

# TOBACCO SETTLEMENT PROGRAM

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## St. Luke's Hospital - Bethlehem Tobacco Settlement Payment Data Year 2022

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October 2021



Commonwealth of Pennsylvania  
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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**TIMOTHY L. DEFOOR  
AUDITOR GENERAL**

September 29, 2021

Mr. Tom Lichtenwalner  
Senior Vice President  
St. Luke's University Health Network  
801 Ostrum Street  
Bethlehem, PA 18105

Re: St. Luke's Hospital - Bethlehem

Dear Mr. Lichtenwalner:

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 St. Luke's Hospital - Bethlehem (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>

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<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 30 potentially eligible extraordinary expense claims. The results of our procedures disclosed that 21 of the 30 reported potentially eligible extraordinary expense claims met the criteria to qualify as extraordinary expense claims. The chart below details our results and explains any adjustments that your facility should make to the PHC4 Database. Since we determined that 21 of the 30 reported claims submitted by the facility qualify as extraordinary expense claims, this facility could be eligible for payment under the extraordinary expense method for the 2022 Tobacco Settlement Payment Year.

Claim No.	Originally Reported Total Charges	Substantiated Total Charges Based on Account Notes	Patient Payments Applied to Account	Qualify (Yes/No) – Reason for Not Qualifying	Adjustment(s) Needed
1	\$1,422,078.07	\$0.00	\$0.00	No - Paid by MA	Claim should be removed from self-pay listing
2	\$756,228.37	\$756,228.37	\$0.00	Yes	Not Applicable
3	\$750,060.52	\$0.00	\$0.00	No – Paid by Insurance	Claim should be removed from self-pay listing
4	\$506,160.51	\$506,425.33	\$0.00	Yes	An adjustment is needed to total charges
5	\$502,184.87	\$501,928.87	\$0.00	Yes	An adjustment is needed to total charges
6	\$480,476.64	\$480,476.64	\$0.00	Yes	Not Applicable

Claim No.	Originally Reported Total Charges	Substantiated Total Charges Based on Account Notes	Patient Payments Applied to Account	Qualify (Yes/No) – Reason for Not Qualifying	Adjustment(s) Needed
7	\$469,504.63	\$469,504.63	\$0.00	Yes	Not Applicable
8	\$440,221.79	\$0.00	\$0.00	No – Not a Self-Pay Claim	Claim should be removed from self-pay listing
9	\$435,548.23	\$435,548.23	\$0.00	Yes	Not Applicable
10	\$424,129.59	\$0.00	\$0.00	No – Paid by MA	Claim should be removed from self-pay listing
11	\$390,023.47	\$390,023.47	\$0.00	Yes	Not Applicable
12	\$388,381.30	\$388,381.30	\$0.00	Yes	Not Applicable
13	\$334,259.51	\$334,224.50	\$370.00	Yes	An adjustment is needed to total charges
14	\$303,890.76	\$303,890.76	\$0.00	Yes	Not Applicable
15	\$298,239.48	\$0.00	\$0.00	No – Paid by MA	Claim should be removed from self-pay listing
16	\$292,916.47	\$292,916.47	\$0.00	Yes	Not Applicable
17	\$282,788.66	\$0.00	\$0.00	No – Paid by MA	Claim should be removed from self-pay listing
18	\$275,365.14	\$275,365.14	\$0.00	Yes	Not Applicable
19	\$274,945.95	\$0.00	\$0.00	No – Paid by MA	Claim should be removed from self-pay listing
20	\$272,868.90	\$272,868.90	\$0.00	Yes	Not Applicable
21	\$267,455.28	\$0.00	\$0.00	No – Paid by MA	Claim should be removed from self-pay listing
22	\$265,585.44	\$0.00	\$0.00	No – Paid by MA	Claim should be removed from self-pay listing
23	\$261,834.28	\$261,834.28	\$0.00	Yes	Not Applicable
24	\$259,292.75	\$259,292.75	\$0.00	Yes	Not Applicable
25	\$255,731.44	\$255,731.44	\$0.00	Yes	Not Applicable
26	\$247,812.19	\$247,812.19	\$0.00	Yes	Not Applicable
27	\$240,879.78	\$240,879.78	\$0.00	Yes	Not Applicable
28	\$235,378.90	\$235,378.90	\$0.00	Yes	Not Applicable
29	\$222,548.16	\$222,548.16	\$0.00	Yes	Not Applicable
30	\$211,744.13	\$211,744.13	\$0.00	Yes	Not Applicable

**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	144,515	144,708	Reporting Error

For FYE 6/30/19	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
FFS Days	5,885	5,885	Not Applicable

For FYE 6/30/19 HMO Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Aetna Better Health PA	461	461	Not Applicable
Amerihealth Caritas	7,843	7,843	Not Applicable
Amerihealth Northeast MA	2,292	2,292	Not Applicable
Gateway Health Plan	5,194	5,194	Not Applicable
Geisinger GHP Family	948	948	Not Applicable
Health Partners	72	72	Not Applicable
Keystone First	469	469	Not Applicable
Northampton CO Magellan Medicaid	494	494	Not Applicable
Lehigh CO Magellan Medicaid	353	353	Not Applicable
Montgomery CO Magellan Medicaid	21	21	Not Applicable
United Community Families of PA	110	110	Not Applicable
United Comm Kids	1	0	Reporting Error
United Community of PA	327	327	Not Applicable
UPMC Health Plan	220	220	Not Applicable
Community Care Behavioral HLTH	314	314	Not Applicable
Amerigroup Community Care	60	60	Not Applicable
Emblem HIP MA	0	18	Reporting Error

For FYE 6/30/19 HMO Days (Continued)	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Misc. Medicaid MCO	11	11	No Variance

For FYE 6/30/19 OOS Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
New Jersey	1,101	1,002	Reporting Error
New York	197	147	Reporting Error
Massachusetts	8	2	Reporting Error
Connecticut	12	0	Reporting Error
North Carolina	2	0	Reporting Error
Out of State	75	0	Reporting Error
California	0	31	Reporting Error
Missouri	0	7	Reporting Error
Puerto Rico	0	1	Reporting Error

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.

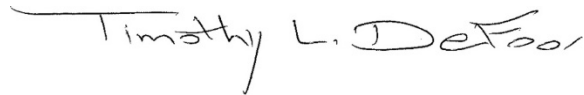
DHS will use each hospital's revised MA-336 Cost Report and PHC4 database to pull reported claims and number of days to calculate this facility's eligibility to receive, and if deemed eligible, its subsidy entitlement under both the extraordinary expense and uncompensated care methods. If eligible under 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 \$211,161.41. 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 St. Luke's University Health Network for the cooperation extended to us during the course of our engagement. If you have any questions, please feel free to contact the Bureau of County Audits – Hospital and Tobacco Division 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 horizontal line extending to the left of the first name.

Timothy L. DeFoor  
Auditor General

**ST. LUKE’S HOSPITAL - BETHLEHEM  
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**Mr. Tom Lichtenwalner**  
Senior Vice President  
St. Luke’s University Health Network

**Mr. Joel Conaway**  
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St. Luke’s University Health Network

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