



**American Hospital
Association**

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The Honorable Howard Coble
United States House of Representatives
2188 Rayburn House Office Building
Washington, DC 20515

Dear Representative Coble:

On behalf of our nearly 5,000 member hospitals, health systems and other health care organizations, and our 43,000 individual members, the American Hospital Association (AHA) is pleased to support the *Fairness in Health Care Claims, Guidance and Investigations Act of 2013*. We applaud your effort to ensure that unintentional billing disputes are not pursued and penalized as fraud.

America's hospitals agree with the need for federal enforcement agencies to detect, deter and eradicate fraud in the Medicare and Medicaid programs. However, conflicting and confusing government regulations covering these programs can easily result in unintentional billing mistakes by hospitals. These guidelines and regulations change frequently and can be interpreted differently by various government officials and the numerous contractors the government now uses to administer, audit and police federal health care programs.

Despite hospitals' best efforts, billing mistakes happen as hospitals are required to understand and comply with hundreds of thousands of pages of Medicare and Medicaid regulations, guidelines, billing instructions and similar documents. Such errors typically bear no relation to fraud. The patient has received appropriate and timely medical care under the direction of their physician. Hospitals have significant compliance programs as part of their commitment to following laws and regulations and achieving accurate billing for those services.

The *Fairness in Health Care Claims, Guidance and Investigations Act* amends the *False Claims Act* by requiring that federal agencies review their own rules and regulations to determine whether a billing dispute should be pursued as fraud before even launching an investigation. In addition, the legislation establishes a "de minimus" threshold, removing smaller disputes from costly review and litigation, and provides "safe harbors" under the law for providers that rely on written statements or audits from federal contractors or implement federal model hospital compliance programs. Importantly, the bill will help hospitals focus their limited resources on patient care, not on unnecessary paperwork.

We are pleased to support this bipartisan legislation and look forward to working with you and your colleagues to achieve passage of the *Fairness in Health Care Claims, Guidance and Investigations Act*.

Sincerely,

Rick Pollack
Executive Vice President

