



**COLORADO**

Department of Health Care  
Policy & Financing

1570 Grant Street  
Denver, CO 80203

# Hospital Discounted Care and Licensed Health Care Professionals FAQs

*Fact Sheet December 2022*

## Hospital Discounted Care Overview

HB 21-1198, also known as Hospital Discounted Care (HDC), went into effect on September 1, 2022 and applies to all general acute and critical access hospitals and their off-campus locations, all freestanding emergency departments, and all licensed health care professionals who provide services to patients seen in those settings. Patients who qualify for HDC can be billed no more than the rates set by the Department of Health Care Policy and Financing (the Department), and their payment plans cannot exceed 2% of their household gross monthly income, for each health care professional, and may be set for a maximum of 36 payments. Patients cannot be sent to collections until they have missed three consecutive payments or prior to day 182 past their date of service or date of discharge, whichever is later.

## Frequently Asked Questions

- Do health care professionals who are not directly employed by the hospital have to abide by the HDC law?
  - Health care professionals who provide services to patients within the hospital or the hospital's off campus locations, or in a freestanding emergency room must abide by the HDC rules regardless of whether they are directly employed, contracted by, or otherwise providing services at the hospital.
- What if the health care professionals bill under a different Taxpayer Identification Number (TIN) than the hospital?
  - The setting, not the billing, is what makes a service eligible for discount under HDC. It does not matter if the hospital bills for everything, if the health care professionals bill under a different TIN, or if the health care professionals are not employed by the hospital; If the service is provided within the hospital or the hospital's off campus locations, or in a freestanding emergency room, it is subject to the HDC law.
- Do health care professionals have to abide by the HDC rules for patients seen in their own offices not associated with the hospital?
  - No, only services provided within the hospital or the hospital's off campus locations, or in a freestanding emergency room must be discounted under HDC.



- What if a patient's surgery is provided in the hospital but their follow up appointments (post-op, PT, etc.) are provided in the health care professional's office?
  - In that situation, the surgery would fall under HDC but the follow up would not as the follow up care is not in the hospital setting.
- What are the health care professionals' responsibilities related to posting or providing information on HDC?
  - There are no requirements for the health care professionals related to posting or providing information to patients. The hospitals and freestanding emergency rooms are responsible for providing the patients with information on HDC, how to apply, screening, the HDC application, and for sending the patients' determination information to the professionals.
- When can health care professionals send bills to patients who receive services in one of the covered settings?
  - Hospitals are responsible for screening and completing the applications for patients. Patients should be screened within 45 days of their date of service. For patients who are screened and decide not to apply for HDC, their bills can be sent as soon as the patient has indicated they do not intend to apply. For patients who are screened and do want to apply, their bills cannot be sent until they have completed the application and have been informed of their determination. For patients who are not screened and have not signed a Decline Screening form within 45 days of their date of service, their bill can be sent beginning on day 46. Health care professionals cannot send bills to patients until they have received information from the hospital indicating whether the patient has been screened and/or completed their application and what the determination was if the patient did apply, or if the patient has signed the Decline Screening form. Hospitals and health care professionals should work together to determine what notification process works best for all involved.

## Compliance and Fines

Health care professionals who are found to be out of compliance with the HDC law are subject to corrective action plans and fines, as determined by the Department. Health care professionals who are found to be knowingly or willfully non-compliant with the HDC law may be fined up to \$5,000. Health care professionals who continue to be non-compliant may be fined up to \$5,000 per week until the health care professional takes corrective action to be in compliance with HDC.

### For more information contact

State Programs Unit

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<https://hcpf.colorado.gov/hospital-discounted-care>

