



Financial Assistance Policy: Berkshire Faculty Services

Introduction to Berkshire Faculty Services' Financial Assistance Policy

This policy applies to Berkshire Faculty Services (hereafter referred to as BFS) and specific locations and providers as identified in this policy.

BFS is the frontline caregiver providing medically necessary care for all people who present to its facility and locations regardless of ability to pay. BFS offers this care for **all** patients that come to our facility 24 hours a day, seven days a week, and 365 days a year. As a result, BFS is committed to providing all of our patients with high-quality care and services. As part of this commitment, BFS works with individuals with limited incomes and resources to find available options to cover the cost of their care.

BFS will help uninsured and underinsured individuals apply for health coverage through a public assistance program or BFS's financial assistance program (including but not limited to MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, the Children's Medical Security Program, the Health Safety Net, and Medical Hardship), and work with individuals to schedule appointments with Berkshire Medical Center (hereafter referred to as BMC) or Fairview Hospital's (hereafter referred to as FVH) Certified Application Counselors to enroll as appropriate. Eligibility for these programs is determined by reviewing, among other items, an individual's household income, assets, family size, expenses, and medical needs.

While BFS assists patients in obtaining health coverage through public programs and financial assistance through other sources whenever appropriate including BFS, BFS may also be required to appropriately bill for and collect specific payments, which may include but not be limited to, applicable co-payments, deductibles, deposits, and other amounts for which the patient agrees to be responsible. When registering for services or if receiving a bill, BFS encourages patients to contact the Financial Counselors at either BMC or FVH to determine if they and/or a family member are in need of and eligible for financial assistance.

In working with patients to find available public assistance or coverage through BFS's financial assistance, BFS does not discriminate on the basis of race, color, national origin, citizenship, alienage, religion, creed, sex, sexual orientation, gender identity, age, or disability in its policies or in its application of policies, concerning the acquisition and verification of financial information, preadmission or pretreatment deposits, payment plans, deferred or rejected admissions, determination that an individual qualifies for Low Income Patient status as determined by the Massachusetts MassHealth/Health Connector eligibility system, or attestation of information to determine Low Income Patient status. This policy has been reviewed and approved by the Chief Financial Officer of Berkshire Health Systems.

While we understand that each individual has a unique financial situation, information and assistance regarding eligibility for public assistance programs and/or coverage through BFS's financial assistance program may be obtained by contacting the Lead Certified Application Counselor of the Advocacy for Access Program of BMC at 413-447-3139, or the Financial Counselor of the Access Services Department of



FVH at 413-854-9605, Monday-Friday, 8:00 a.m. to 4:00 p.m.

More information about this policy and BFS's financial assistance program, including the application form and a plain language summary of the financial assistance policy, are available on Berkshire Health Systems' website:

www.berkshirehealthsystems.org/financial-counseling

I. Coverage for Medically Necessary Health Care Services

BFS provides medically necessary medical care services for all patients who present to a BFS physician for service regardless of their ability to pay. Medically necessary services includes those that are reasonably expected to prevent, diagnose, prevent the worsening of, alleviate, correct, or cure conditions that endanger life, cause suffering or pain, cause physical deformity or malfunction, threaten to cause or to aggravate a disability, or result in illness or infirmity. Medically Necessary Services include inpatient and outpatient services (including BFS office visits) as authorized under Title XIX of the Social Security Act.

The treating medical professional will determine the type and level of care and treatment that is necessary for each patient based on their presenting clinical symptoms and following applicable standards of practice. BFS follows the federal Emergency Medical Treatment and Active Labor Act (EMTALA) requirements by conducting a medical screening examination for patients who present at a BFS location seeking emergency services to determine whether an emergency medical condition exists.

Classification of emergency and nonemergency services is based on the following general definitions, as well as the treating clinician's medical determination. The definitions of emergency or urgent care services provided below are further used by BFS for purposes of determining allowable emergency and urgent bad debt coverage under BFS's financial assistance program, including the Health Safety Net.

A. Emergency and Urgent Care Services

Any patient who presents at BFS requesting emergency assistance will be evaluated based on the presenting clinical symptoms without regard to the patient's identification, insurance coverage, or ability to pay. BFS will not engage in actions that discourage individuals from seeking emergency medical care, such as demanding that patients pay before receiving treatment for emergency medical conditions, or interfering with the screening for and providing of emergency medical care by first discussing the BFS financial assistance program or eligibility for public assistance programs.

- a. Emergency Level Services includes treatment for:
 - i. A medical condition, whether physical or mental, manifesting itself by symptoms of sufficient severity, including severe pain, such *that the absence of prompt medical attention could reasonably be expected by a prudent layperson who possesses an average knowledge of health and medicine to result in placing the health of the person or another person in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part*, or, with respect to a pregnant woman, as further defined in 42 U.S.C. § 1395dd(e)(1)(B).
 - ii. In accordance with federal requirements, EMTALA is triggered for anyone who presents to



a hospital's property requesting examination or treatment of an emergency (as defined above) or who enters the emergency department requesting examination or treatment for a medical condition. Most commonly, unscheduled persons present themselves at the emergency department. However, unscheduled persons requesting services for an emergency medical condition while presenting at another inpatient/outpatient unit, clinic, or other ancillary area will also be evaluated for and possibly transferred to a more appropriate location for an emergency medical screening examination in accordance with EMTALA. Examination and treatment for emergency medical conditions, or any such other service rendered to the extent required under EMTALA, will be provided to the patient and will qualify as emergency level care. The determination that there is an emergency medical condition is made by the treating clinician or other qualified medical personnel of BFS as documented in the BFS medical record.

- b. Urgent Care Services include treatment for the following:
 - i. Medically Necessary Services provided in an Acute Hospital after the sudden onset of a medical condition, whether physical or mental, manifesting itself by acute symptoms of sufficient severity (including severe pain) such *that a prudent layperson would believe that the absence of medical attention within 24 hours could reasonably expect to result in placing a patient's health in jeopardy, impairment to bodily function, or dysfunction of any bodily organ or part.* Urgent Care Services are provided for conditions that are not life threatening and do not pose a high risk of serious damage to an individual's health. Urgent Care Services do not include Primary or Elective Care.

B. Non-Emergent, Non-Urgent Services:

For patients who (1) the treating clinician determines is non-emergent or non-urgent level care or (2) seek care and treatment following stabilization of an emergency medical condition, BFS may deem that such care is primary or elective services.

- a) Primary or Elective Services includes medical care that is not an Urgent or Emergency level of care and is required by individuals or families for the maintenance of health and the prevention of illness. Typically, these services are medical or behavioral health procedures/visits scheduled in advance or on the same day by the patient or by the health care provider at a BFS location including but not limited to the main campus, a remote site or location, as well as an affiliated physician office, clinic, or community health center. Primary Care consists of health care services customarily provided by general practitioners, family practitioners, general internists, general pediatricians, and primary care nurse practitioners or physician assistants in a primary care service. Primary Care does not require the specialized resources of an Acute Hospital emergency department and excludes Ancillary Services and maternity care services.
- b) Non-emergent or non-urgent health care services (i.e., primary or elective care) may be delayed or deferred based on the consultation with BFS's clinical staff, as well as the patient's primary care or treating provider if available and as appropriate. BFS may further decline to provide a patient with non-emergent, non-urgent services if the patient is medically stable and BFS is unable to obtain from the patient or other sources appropriate payment source or eligibility information for a public or private health insurance to cover the cost of the non-emergent and non-urgent care. Coverage for healthcare services, including medical and behavioral health, is determined and outlined in a public and private health insurer's medical necessity and coverage manuals. While BFS will attempt to determine coverage based on the patient's known and available insurance coverage, it may bill the patient if the services are not a reimbursable service and the patient has



agreed to be billed.

- c) Coverage from a public, private, or hospital based financial assistance program may not apply to certain primary or elective procedures that are not reimbursable by such coverage options. If the patient is not sure if a service is not covered, they should contact the Financial Counselor at FVH by calling 413-854-9605 to determine what coverage options are available.

C. BFS Locations providing medically necessary services and covered by the Financial Assistance Policy:

BFS’s financial assistance policy covers the following locations where patients can also obtain information on the availability of public assistance programs:

<i>Berkshire Faculty Services Cities/State:</i>	
<i>North Adams, MA</i>	<i>Great Barrington, MA</i>
<i>Lenox, MA</i>	<i>Pittsfield, MA</i>
<i>Adams, MA</i>	<i>Williamstown, MA</i>
<i>Vermont</i>	

In addition, the BFS financial assistance policy covers those Emergent, Urgent, and Primary Care services provided by the following physician types within BFS locations listed above:

NON-COVERED PROFESSIONAL SERVICES	COVERED PROFESSIONAL SERVICES
Dental Services-General Dentistry & Oral Surgery	Berkshire Faculty Services
Dermatology Services	
Ears, Nose, Throat (ENT) Services	
Gastroenterology Services	
Non Affiliated Behavioral Health Services	
Ophthalmology Services	
Orthopedic Services	
Pathology Services	
Pediatric Services	
Podiatry Services	
Primary Care Services	
Radiation Oncology Services	
Radiology Services	
Surgical Services	

In addition to the above non-covered services, Community Health Center patients whom, under formal agreement can be referred to Berkshire Faculty Services, will be excluded from the financial assistance policy. Financial assistance for this population is referenced in the BMC Billing and Collections Policy or FVH Credit and Collections Policy.

NOTE: Any provider type listed as non-covered are also excluded from reimbursement under HSN.



II. Public Assistance Programs and BFS Financial Assistance

A. General Overview of Health Coverage and Financial Assistance Programs

BFS patients may be eligible for free or reduced cost of health care services through various state public assistance programs as well as BFS financial assistance programs (including but not limited to MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, the Children's Medical Security Program, the Health Safety Net, and Medical Hardship). Such programs are intended to assist low-income patients taking into account each individual's ability to contribute to the cost of his or her care. For those individuals that are uninsured or underinsured, BFS will, when requested, help them with applying for either coverage through public assistance programs or BFS financial assistance programs that may cover all or some of their unpaid hospital bills.

B. State Public Assistance Programs

BFS is available to assist patients in enrolling into state health coverage programs. These include MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, and the Children's Medical Security Plan. For these programs, applicants can submit an application through an online website (which is centrally located on the state's Health Connector website), a paper application, or over the phone with a customer service representative located at either MassHealth or the Health Connector. Individuals may also ask for assistance from one of BMC or FVH's Certified Application Counselors with submitting the application either on the website or through a paper application.

C. BFS Financial Assistance

BFS also provides financial assistance to patients whose income demonstrates an inability to pay for all or a portion of services provided. Patients who are Massachusetts or non-Massachusetts residents and/or in the BFS's service area may be required to complete their state's application for Medicaid coverage or subsidized health insurance prior to seeking coverage through the BFS's own financial assistance options. Qualifying patients are eligible for BFS's Financial Assistance Policy (FAP) based on the below criteria:

C.1. BFS Financial Assistance through the Health Safety Net

BFS provides financial assistance to low-income uninsured and underinsured patients who are Massachusetts or non-Massachusetts residents and who meet income qualifications. The Health Safety Net (HSN) was created to more equitably distribute the cost of providing uncompensated care to low income uninsured and underinsured patients through free or discounted care across acute hospitals in Massachusetts. Given the relationship BFS has with both BMC and FVH, BFS honors the eligibility of HSN for their patients. While these services are not reimbursed to BFS, BMC or FVH, the recognition of this qualification is considered as a method of assistance to those of income under 300% the federal poverty level. It is BFS's policy that all patients who receive financial assistance under BFS's financial assistance policy includes the health safety net services as part of the uncompensated care provided to low income patients.

Through its relationship with BMC and FVH a patient of BFS's participation in the Health Safety Net, low-income patients, receiving services at BFS may be eligible for financial assistance including HSN.

Berkshire Faculty Services patients need to present verification of their hospital HSN eligibility to BFS. This eligibility through the State application process follows all rules and federal poverty levels (FPL)



applicable to eligibility. BFS grants this eligibility as a community benefit to those of low-income status.

C.2. BFS Additional Financial Assistance

In addition to the Health Safety Net, BFS provides financial assistance for those patients who meet its criteria as outlined below. This financial assistance is meant to supplement and not replace other coverage for services in order to ensure the financial assistance is provided when needed. BFS will not deny financial assistance under its financial assistance policy based on the applicant’s failure to provide information or documentation unless that information or documentation is described in and necessary for the determination of financial assistance through the application form.

This additional financial assistance is available to patients who are uninsured and whose household income is less than or equal to 400% of the Federal Poverty Level. Patients must apply for any state of governmental public assistance program for which they may qualify. Patients that qualify for the additional financial assistance will be offered a discount as follows:

Office Services	Non-Office Services
54.13%	54.13%

D. Limitations on Charges

BFS will not charge any individual who is eligible for assistance under its financial assistance policy for emergency and medically necessary care more than the “amount generally billed” to individuals who have insurance for such care. For this purpose the “amount generally billed” is determined using the look back method and for Berkshire Faculty Services is a combination of Medicare Fee for Service and all private insurer rates.

The “amounts generally billed”, stated as a percentage of gross charges for BFS, is as follows:

- **For Office and Non-Office Services 45.87%**

BFS will charge any individual who is eligible for assistance under its financial assistance policy for all other care an amount less than gross charges for such care.

E. Notices & Application for BFS Financial Assistance & Public Assistance Programs

E.1 Notices of Available BFS Financial Assistance & Public Assistance Options

For those individuals who are uninsured or underinsured, BFS will work with patients to assist them in applying for public assistance and/or BFS financial assistance programs that may cover some or all of their unpaid hospital bills. In order to help uninsured and underinsured individuals find available and appropriate options, BFS will provide all individuals with a general notice of the availability of public assistance and financial assistance programs during the patient’s initial in-person registration at a BFS location for a service, in all billing invoices that are sent to a patient or guarantor, and when the provider is notified or through its own due diligence becomes aware of a change in the patient’s eligibility status for public or private insurance coverage.



In addition, BFS also posts general notices at service delivery areas where there is a registration or check-in area (including, but not limited to, inpatient, outpatient, emergency departments, and satellite locations, in Certified Application Counselor offices, and in general business office areas that are customarily used by patients (e.g., admissions and registration areas, or patient financial services offices that are actively open to the public). The general notice will inform the patient about the availability of public assistance and BFS financial assistance (including MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, the Children's Medical Security Program, the Health Safety Net and Medical Hardship) as well as the location(s) within BFS and/or BMC/FVH phone numbers to call to schedule an appointment with a Certified Application Counselor. The goal of these notices is to assist individuals in applying for coverage within one or more of these programs.

E.2. Application for BFS Financial Assistance and Public Assistance Programs

BFS has available resources to assist patients in enrolling into a state public assistance program through BMC/FVH Certified Application Counselors. These programs include MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, and the Children's Medical Security Plan. Based on information provided by the patient, the Financial Counselors or the Certified Application Counselors will also identify available coverage options through its financial assistance program, including the Health Safety Net and Medical Hardship programs.

For programs other than Medical Hardship, applicants can submit an application through an online website (which is centrally located on the state's Health Connector website), a paper application, or over the phone with a customer service representative located at either MassHealth or the Health Connector. Individuals may also ask for assistance from a BMC/FVH Certified Application Counselor with submitting the application either on the website or through a paper application.

For Medical Hardship, BFS will refer the patient to the BMC/FVH Certified Application Counselors to determine if a program like Medical Hardship would be appropriate and submit a Medical Hardship application to the Health Safety Net. It is the patient's obligation to provide all necessary information as requested in an appropriate timeframe to submit a completed application. If the patient is able to provide all information in a timely manner, the total and completed application will be submitted within five (5) business days of receiving all necessary and requested information. If the total and completed application is not submitted within five business days of receiving all necessary information, collection actions may not be taken against the patient with respect to bills eligible for Medical Hardship.

Financial assistance provided through BFS is available to patients and their family members with household income less than 400% of the Federal Poverty Level. To obtain a financial assistance application, call the Advocacy for Access Program of BMC or the Access Services Department of FVH. The application can also be accessed online at Berkshire Health Systems' website.. In order to be determined eligible you must:

- Apply for any state or governmental medical assistance program for which you may be eligible and provide proof of application.
- Complete, sign, and date the Financial Assistance Application.
- Provide verification of all household income.
- Return your completed application to the Advocacy for Access Program of BMC, or to the Access Services Department of FVH.



Presumptive Determination will be made for BFS Financial Assistance based upon a self-attestation of financial information by the patient or information BFS obtains through the rendering of services for the patient, and such information will deem a patient as meeting the low-income patient definition to cover medically necessary and primary care services. Examples of patients and conditions are homeless or incarcerated. These examples, are just that, and do not represent a completed list of conditions. Patients qualifying for such determination will have an application identifying such circumstances. Such determination would be reviewed on an annual basis or until the patient completed another application within the year timeframe, whatever occurs first.

BFS will not deny financial assistance under its financial assistance policy for information or documentation unless the information or documentation is described in its financial assistance policy or application form.

E.3. Role of the Financial Counselor and Certified Application Counselor:

BFS has access to both Financial Counselors and Certified Application Counselors at BMC and FVH to assist the uninsured and underinsured individuals apply for health coverage through a public assistance program (including but not limited to MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, and the Children’s Medical Security Program), and work with individuals to enroll them as appropriate. BMC/FVH Financial Counselors and Certified Application Counselors will also help patients that wish to apply for financial assistance from BFS, which includes coverage through the Health Safety Net and Medical Hardship.

BMC/FVH will assist BFS with the following:

- a) provide information about the full range of programs, including MassHealth, the Premium Assistance Payment Program Operated by the Health Connector, the Children’s Medical Security Program, Health Safety Net, and Medical Hardship;
- b) help individuals complete a new application for coverage or submit a renewal for existing coverage;
- c) work with the individual to obtain all required documentation;
- d) submit applications or renewals (along with all required documentation);
- e) interact, when applicable and as allowed under the current system limitations, with the Programs on the status of such applications and renewals;
- f) help to facilitate enrollment of applicants or beneficiaries in Insurance Programs; and
- g) offer and provide voter registration assistance.

BMC/FVH, on behalf of BFS, will advise the patient of their obligation to provide the applicable state agency with accurate and timely information regarding their full name, address, telephone number, date of birth, social security number (if available), current insurance coverage options (including home, motor vehicle, and other liability insurance) that can cover the cost of the care received, any other applicable financial resources, and citizenship and residency information. This information will be submitted to the state as part of the application for public program assistance to determine coverage for the services provided to the individual.

If the individual or guarantor is unable to provide the necessary information, BMC/FVH, on behalf of BFS, may, at the individual’s request, make reasonable efforts to obtain any additional information from



other sources. Such efforts also include working with individuals, when requested by the individual, to determine if a bill for services should be sent to the individual to assist with meeting the one-time deductible. This will occur when the individual is scheduling their services, during pre-registration, while the individual is admitted in BFS, upon discharge, or for a reasonable time following discharge from BFS. Information that the Financial Counselor or Certified Application Counselor obtains will be maintained in accordance with applicable federal and state privacy and security laws.

BMC/FVH, on behalf of BFS, will also notify the patient during the application process of their responsibility to report to both BFS and the state agency providing coverage of healthcare services any third party that may be responsible for paying claims, including a home, auto, or other insurance liability policy. If the patient has submitted a third party claim or filed a lawsuit against a third party, the Financial Counselor or Certified Application Counselor will notify the patient of the requirement to notify the provider and the state program within 10 days of such actions. The patient will also be informed that they must repay the appropriate state agency the amount of the healthcare covered by the state program if there is a recovery on the claim, or assign rights to the state to allow it to recover its applicable amount.

Other related documents include:

- Plain Language Summary
- Financial Assistance Application
- Plain Language Summary of Procedure

Reviewed and Approved by: Darlene Rodowicz, Berkshire Health Systems Executive Vice President.

Approval Date: 12/31/2020

Effective Date: 01/01/2021

Replaces Policy Dated: 11/26/2019