

Month Day, Year

Facility Name

Facility Fax:

Beneficiary Name: IEHP Member ID: Account Number: Claim Number Claim Receipt Date: Date of Service: Amount Billed:

**RE: Notice of Prohibition on Balance Billing IEHP Members**

To Whom It May Concern:

Attachment 20 - Cease and Desist Letter

Inland Empire Health Plan (IEHP) was notified that the above-mentioned IEHP Member was billed for services rendered by your organization, in violation of statutes that protect Medicare or Medi-Cal beneficiaries from balance billing and billing for any covered services.

The purpose of this letter is to request that your organization, **effective immediately**:

a) Cease and desist from any balance billing or collection activities as it relates to the Member referenced above and any IEHP Medicare or Medi-Cal Members;

b) Return to IEHP’s Medicare and/or Medi-Cal Members any monies collected from such Members;

and

c) Reverse any negative credit reporting made against any such Members.

The California Supreme Court has made it clear in Olszewski v. Scripps Health (2003) 30 Cal.4th 798, 812 that balance billing and collection activities from Medicare or Medi-Cal beneficiaries are strictly prohibited under both federal and state laws.1,2,3 This prohibition against the balance billing of IEHP beneficiaries applies irrespective of whether the services are emergent or non-emergent.4

Violation of state laws prohibiting the balance billing of Medicare or Medi-Cal beneficiaries constitutes grounds for suspension from the Medicare or Medi-Cal programs.5

Thank you for your anticipated cooperation. Sincerely,

Provider Payment Resolution Team

Inland Empire Health Plan

1 Title 22 California Code of Regulations (CCR) § 51002(a)

2 California Welfare and Institutions Code (Welf. & Inst. Code) § 14019.4

3 Title 42 Code of Federal Regulations (CFR) § 422.2

4 Title 28, CCR § 1300.71.39(a)

5 CA Welf. & Inst. Code §§ 14123(a)(1); 14123.25