and instructions for you.
- Send the plaintiff's attorney a letter telling them to put the lawsuit on hold while the hospital is considering your Charity Care application. See **Sample Letter #2** below.
- Talk to an attorney who is knowledgeable about Charity Care as soon as possible. Contact info below.

## **What if the hospital has gotten a judgment against me for hospital services that Charity Care should have covered?**

In a few cases, you may be able to get the judgment canceled (vacated).

If neither you nor any member of your household was handed the court papers (the Summons and Complaint), talk with a lawyer as soon as possible.

## Get Legal Help

- **Apply online** with [CLEAR\\*Online](https://nwjustice.org/apply-online) - [nwjustice.org/apply-online](https://nwjustice.org/apply-online)
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at [nwjustice.org/apply-online](https://nwjustice.org/apply-online).
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR\*Sr at 1-888-387-7111.
- **Deaf, hard of hearing or speech impaired callers** can call any of these numbers using the relay service of your choice.

CLEAR and 2-1-1 will provide interpreters.

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**SAMPLE LETTER #1**

\_\_\_\_\_ *[Date]*

\_\_\_\_\_ *[Name of collection agency]*

\_\_\_\_\_ *[Address of collection agency]*

RE: \_\_\_\_\_ *[your name]*

Account # \_\_\_\_\_

Original Creditor: \_\_\_\_\_ *[name of the hospital the bill is for]*

Request for Suspension of Collection Pending Charity Care Determination

Dear Sir/Madam:

I received a letter from you dated \_\_\_\_\_ for a bill from \_\_\_\_\_  
Hospital.

I have now applied for Charity Care benefits to pay for this bill. I am waiting for a  
determination from \_\_\_\_\_ Hospital on my Charity Care application.

The law requires you to stop collection activity until the hospital makes a decision  
on my application. See WAC 246-453-020.

Sincerely,

\_\_\_\_\_ *[signature]*

\_\_\_\_\_ *[your name]*

\_\_\_\_\_ *[your address]*

**SAMPLE LETTER #2**

\_\_\_\_\_ [Date]

\_\_\_\_\_ [Name of the lawyer representing the plaintiff hospital or collection agency in your lawsuit]

\_\_\_\_\_ [Name of Law Firm]

\_\_\_\_\_ [Address of Lawyer]

RE: \_\_\_\_\_ v \_\_\_\_\_ *[plaintiff's name v. defendant's name as listed in the lawsuit caption]*  
\_\_\_\_\_ County \_\_\_\_\_ *[Superior or District] Court*  
Case No. \_\_\_\_\_ *[put the information here that is on your Summons and Complaint]*  
Request for Suspension of Lawsuit Pending Charity Care Determination

Dear \_\_\_\_\_ *[lawyer's name]:*

I was served with a Summons and Complaint in the lawsuit listed above. I have filed a Notice of Appearance and Answer and sent you a copy. As I indicated in my Answer, I believe I am eligible for Charity Care.

I have now applied for Charity Care to pay this hospital bill. I am waiting for a determination from \_\_\_\_\_ Hospital on my Charity Care application.

WAC 246-453-020 requires you to suspend collection activity until the hospital makes a decision on my application. I request that you not proceed with this lawsuit until a decision has been made.

Sincerely,

\_\_\_\_\_ [signature]

\_\_\_\_\_ [your name]

\_\_\_\_\_ [your address]