

# TOBACCO SETTLEMENT PROGRAM

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## Penn State Health Milton S. Hershey Medical Center Tobacco Settlement Payment Data Year 2025

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November 2024



Commonwealth of Pennsylvania  
Department of the Auditor General  
Timothy L. DeFoor • Auditor General



**Commonwealth of Pennsylvania  
Department of the Auditor General  
Harrisburg, PA 17120-0018  
Facebook: Pennsylvania Auditor General  
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**TIMOTHY L. DEFOOR  
AUDITOR GENERAL**

November 1, 2024

Mr. Peter Ostasewski  
Vice President and Chief Financial Officer  
Penn State Health Milton S. Hershey Medical Center  
100 Crystal A Drive  
Post Office Box 853  
Hershey, PA 17033

Re: Penn State Health Milton S. Hershey Medical Center

Dear Mr. Ostasewski:

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 Penn State Health Milton S. Hershey Medical Center (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, 2023 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, 2022. 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, 2023, the facility reported 38 potentially eligible extraordinary expense claims. The results of our procedures disclosed that 11 of the 38 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 11 of the 38 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 2025 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	\$1,647,547.67	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
2	\$1,028,284.11	\$0.00	\$0.00	No – Not a Self-Pay Claim	Claim should be removed from self-pay listing
3	\$878,795.35	\$876,689.35	\$261,532.60	Yes	An adjustment is needed to total charges
4	\$872,854.24	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing

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
5	\$720,728.80	\$720,377.80	\$0.00	Yes	An adjustment is needed to total charges
6	\$597,302.89	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
7	\$589,206.34	\$0.00	\$0.00	No – Not a Self-Pay Claim	Claim should be removed from self-pay listing
8	\$546,879.53	\$545,124.53	\$0.00	Yes	An adjustment is needed to total charges
9	\$545,913.26	\$545,913.26	\$0.00	Yes	Not Applicable
10	\$526,059.62	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
11	\$485,791.84	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
12	\$478,755.85	\$478,755.85	\$0.00	Yes	Not Applicable
13	\$474,270.11	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
14	\$473,581.07	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
15	\$396,063.12	\$395,269.12	\$0.00	Yes	An adjustment is needed to total charges
16	\$393,174.42	\$0.00	\$0.00	No – Paid by Insurance	Claim should be removed from self-pay listing
17	\$383,730.03	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
18	\$357,782.63	\$0.00	\$0.00	No – Still an Active Claim	Claim should be removed from self-pay listing
19	\$329,776.99	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing

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
20	\$311,616.61	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
21	\$307,674.70	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
22	\$291,841.45	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
23	\$282,924.18	\$282,772.17	\$0.00	Yes	An adjustment is needed to total charges
24	\$277,379.19	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
25	\$269,364.88	\$0.00	\$0.00	No – Paid by Insurance	Claim should be removed from self-pay listing
26	\$255,764.09	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
27	\$241,210.95	\$239,806.95	\$0.00	Yes	An adjustment is needed to total charges
28	\$238,065.86	\$238,065.86	\$0.00	Yes	Not Applicable
29	\$236,680.32	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing
30	\$234,061.25	\$234,061.25	\$0.00	Yes	Not Applicable
31	\$227,666.52	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
32	\$224,935.30	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
33	\$223,262.28	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
34	\$222,774.29	\$0.00	\$0.00	No – Paid by Medical Assistance	Claim should be removed from self-pay listing

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
35	\$219,585.81	\$0.00	\$0.00	No – Not a Self-Pay Claim	Claim should be removed from self-pay listing
36	\$217,692.96	\$216,990.96	\$0.00	Yes	An adjustment is needed to total charges
37	\$217,309.22	\$0.00	\$0.00	No – Paid by the Patient	Claim should be removed from self-pay listing
38	\$214,891.64	\$0.00	\$0.00	No – Paid by the Patient	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, 2022, our results are as follows:

For FYE 6/30/22	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Total Inpatient Days	217,499	180,110	Reporting Error

For FYE 6/30/22	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
FFS Days	4,597	4,532	Reporting Error

For FYE 6/30/22 HMO Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Aetna Better Health Plan	5,209	5,209	Not Applicable
Amerihealth Caritas	7,272	7,272	Not Applicable
Gateway Health Plan	8,014	8,014	Not Applicable
Geisinger Family	1,072	1,072	Not Applicable
Health Partners	19	19	Not Applicable
Keystone First Health Plan	57	57	Not Applicable
UHC Community Plan	6,164	6,164	Not Applicable

For FYE 6/30/22 HMO Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
UPMC for Best Health	4,335	4,335	Not Applicable
PA Health and Wellness	400	400	Not Applicable
Perform Care	33	33	Not Applicable

For FYE 6/30/22 OOS Days	Originally Submitted Number of Days	Substantiated Number Based on Source Documents	Explanation of Difference
Maryland	91	39	Reporting Error
New York	90	74	Reporting Error
California	0	46	Reporting Error
Delaware	0	13	Reporting Error
Florida	0	1	Reporting Error
Indiana	0	57	Reporting Error
Massachusetts	0	8	Reporting Error
New Hampshire	0	5	Reporting Error
New Jersey	0	12	Reporting Error
Ohio	0	34	Reporting Error
Pennsylvania <sup>2</sup>	0	177	Reporting Error
Virginia	0	9	Reporting Error
West Virginia	0	12	Reporting Error

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 2025 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

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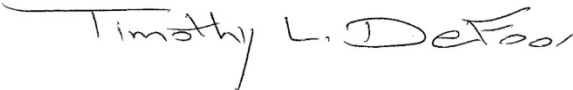
<sup>2</sup> The out-of-state days that are listed as Pennsylvania are for patients with out-of-state insurance but reside in Pennsylvania.

used to calculate the facility's 2025 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, 2024, any claims coded as having Medicare, Medicaid, or any other insurance when submitted to the PHC4 for the fiscal year ended June 30, 2023, which the facility believed qualified as self-pay claims, and which had total charges above the facility's threshold of \$213,711.13; we refer to these types of claims as "additional claims." As of October 31, 2024, Penn State Health Milton S. Hershey Medical Center had not submitted any additional claims.

We thank the staff of Penn State Health Milton S. Hershey Medical Center 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,

Handwritten signature of Timothy L. DeFoor in black ink.

Timothy L. DeFoor  
Auditor General



**PENN STATE HEALTH MILTON S. HERSHEY MEDICAL CENTER  
REPORT DISTRIBUTION  
2025 TOBACCO SETTLEMENT PAYMENT DATA**

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