

# TOBACCO SETTLEMENT PROGRAM

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## Lehigh Valley Hospital Pocono Tobacco Settlement Payment Data Year 2026

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November 2025



Commonwealth of Pennsylvania  
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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**TIMOTHY L. DEFOOR  
AUDITOR GENERAL**

October 23, 2025

Mr. Robert Thomas  
Executive Vice President and Chief Financial Officer  
Lehigh Valley Health Network  
LVHN – One City Center  
707 Hamilton Street, Executive Suite, 9<sup>th</sup> Floor  
Allentown, PA 18105

Re: Lehigh Valley Hospital Pocono

Dear Mr. Thomas:

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 approach is based on the hospital's uncompensated care score. The uncompensated care score 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. The extraordinary expense approach is based on the total costs of the 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 Lehigh Valley Hospital Pocono (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, 2024 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, 2023. 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, 2024, the facility reported eleven potentially eligible extraordinary expense claims. The results of our procedures disclosed that four of the eleven 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 four of the eleven 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 2026 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         | \$715,512.60                      | \$0.00                                             | \$0.00                              | No – Allowable Charges are Below Threshold <sup>2</sup> | Claim should be removed from self-pay listing |
| 2         | \$351,485.58                      | \$205,944.06                                       | \$0.00                              | Yes                                                     | Adjustment Needed to Total Charges            |

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<sup>2</sup> Per the provider, there was a decrease in total charges, bringing the total allowable charges to \$143,102.52. Because this total is less than the facility's threshold of \$179,605.51, the claim does not qualify as an extraordinary expense claim.

|    |              |              |        |                                                         |                                               |
|----|--------------|--------------|--------|---------------------------------------------------------|-----------------------------------------------|
| 3  | \$302,724.96 | \$0.00       | \$0.00 | No – Allowable Charges are Below Threshold <sup>3</sup> | Claim should be removed from self-pay listing |
| 4  | \$287,301.93 | \$0.00       | \$0.00 | No - Paid by Insurance                                  | Claim should be removed from self-pay listing |
| 5  | \$248,185.73 | \$0.00       | \$0.00 | No – Not a Self-Pay Claim                               | Claim should be removed from self-pay listing |
| 6  | \$229,881.84 | \$0.00       | \$0.00 | No – Sold Account to Third Party Vendor                 | Claim should be removed from self-pay listing |
| 7  | \$222,652.00 | \$181,482.00 | \$0.00 | Yes                                                     | Adjustment Needed to Total Charges            |
| 8  | \$215,414.67 | \$0.00       | \$0.00 | No - Paid by Insurance                                  | Claim should be removed from self-pay listing |
| 9  | \$196,869.10 | \$196,869.10 | \$0.00 | Yes                                                     | Not Applicable                                |
| 10 | \$191,526.47 | \$191,526.47 | \$0.00 | Yes                                                     | Not Applicable                                |
| 11 | \$179,977.16 | \$0.00       | \$0.00 | No – Allowable Charges are Below Threshold <sup>4</sup> | Claim should be removed from self-pay listing |

**For Total Inpatient Days and Total MA Days:**

For the total inpatient days and total MA days for fiscal year ended June 30, 2023, our results are as follows:

| For FYE 6/30/23      | Originally Submitted Number of Days | Substantiated Number Based on Source Documents | Explanation of Difference |
|----------------------|-------------------------------------|------------------------------------------------|---------------------------|
| Total Inpatient Days | 40,781                              | 40,781                                         | Not Applicable            |

| For FYE 6/30/23 | Originally Submitted Number of Days | Substantiated Number Based on Source Documents | Explanation of Difference |
|-----------------|-------------------------------------|------------------------------------------------|---------------------------|
| FFS Days        | 1,010                               | 1,010                                          | Not Applicable            |

<sup>3</sup> Per the provider, there was a decrease in total charges, bringing the total allowable charges to \$88,537.23. Because this total is less than the facility's threshold of \$179,605.51, the claim does not qualify as an extraordinary expense claim.

<sup>4</sup> Per the provider, there was a decrease in total charges, bringing the total allowable charges to \$119,807.19. Because this total is less than the facility's threshold of \$179,605.51, the claim does not qualify as an extraordinary expense claim.

| For FYE 6/30/23<br>HMO Days                           | Originally<br>Submitted Number<br>of Days | Substantiated<br>Number Based on<br>Source Documents | Explanation of<br>Difference |
|-------------------------------------------------------|-------------------------------------------|------------------------------------------------------|------------------------------|
| Geisinger Family                                      | 2,182                                     | 2,182                                                | Not Applicable               |
| AmeriHealth Caritas                                   | 2,931                                     | 2,931                                                | Not Applicable               |
| Aetna Better Health                                   | 290                                       | 290                                                  | Not Applicable               |
| UPMC                                                  | 235                                       | 235                                                  | Not Applicable               |
| Health Partners<br>Plans                              | 158                                       | 158                                                  | Not Applicable               |
| Health Choice<br>Behavior Health                      | 13                                        | 13                                                   | Not Applicable               |
| Magellan Health<br>Choices                            | 52                                        | 52                                                   | Not Applicable               |
| Community Care<br>Behavioral Health<br>Choices        | 1,344                                     | 1,344                                                | Not Applicable               |
| Highmark<br>Wholecare Gateway<br>Medicaid             | 125                                       | 125                                                  | Not Applicable               |
| PA Health &<br>Wellness<br>Community<br>HealthChoices | 37                                        | 37                                                   | Not Applicable               |
| Independence<br>BlueCross Medicaid                    | 23                                        | 23                                                   | Not Applicable               |

| For FYE 6/30/23<br>OOS Days | Originally<br>Submitted Number<br>of Days | Substantiated<br>Number Based on<br>Source Documents | Explanation of<br>Difference |
|-----------------------------|-------------------------------------------|------------------------------------------------------|------------------------------|
| Maryland                    | 8                                         | 8                                                    | Not Applicable               |
| New Jersey                  | 78                                        | 78                                                   | Not Applicable               |
| New York                    | 316                                       | 316                                                  | Not Applicable               |
| Ohio                        | 6                                         | 6                                                    | Not Applicable               |
| Virginia                    | 11                                        | 11                                                   | Not Applicable               |
| West Virginia               | 4                                         | 4                                                    | Not Applicable               |
| Connecticut                 | 5                                         | 5                                                    | Not Applicable               |
| Florida                     | 72                                        | 72                                                   | Not Applicable               |
| Massachusetts               | 11                                        | 11                                                   | Not Applicable               |
| All Other                   | 65                                        | 0                                                    | No Overall Variance          |
| Missouri                    | 0                                         | 51                                                   |                              |
| North Carolina              | 0                                         | 3                                                    |                              |
| California                  | 0                                         | 4                                                    |                              |
| Texas                       | 0                                         | 7                                                    |                              |

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.

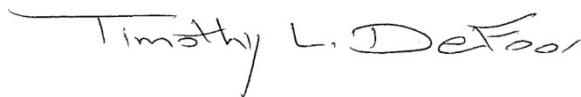
We are in the process of conducting engagements for all facilities that are potentially eligible for a 2026 Tobacco Settlement subsidy entitlement payment. After all the engagements are completed, we will prepare for DHS' use a report detailing the results of all of our engagements.

DHS will use each hospital's verified PHC4 database and revised MA-336 Cost Report 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 2026 Tobacco Settlement subsidy entitlement payment. DHS establishes the date that these payments will be distributed to all eligible hospitals.

As a reminder, this facility was to submit, by October 31, 2025, any claims coded as having Medicare, Medicaid, or any other insurance when submitted to the PHC4 for the fiscal year ended June 30, 2024, which the facility believed qualified as self-pay claims, and which had total charges above the facility's threshold of \$179,605.51; we refer to these types of claims as "additional claims." As of October 31, 2025, Lehigh Valley Hospital Pocono submitted nine additional claims. For facilities that submitted additional claims, we will send the results of our procedure to each respective hospital.

We thank the staff of Lehigh Valley Hospital 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, flowing style.

Timothy L. DeFoor  
Auditor General

**LEHIGH VALLEY HOSPITAL POCONO  
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2026 TOBACCO SETTLEMENT PAYMENT DATA**

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