



BRIAN E. FROSH, MARYLAND ATTORNEY GENERAL

PRESS RELEASE

Report: Health Education and Advocacy Unit Saves Nearly \$2.8 Million for Patients, Maryland Consumers
Annual Report Reveals More than Half of Carrier Denials Are Overturned or Modified When Consumers Seek HEAU Assistance

BALTIMORE, MD (November 4, 2021) – Maryland Attorney General Brian E. Frosh announced today that the Health Education and Advocacy Unit (HEAU) within the Consumer Protection Division of the Office of the Attorney General closed 1,642 cases in Fiscal Year 2021, assisting patients in saving or recovering nearly \$2.8 million, including nearly \$2.2 million in appeals and grievances cases. The information was included as a part of the comprehensive [Annual Report](#) on the Health Insurance Carrier Appeals and Grievances Process that must be submitted to the General Assembly each year.

The HEAU offers mediation services to consumers who have billing or other business-related disputes with their healthcare providers or coverage disputes with their health benefit plans. The Unit also helps consumers who have been denied enrollment in a Qualified Health Plan or denied Advanced Premium Tax Credits or Cost-Sharing Reductions by Maryland Health Connection, Maryland’s health insurance marketplace.

“When coverage for health care is denied, it can exact an enormous financial and emotional toll on Maryland consumers and in some cases, deprive patients of lifesaving treatment,” said Attorney General Frosh. “We urge consumers to contact our HEAU for assistance when coverage for their care is denied. The HEAU provides a vital service to Marylanders who otherwise may have no recourse when denied health services or coverage.”

The HEAU Annual Report reflects that denials of coverage happen routinely without challenge. In fact, consumers challenged less than 10 percent of adverse decisions in FY 2021, although many carriers increased the number of adverse decisions issued in FY 2021 over FY 2020.

In one case mediated by the HEAU, a 12-year-old child with growth hormone deficiency was denied treatment for a fourth year, after the insurer had covered the treatment for the preceding three years. Because the cost of the human growth hormone injections is prohibitively expensive, paying out-of-pocket was not an option for this family. The HEAU intervened and the insurer’s denial was overturned on appeal, saving the family over \$96,000.

In another case, a 22-year-old woman who needed specialized arthroscopic hip surgery was denied a pre-authorization for an out-of-network surgeon to perform the surgery. Her HMO denied the authorization, claiming that expertise was available in-network. The HEAU prepared an appeal challenging not only the availability of an in-network provider with the necessary surgical expertise, but also challenging the geographic proximity of in-network expertise, if any. With the HEAU's involvement, the HMO overturned its denial and covered the cost of the specialized surgery with the out-of-network provider.

The HEAU also assists consumers faced with surprise medical bills, which has been a persistent problem for consumers both in Maryland and nationally. Fortunately, the recently enacted No Surprises Act establishes new protections from surprise billing and excessive cost sharing for consumers receiving health care items and services in emergency situations and at in-network facilities. The Act's protections become effective on January 1, 2022.

In one recent example of the HEAU assisting a consumer with surprise billing, a woman was traveling overseas and suffered a severe injury while scuba diving. Only one provider within 600 miles was able to provide the specific treatment she needed to avoid permanent neurological damage. Although the consumer obtained initial approval from her insurance carrier for treatment, she received a bill for over \$12,000. With the HEAU's involvement, the carrier agreed to increase its reimbursement to the provider and the provider agreed not to balance bill the consumer, saving her over \$11,000.

Also in FY 2021, the HEAU continued to receive complaints from consumers about health care providers charging insured consumers personal protective equipment/infection control fees related to the COVID-19 public health emergency. The HEAU had conducted outreach in FY 2020 informing providers that these fees were likely prohibited, and if they were permitted, must be disclosed to patients in advance. The HEAU has recovered tens of thousands of dollars for consumers who should not have had to pay these fees.

Of the cases closed by the HEAU in FY 2021, 551 were appeals and grievances-related cases. The HEAU mediation process resulted in health plans' original denials being overturned or modified 52 percent of the time. When the original denial is not overturned or modified, the HEAU is often able to negotiate a reduction in the billed fee from the provider, and set up reasonable payment plans for consumers.

Copies of previous years' reports can be found [here](#).

Consumers seeking assistance from the Health Education and Advocacy Unit can call the Unit's Hotline at 410-528-1840 (en español: 410-230-1712) or file a complaint online at www.MarylandCares.org.

<https://www.marylandattorneygeneral.gov/press/2021/110421.pdf>