

# Supporting Consumers and Confronting Problematic Billing Practices

If you are a lawmaker concerned about how the corporate transformation of healthcare is impacting patients, this guide shares useful resources and reading materials that can help you and your constituents.

## Consumer Resources

Where can patients with unfair health care bills turn for help?

Resources vary by state, but consumer assistance programs, ombudsmen, and other consumer protection entities can be starting points to determine how best to support patients faced with unfair or incorrect bills.

### State Resources

#### Consumer Assistance Programs (CAPs)

- The Affordable Care Act established CAPs, with a mission to help consumers access their insurance benefits. CAPs assist consumers with insurance issues, including the exercise of their appeal rights, via phone, mail, email, and/or in-person aid.
- Although federal funding is no longer available for CAPs, currently 38 states operate at least one CAP. To find more information about your state's CAP, [explore the CAP website](#) facilitated by the Centers for Medicare and Medicaid Services (CMS).

#### Ombudsmen

- Consumers can directly report complaints to an ombudsman. The ombudsman can investigate a variety of complaints, including improper billing practices, unfair or unclear charges, and/or excessive fees.
- Ombudsmen have investigative and mediation authority, but must refer enforcement to another agency.
- States may have an ombudsman for [insurance plans in the state](#), [the Medicaid program](#), or for specific population groups. For example, the Older Americans Act requires all states to have an Ombudsman Program for complaints specific to long-term care. Find your state's long-term care program with [the state ombudsman map](#) from the National Consumer Voice for Quality Long-Term Care.

#### Other Potential State Sources

- Some state agencies may collect, investigate, and enforce complaints of unfair billing practices on behalf of patients.
  - The specific agencies and authority vary state by state, though common agencies include Attorneys General, Departments of Insurance, Departments of Financial Services, Departments of Health, Departments of Human Services, and/or Consumer Protection Divisions.

- Fifty state resources on some of these agencies are available: [CDC Accredited Health Departments](#), [NAIC Insurance Departments](#), [NAAG Attorneys General](#), [State Consumer Protection Offices](#), and the Association of Health Care Journalists' [50-State Guide to Health Insurance](#).
- Media attention can also assist and educate consumers, though the impact can be more limited. Several media outlets investigate problematic billing and patients' experiences: [KHN Bill of the Month](#), [NYT Health](#), [An Arm and a Leg](#) podcast, and [NPR Health Care](#).



## Federal Resources

- The [Employee Benefits Security Administration](#) assists and educates consumers about their job-related benefits, including health.
- The Department of Justice Antitrust Division facilitates an online portal to collect complaints about anti-competitive practices, available at [HealthyCompetition.gov](#).
- The [Consumer Financial Protection Bureau](#) collects complaints about medical debt collection practices.

## Recommended Reading

Get smart on the corporate transformation of healthcare

Learn how corporatization and consolidation impact affordability, quality, and communities by making your way through this collection of research papers and articles.

### Background | What are corporatization and consolidation?

- Fuse Brown, Erin C. "[Health Care Consolidation: Background, Consequences, and Policy Levers.](#)" *Alliance for Fair Health Pricing*, September 2023.
- Levinson, Zachary, et al. "[Ten Things to Know About Consolidation in Health Care Provider Markets.](#)" *KFF*, 19 April 2024.
- Community Catalyst. "[Corporate Greed in Health Care: A Metastasizing Disease.](#)" *Community Catalyst*, 5 June 2024.
- Fuse Brown, Erin, et al. "[Private Equity Investment As A Divining Rod For Market Failure: Policy Responses To Harmful Physician Practice Acquisitions.](#)" *Brookings*, USC-Brookings Schaeffer Initiative for Health Policy, October 2021.

## Affordability | How do corporatization and consolidation affect healthcare affordability?

- Liu, Jodi L., et al. "[Environmental Scan on Consolidation Trends and Impacts in Health Care Markets.](#)" *RAND*, 30 September 2022.
- Scheffler, Richard M., et al. "[Monetizing Medicine: Private Equity and Competition in Physician Practice Markets.](#)" *American Antitrust Institute*, 10 July 2023.
- Andreyeva, Elena, et al. "[The Corporatization of Independent Hospitals.](#)" *National Bureau of Economic Research*, October 2023.
- Blumberg, Linda J., and Kennah Watts. "[Evidence On Private Equity Suggests That Containing Costs And Improving Outcomes May Go Hand-In-Hand.](#)" *Health Affairs*, 23 April 2023.

## Quality | How do corporatization and consolidation affect clinical quality and health outcomes?

- Beaulieu, Nancy D., et al. "[Changes in Quality of Care after Hospital Mergers and Acquisitions.](#)" *The New England Journal of Medicine*, vol. 382, no. 1, 2020, pp. 51-59.
- Braun, Robert Tyler, et al. "[Association of Private Equity Investment in US Nursing Homes With the Quality and Cost of Care for Long-Stay Residents.](#)" *JAMA Health Forum*, vol. 2, no. 11, 2021.
- Kannan, Sneha, Joseph Dov Bruch, and Zirui Song. "[Changes in Hospital Adverse Events and Patient Outcomes Associated With Private Equity Acquisition.](#)" *JAMA*, vol. 24, 2023, pp. 2365–2375.
- Gupta, Atul, et al. "[Owner Incentives and Performance in Healthcare: Private Equity Investment in Nursing Homes.](#)" *National Bureau of Economic Research*, August 2023.

## Communities | How do corporatization and consolidation change communities?

- The Health Equity Collaborative. "[Putting Profits Over Patients: How the Corporatization of American Healthcare is Impacting Diverse Communities.](#)" *Health Equity Collaborative*, January 2024.
- O'Grady, Eileen, et al. "[Private Equity Descends on Rural Healthcare.](#)" *Private Equity Stakeholder Project*, January 2023.



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