

# TOBACCO SETTLEMENT PROGRAM

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## LifeCare Hospitals of Chester County Tobacco Settlement Payment Data Review Year 2019

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September 2018



Commonwealth of Pennsylvania  
Department of the Auditor General

Eugene A. DePasquale • Auditor General



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**EUGENE A. DePASQUALE  
AUDITOR GENERAL**

September 19, 2018

Mr. J. Michael Cronin  
Vice President of Reimbursement and Government Affairs  
LifeCare Health Partners  
5340 Legacy Drive, Suite 150  
Plano, TX 75024

Re: LifeCare Hospitals of Chester County

Dear Mr. Cronin:

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.

At the request of DHS, the Department of the Auditor General performed a review<sup>1</sup> of LifeCare Hospitals of Chester County's records to substantiate the claims data and days data it submitted to the Pennsylvania Health Care Cost Containment Council (PHC4) and the DHS, respectively.

The purpose of our review was to determine whether this facility could substantiate its fiscal year ended June 30, 2017 reported claims and 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

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

obligations may have reduced the allowable costs of the respective claim when determining eligibility. We also determined whether this facility could substantiate total MA days as reported on its submitted MA-336 cost reports for the fiscal years ended June 30, 2015 and June 30, 2016.

The results of our review are as follows:

**For Claims:**

Based on the PHC4 claims database for the fiscal year ended June 30, 2017, the facility did not have any potentially eligible extraordinary expense claims for review and, therefore, the facility is not eligible for payment under the extraordinary expense method for the 2019 Tobacco Settlement Payment Year unless, as detailed below, additional claims are submitted and deemed eligible.

**For MA Days:**

For total MA days for the fiscal year ended June 30, 2015, this facility did not submit a cost report for this fiscal year; therefore, per the DHS, this facility’s total MA days for this fiscal year will be excluded when DHS calculates this facility’s subsidy entitlement unless the facility submits the outstanding cost report data to the DHS via the use (and submission of) the final attestation form which the DHS sends to all facilities prior to the DHS’ calculation of each hospital’s subsidy entitlement based on our engagement results for each potentially eligible hospital and their respective claims self-review results.

For the total MA days for fiscal year ended June 30, 2016, our results are as follows:

For FYE 6/30/16	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
FFS Days	0	0	N/A
HMO Days	0	0	N/A
OOS Days	0	0	N/A

The DHS will use all substantiated additional claims and number of days to calculate LifeCare Hospitals of Chester County’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 2019 Tobacco Settlement subsidy entitlement payment. DHS establishes the date that these payments will be distributed to all eligible hospitals.

Our office is currently reviewing all facilities that are potentially eligible for a 2019 Tobacco Settlement subsidy entitlement payment. After all the reviews are completed, we will prepare for DHS’ use a report detailing the results of all of our reviews. The PHC4 and the DHS will contact you with instructions regarding entering adjustments to your facility’s originally submitted claims and MA days data based on the results of our review.

As a reminder, LifeCare Hospitals of Chester County may submit for our review any claims coded as having Medicare, Medicaid, or any other insurance when submitted to PHC4 for the fiscal year ended June 30, 2017, which the facility now believes qualify as self-pay claims, and which have total charges above LifeCare Hospitals of Chester County's threshold of \$414,637.38. We refer to these types of claims as "additional claims" and these additional claims must be submitted to the Department of the Auditor General no later than October 31, 2018. The results of our review of each facility's submitted additional claims data will be detailed in individualized reports sent to each respective hospital that submitted additional claims.

We thank the staff of LifeCare Health Partners for the cooperation extended to us during the course of our review. 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, appearing to read "Eugene A. DePasquale". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eugene A. DePasquale  
Auditor General

**LIFECARE HOSPITALS OF CHESTER COUNTY  
REPORT DISTRIBUTION  
2019 TOBACCO SETTLEMENT PAYMENT DATA**

This report was initially distributed to:

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Department of Human Services

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Division of Audit and Review  
Department of Human Services

**Mr. J. Michael Cronin**  
Vice President of Reimbursement and  
Government Affairs  
LifeCare Health Partners

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