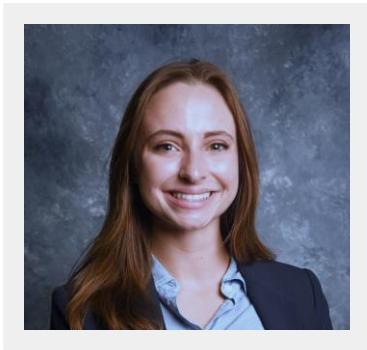




EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:



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Law School: University of Wisconsin

Organization: ABC for Health, Inc.

Update 1: This summer, I have been given a chance to provide civil legal aid for individuals who need it most.

I am extremely grateful to have received a fellowship through Equal Justice America, which provides funding to law students working to increase access to justice. EJA's funding allows law students to work in public interest spaces. Unfortunately, many low-income individuals cannot afford access to legal assistance that could help them navigate housing, health care, disability, and other needs that have unique ties into the legal sphere. In fact, over 80% of legal needs are not being met for people with limited income. EJA is funding my work at ABC for Health as I work to increase access to justice by increasing access to health coverage.

ABC for Health maximizes the availability of health benefits for individuals by counseling them on their health benefits options, assisting with financial assistance applications, and when necessary, combatting patient medical debt. I was excited to join ABC for Health because (as cheesy as it sounds), I believe that increasing access to health coincides with increasing access to justice. I will be sharing three stories over the summer about my work in these three areas. Thank you for the support, Equal Justice America, and for inviting me into this great work, ABC for Health, Inc.

Update 2: Fellowship Lesson 1: Navigating insurance benefits and coverage is not simple—but it is where ABC for Health, Inc. thrives.

One of the many ways that ABC for Health, Inc. serves disparity populations is by counseling individuals on potential insurance options. Some of the most complex examples involve overlapping insurance programs and policies. Take, for example, a parent who gets employer-sponsored insurance, but has a Medicaid-qualifying child with special health care needs. This parent would contact ABC to help determine which insurance should be billed as primary or secondary, and what to do when network coverage issues arise.

Or another timely example: a family who—like many others in the U.S.—is navigating Medicaid unwinding.



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Now that the public health emergency has ended, families must renew their Medicaid according to the financial eligibility requirements (including the income threshold). Sometimes families make incorrect assumptions about immigration status or income and fail to submit a renewal. That's when ABC steps in to assist individuals in understanding their options for extensions, potential opportunities to get covered through a different Medicaid pathway, or how to navigate advanced premium tax credits for a marketplace plan. And we build the expectation that we will be staying in touch in the future!

In these ways, ABC assists clients to avoid unpaid medical bills from a lack of health insurance, thus protecting against collections, lowered credit scores, and additional implications of poor credit.

Thank you, ABC for Health, Inc. and Equal Justice America for serving individuals in this way—and letting me be a part of the process.

Update 3: Equal Justice America Fellowship Lesson #2: Financial assistance is one tool of many that can help with medical debt.

Before working at ABC for Health, Inc., I had no idea that provider financial assistance was an option for paying medical bills. Many people don't. Unless you are physically handed a pamphlet explaining the financial assistance policy of your hospital, you just hope your insurance can cover enough of the bill, then you deal with the rest. And you hope you signed up for the right balance of premiums or deductibles—or you have to teach yourself the difference between the two.

As it turns out, tax-exempt hospital organizations are required by federal law to establish a written financial assistance policy. But many people are unaware of this law. When clients come to ABC for Health, they often come seeking solutions to medical debt.

It's fair to say that most people will face a medical emergency resulting in high medical bills during their lifetime. But it is not just low-income or uninsured individuals who benefit from financial assistance: despite having an employer-sponsored insurance plan, one client needed assistance paying bills for their cancer treatment. Another client was shocked to learn of a rare disease diagnosis, the treatment of which would cost \$300,000. Provider financial assistance covered it all.

For others, mistakes are made—insurance isn't billed or patients are illegally billed despite having Medicaid. For others, obstacles signing up for insurance cause gaps in coverage. When unexpected medical procedures occur, the patient racks up substantial debt. Most financial assistance policies can cover the entire bill, or they offer a sliding-fee scale depending on income.

ABC for Health helps people understand these options when they are stuck. If you find yourself in a similar situation, know that financial assistance could be an option for you!



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These are examples of ways civil legal services help consumers navigate the costs of healthcare.

Update 4: Medical debt is a many-tentacled beast that is better to avoid in the first place—if possible.

We all need health care. Even if we delay care until we get insurance, drive ourselves to emergency rooms, or wait until there's a serious need, we get hit with the cost at some point.

Almost every part of what [ABC for Health, Inc.](#) does is geared toward preventing individuals from being buried in medical debt.

The amounts of debt that ABC has helped to avoid or clear for individual clients are staggering:

\$1.3 million avoided by backdating health insurance

\$55,000 forgiven in part with a provider financial assistance application

\$10,000 forgiven with a provider financial assistance application

This past year alone, ABC has helped with well over \$750,000 in debt. For every client we get coverage for from Medicaid, it has an even larger economic impact. (See link below for more)

In my mind, attorneys can best serve people in these situations by representing them in small claims court or in civil suits. Ninety-nine percent of patients in Wisconsin go unrepresented and most end up with a default judgment against them. These clients aren't just not wanting to pay them—they can't pay them. Which means they also can't pay for the attorneys who would know how to file counterclaims, affirmative defenses, or otherwise assist with settlements.

Every day I am at this agency, I work with patients who are not able to pay their bills and are just hoping to get help before they are sent to collections. If you want to read more individual client stories, please click the link below to read from the Kaiser Family Foundation's recent article. They perfectly describe the situation in which so many Americans find themselves.

Update 5: Last week, I ended my ten-week fellowship at [ABC for Health, Inc.](#) I'm so grateful to work alongside attorneys and health benefit consultants who advocate for healthcare consumers in Wisconsin. Below are my final reflections and updates from my time at ABC.

Client stories often begin the same way: "They called me one day and told me my tooth extraction/physical therapy/MRI wouldn't be covered—but they didn't say why."

And the reasoning always differs. Sometimes the person was never notified that their provider no longer took



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Medicaid, sometimes Medicaid was never billed. And other times, the hospital, provider, or insurance company decided the service just wasn't medically necessary—despite the patient's insistence that the services would surely increase their standard of living. There are underlying legal issues in each one of these reasons, some of which could violate the rights of individuals on Medicaid within the health care system.

The work of a public interest attorney in this space is unlimited. Medicaid or BadgerCare Plus denials can be appealed through Fair Hearings, which serve as the “appeals process” for state health insurance. Hearing officers decide whether the evidence shows a proper denial, or if the state agency should be ordered to make services available to the patient. But public interest attorneys can also watch for broader issues within the health system, such as whether the state is truly providing the services it agreed to supply, or if it's falling short on even making them available.

Legal advocates have a tremendous impact on guaranteeing patients' rights. Every wheel in the machine, including patients, hospitals, and insurers, benefits when debt is prevented through mitigating coverage gaps, utilizing health savings accounts, and otherwise informing patients of how they can navigate our healthcare system. But when medical debt is unavoidable, provider financial assistance and public interest law firms like ABC can step in and protect patients. Unfortunately, some of the bigger issues with medical debt arise when individuals do not understand their rights, obligations, and options to receive coverage and care. And when they need advocates, there are only a few readily available. We need more groups who are willing to advocate for patients when their healthcare does not function as we all hope it will for ourselves.

For those who have reached the end of this post, you've made it clear that you care about these issues, too! If you'd like to assist other young lawyers gain this experience, please consider giving to the fund listed below. Civil legal services internships are often unpaid, but they provide unmatched experience in public interest work. Thank you, [Equal Justice America](#), for making this experience a possibility.