

**ILLINOIS ATTORNEY GENERAL'S
OFFICE**

HEALTH CARE BUREAU

Outline for Presentation

- What is the Health Care Bureau
- What types of complaints are appropriate
- Staff/ what do they do
- How do I file a complaint/what happens next
- Advocacy / Mediation
- Typical investigations
- How cases are resolved
- What laws enforced
- Lawsuits filed/ possible remedies available

What is the Health Care Bureau?

- Consumer Protection Division
- Health Care Assistance
- Education
- Law enforcement
- Attorneys/ Mediators/ Medical Director/Intake

Health Care Bureau

- The Health Care Bureau currently operates a toll-free hotline as a way for consumers to ask questions, file complaints or request assistance in resolving specific problems
- *The hotline number is (877) 305-5145; (tty 1-800-964-3013).*
- Each year the bureau handles thousands of complaints & recovers millions of dollars on behalf of consumers in out-of-pocket health care costs.

Health Care Bureau Staff Help Consumers:

- Challenge erroneous health plan decisions
- Correct health plan or provider errors
- Understand their health plans
- Recover out-of-pocket expenses wrongfully charged
- Understand their health care rights
- Understand health & consumer protection laws
- Propose health care legislation

Common Complaints

- Billing disputes
- Denial of coverage
- Denial of treatment as not medically necessary
- False or misleading health care advertising
- Unfair insurance practices
- Unfair debt collection practices
- Partial payments on claims when the consumer is entitled to more
- Difficulty navigating the appeals process when a claim is denied

Other Common Complaints

- Difficulty in obtaining referral to specialist
- In vs. Out of Network payment coverage
- DME cases
- Difficulty obtaining medical records from provider
- Medical Spas

Complaints Continued

- The majority of consumers complain about problems with their private insurance, others complain about healthcare providers
- We provide health care assistance to consumers having problems accessing the benefits of their governmental health plans and health products

Health Care Provider Complaints

- Quality of Care
- Advertising
- Billing
- Unlicensed

Health Care Bureau Staff

- Attorneys
- Mediators
- Medical Director
- Intake

How to File a Complaint/What Happens Next?

- Regular mail 100 W. Randolph St. Chicago, IL.
- Fax 312/793-0802
- E-mail Healthcare@atg.state.il.us
- Website www.illinoisattorneygeneral.gov
- Telephone 877/305-5145
- TTY 800/964-3013

Intake

- Calls are received through our toll-free hotline
- Intake personnel get the basic facts and determine whether the dispute is appropriate for the bureau to review or handle
- If the dispute is appropriate, case is opened & assigned to a mediator

Advocacy/Mediation

- Mediator collects details from consumer
- Sends consumer a release of information request
- Mediator calls insurance company or health care provider
- Mediator may request consumers' medical records & information from health care provider or insurer.

Advocacy Continued

- Mediators solicit and write letters of support
- Medical Director solicits and writes letters of support
- Attorneys provide legal support and research on mediation, as needed
- Medical Director provides medical support and research, as needed

Advocacy Continued

- Most cases settle through mediation
- A substantial percentage of cases have been resolved to the consumers' satisfaction
- Staff takes pride in successfully assisting in resolving mediation matters
- Caveat: We are not private counsel to consumers

Typical Mediation Matters

- Medical necessity denials based on experimental or investigational
- Outdated drug formularies and provider networks
- Claims processing and payment problems
- Denial due to health plan error
- Barriers to service

Mediation Results

- Cochlear Implant
- Bariatric Cases
- Breast Reduction
- Tumor Removal
- Aneurysm Victim

Investigations

- If case can't be resolved through mediation, case may be assigned to an attorney for investigation
- Most investigations are initiated by a Civil Investigative Demand – subpoena
- If failure to respond then subpoena enforcement action
- If the investigation concludes that the activity could be a violation of the Illinois Consumer Fraud Act, the Attorney General may file a lawsuit

Typical Investigations

- False or misleading health care advertising
- Unfair insurance practices
- Unlicensed providers
- Unsubstantiated Health Claims

Consumer Fraud Act

855 ILCS 505/1

- Protects consumers and businesses from unfair or deceptive acts and practices that occur in trade or commerce
- Including matters of fraud and unlawful practices
- Attorney General is charged with enforcing the Act
- Remedies: injunction, civil penalty, restitution & disgorgement of profits

Health Care Bureau attorneys conduct investigations and file lawsuits to enforce consumer protection laws.

These lawsuits include:

- Health plans
- Insurance & Health providers
- Individuals and entities – that engage in fraudulent, misleading, deceptive, unfair or illegal practices in the health care market

How Cases are Resolved

- Letter
- Assurance of Voluntary Compliance
- Chancery lawsuit

What Laws Enforced

- Illinois Consumer Fraud Act (815 ILCS 505/1)
- Illinois Medical Practice Act (225 ILCS 60)
- Illinois Dental Practice Act (225 ILCS 25)
- Illinois Fair Patient Billing Act (210 ILCS 88)
- Illinois Uninsured Patient Discount Act (210 ILCS 89)

OFFICE OF THE ILLINOIS ATTORNEY
GENERAL KWAME RAOUL

Raymond Threlkeld, Chief
Health Care Bureau

100 West Randolph Street, 12th Floor

Chicago, Illinois 60601

877-305-5145

TTY:800-964-3013

Fax: 312-793-0802

E-mail: Healthcare@atg.state.il.us

www.illinoisattorneygeneral.gov