

# TOBACCO SETTLEMENT PROGRAM

---

## Children's Hospital of Philadelphia Tobacco Settlement Payment Data Year 2022

---

June 2021



Commonwealth of Pennsylvania  
Department of the Auditor General

Timothy L. DeFoor • Auditor General



**Commonwealth of Pennsylvania  
Department of the Auditor General  
Harrisburg, PA 17120-0018  
Facebook: Pennsylvania Auditor General  
Twitter: @PAAuditorGen  
www.PaAuditor.gov**

**TIMOTHY L. DEFOOR  
AUDITOR GENERAL**

May 27, 2021

Mr. Thomas Todorow  
Chief Financial Officer  
Children's Hospital of Philadelphia  
100 East Penn Square  
Philadelphia, Pennsylvania 19107

Re: Children's Hospital of Philadelphia

Dear Mr. Todorow:

The Tobacco Settlement Act of June 26, 2001 (P.L. 755, No. 77), as amended, 35 P.S. § 5701.101 et seq., mandated the Department of Human Services (DHS) to make payments to hospitals for a portion of uncompensated care services provided by these facilities. Hospitals that qualify can receive payments using either an uncompensated care approach or an extraordinary expense approach. The uncompensated care score of each hospital is determined by using three-year averages from five main data elements (for a total of fifteen data elements). These data elements are uncompensated care costs, net patient revenues, Medicare supplemental security income (Medicare SSI) days, Medical Assistance (MA) days and total inpatient days. A hospital qualifies for an extraordinary expense payment based on their number of qualified claims. Qualified claims are those claims in which the cost of the claim exceeds twice the average cost of all claims for that particular facility and for which the hospital provided inpatient services to an uninsured patient.

Upon request from DHS, we developed procedures to be performed for each facility that may be eligible to receive a payment for the provision of uncompensated care services to determine the eligibility of reported claims and the accuracy of days data reported by the facility. DHS agreed that the procedures were appropriate to meet its needs and approved the procedures. We obtained records from Children's Hospital of Philadelphia (facility) and performed the established procedures to substantiate the claims data and days data it submitted to the Pennsylvania Health Care Cost Containment Council (PHC4) and DHS, respectively.<sup>1</sup>

---

<sup>1</sup> This engagement was not required to be and was not conducted in accordance with professional auditing or attestation standards.

The purpose of this engagement was to determine whether this facility reported any potentially eligible extraordinary expense claims for the fiscal year ended June 30, 2020 and, if so, verify whether corresponding patients were uninsured and the facility received no compensation from third party payers such as Medicare, Medicaid, or Blue Cross. Payments made by the patients themselves toward their financial obligations may have reduced the allowable costs of the respective claim when determining eligibility. We also determined whether this facility could substantiate total inpatient days and total MA days as reported on its submitted MA-336 cost reports, if filed with DHS, for the fiscal year ended June 30, 2019. We obtained computer processed data from the facility (i.e. account notes and billing information for claims and census reports for days) to determine the eligibility of reported claims and the accuracy of days data reported by the facility. Because of the extensive amount of time that would be required to visit the facility and perform procedures to evaluate the reliability of this data in the facility’s information system, DHS management stated that the performance of such procedures is not necessary to meet DHS’ needs. As such, we have classified this computer processed data as data of undetermined reliability.

The results of our procedures are as follows:

**For Reported Claims:**

Based on the PHC4 claims database for the fiscal year ended June 30, 2020, the facility reported 224 potentially eligible extraordinary expense claims, totaling \$287,217,945.00. The results of our procedures disclosed that none of the 224 reported potentially eligible extraordinary expense claims met the criteria to qualify as extraordinary expense claims because, based on the facility’s self-review of the claims, all 224 claims were paid by Medicaid or other third party payers and, therefore, the facility chose not to submit documentation for our review. The facility should remove all 224 reported claims from the PHC4 self-pay database. Since we determined that none of the 224 reported claims submitted by the facility qualify as extraordinary expense claims, this facility is not eligible for payment under the extraordinary expense method for the 2022 Tobacco Settlement Payment Year unless, as detailed below, additional claims are submitted and deemed eligible.

**For Total Inpatient Days and Total MA Days:**

For the total inpatient days and total MA days for fiscal year ended June 30, 2019, our results are as follows:

For FYE 6/30/19	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Total Inpatient Days	172,516	172,516	Not Applicable

For FYE 6/30/19	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
FFS Days	2,829	2,829	Not Applicable

For FYE 6/30/19 HMO Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Keystone First	31,247	31,247	Not Applicable
United Healthcare Community Plan of PA (PA Americhoice)	7,209	7,209	Not Applicable
Health Partners Plan	3,840	3,840	Not Applicable
Gateway Health	1,980	1,980	Not Applicable
Aetna Better Health	4,838	4,838	Not Applicable
UPMC For You	690	690	Not Applicable
Geisinger Health Plan	1,569	1,569	Not Applicable

For FYE 6/30/19 OOS Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Delaware	628	628	Not Applicable
Maryland	204	204	Not Applicable
New Jersey	21,072	21,072	Not Applicable
New York	1,826	1,826	Not Applicable
Ohio	36	36	Not Applicable
Virginia	316	316	Not Applicable
West Virginia	2	2	Not Applicable
South Carolina	430	430	Not Applicable
Missouri	283	283	Not Applicable
Oregon	257	257	Not Applicable
Other	1,679	0	No overall variance <sup>2</sup>
Alabama	0	16	
Arkansas	0	26	
Arizona	0	240	
California	0	67	
Colorado	0	88	
Connecticut	0	20	
Washington DC	0	126	
Florida	0	238	
Georgia	0	41	
Illinois	0	44	
Indiana	0	22	
Kansas	0	14	
Kentucky	0	6	
Massachusetts	0	12	

<sup>2</sup> There is no overall variance when comparing the submitted out-of-state days to the provider's supporting documentation, however, the supporting documentation included the breakdown between the states noted.

For FYE 6/30/19 OOS Days (Continued)	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Maine	0	1	
Michigan	0	172	
Minnesota	0	180	
North Carolina	0	67	
New Mexico	0	36	
Oklahoma	0	10	
Puerto Rico	0	17	
Rhode Island	0	21	
Tennessee	0	28	
Texas	0	101	
Vermont	0	17	
Utah	0	38	
Wisconsin	0	31	

PHC4 will contact you with instructions regarding entering adjustments to your facility’s originally submitted claims during the self-verification process. The facility’s failure to remove any claims identified as not qualifying as extraordinary expense claims from the PHC4 self-pay claims listing during the self-verification process will result in the facility’s records in the PHC4 database being inaccurate and DHS concluding that the facility is ineligible for payment under the extraordinary expense method. In addition to completing adjustments in the PHC4 database, any revisions to originally submitted days data on your facility’s MA-336 Cost Report should be submitted through the iPACRs system based on the results of our procedures.

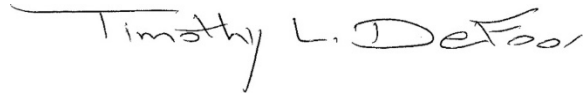
We are in the process of conducting engagements for all facilities that are potentially eligible for a 2022 Tobacco Settlement subsidy entitlement payment. After all the engagements are completed, we will prepare for DHS’ use a report detailing the results of all of our engagements.

DHS will use each hospital’s revised MA-336 Cost Report and PHC4 database to pull reported claims and number of days to calculate this facility’s eligibility to receive, and if deemed eligible, its subsidy entitlement under both the extraordinary expense and uncompensated care methods. If eligible under both methods, DHS will allow the facility to choose the method to be used to calculate the facility’s 2022 Tobacco Settlement subsidy entitlement payment. DHS establishes the date that these payments will be distributed to all eligible hospitals.

As a reminder, this facility may submit any claims coded as having Medicare, Medicaid, or any other insurance when submitted to the PHC4 for the fiscal year ended June 30, 2020, which the facility now believes qualify as self-pay claims, and which have total charges above this facility’s threshold of \$361,917.75. We refer to these types of claims as “additional claims” and these additional claims must be submitted to us no later than October 31, 2021. We will include the results of our procedures for each facilities’ submitted additional claims data in individualized reports sent to each respective hospital that submitted additional claims.

We thank the staff of Children's Hospital of Philadelphia for the cooperation extended to us during the course of our engagement. If you have any questions, please feel free to contact Tracie Fountain, CPA, Director, Bureau of Children and Youth Services Audits at 717-787-1159.

Sincerely,

A handwritten signature in black ink that reads "Timothy L. DeFoor". The signature is written in a cursive style with a long horizontal line extending to the left of the first letter.

Timothy L. DeFoor  
Auditor General

**CHILDREN’S HOSPITAL OF PHILADELPHIA  
REPORT DISTRIBUTION  
2022 TOBACCO SETTLEMENT PAYMENT DATA**

This report was initially distributed to:

**Ms. Sally Kozak**  
Deputy Secretary  
Office of Medical Assistance Programs  
Department of Human Services

**Mr. Alexander Matolyak**  
Director  
Division of Audit and Review  
Department of Human Services

**Mr. R. Dennis Welker**  
Special Audit Services  
Bureau of Audits  
Office of the Budget

**Ms. Tina Long**  
Director  
Bureau of Financial Operations  
Department of Human Services

**Mr. David Bryan**  
Manager  
Audit Resolution  
Department of Human Services

**Ms. Erica Eisenacher**  
HSPS  
Bureau of Fiscal Management  
Department of Human Services

**Mr. Thomas Todorow**  
Chief Financial Officer  
Children’s Hospital of Philadelphia

**Ms. Sandra Astorino**  
Director of Revenue and Reimbursement  
Children’s Hospital of Philadelphia

**Ms. Ruth Paninsoro**  
Financial Analyst  
Children’s Hospital of Philadelphia

**Ms. Michelle Ulrich**  
Reimbursement Manager  
Children’s Hospital of Philadelphia

This report is a matter of public record and is available online at [www.PaAuditor.gov](http://www.PaAuditor.gov). Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: [news@PaAuditor.gov](mailto:news@PaAuditor.gov).