

March 31, 2020

The Honorable Adam Smith
Chairman
House Armed Services Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Mac Thornberry
Ranking Member
House Armed Services Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Smith and Ranking Member Thornberry:

As the House Armed Services Committee (HASC) begins to develop the National Defense Authorization Act for Fiscal Year 2021, I respectfully request the committee work with my office to reform the billing practices of Brook Army Medical Center (BAMC) when care is provided to civilians in emergency situations.¹

BAMC, the only Level I Trauma Center in the Department of Defense (DoD), is fully integrated into our region's civilian trauma and emergency healthcare system. Within this 22-county trauma service area, BAMC is one of only two Level I trauma centers, meaning civilian trauma patients in need of the highest level of surgical care are often sent there. The most recent statistics available show that BAMC served more than 4,000 trauma patients in the last year, 85 percent of whom were civilians.²

San Antonio calls itself Military City, USA, and we are incredibly proud of our city's deep military roots. We are also thankful that a world-class military hospital is available to our civilian population. However, this arrangement also benefits the DoD by providing real-life medical readiness training for medical personnel. In fact, when a local hospital attempted to build a new Level I trauma facility in San Antonio, BAMC leadership called it a "direct threat to medical readiness" and convinced the San Antonio City Council to block the new facility.³

¹ The Center for Public Integrity, "America's Most Powerful Medical-Debt Collector," Jared Bennett, Olga Khazan, January 21, 2020, <https://publicintegrity.org/inequality-poverty-opportunity/medical-debt-army-hospital/>

² 59th Medical Wing News, Brooke Army Medical Center marks robust year for civilian trauma care, Elaine Sanchez, <https://www.59mdw.af.mil/News/Article-Display/Article/1784264/brooke-army-medical-center-marks-robust-year-for-civilian-trauma-care/>.

³ San Antonio Express-News, "Army, council agree: new area trauma centers would threaten BAMC's mission," December 14, 2017, <https://www.mysanantonio.com/news/local/article/Army-council-agree-new-area-trauma-centers-12432290.php#>

Despite all the unique benefits this trauma center provides to Texas patients and our military, BAMC's billing practices warrant closer examination and reform. My constituents covered by private health insurance too often receive surprise medical bills from BAMC through a process called balance billing. In these cases, BAMC bills the patient for charges that exceed the patient's health insurance plan's payment for a covered service. Many states in recent years have enacted laws forbidding the practice, including the state of Texas. Congress is also expected to pass a federal balance billing ban in the 116th Congress. I urge HASC to end the practice of balance billing civilians who receive emergency medical care at BAMC and other military medical facilities in the FY 2021 NDAA.

Many of my constituents are also uninsured. Texas has the highest uninsured rate in the country at 17.7 percent, or more than 5 million people. For uninsured Texans receiving emergency care at BAMC, instead of receiving a balance bill, they are sent a bill for the entire cost of service. DoD regulations also require BAMC to take "prompt and aggressive action" to settle medical debts, which limits options for negotiating an alternative payment.

For example, one of my uninsured constituents was involved in a car accident in March 2018 and transported by ambulance to BAMC as a trauma patient to repair a ruptured bladder. After being discharged the same month, BAMC in April sent his auto insurer a bill in the amount of \$155,158.56. The auto insurer mailed BAMC a check for \$1,301.64 in May and BAMC then mailed him a bill for the remaining balance of \$153,866.92 in August. From September through December, my constituent tried to make payment arrangements but the best offer from BAMC was a 36-month payment plan, an amount he could not afford. In June 2019, the Department of Treasury informed him that the debt was now in their position, that he now owed a total of \$210,008.07 plus interest, and that his wages will be garnished until the debt is paid in full.

San Antonio is proud to help the DoD meet its military medical readiness needs. Unfortunately, by allowing BAMC to send crippling bills to patients in emergency situations who did not choose to go there in the first place, they are using my constituents as practice but sending real-life, unaffordable medical bills in return. This is completely unacceptable and I urge the committee to reform the billing practices of BAMC and other military medical facilities that treat civilians in the FY 2021 NDAA. Please contact Ben.Thomas@mail.house.gov to follow-up on this request.

Sincerely,

A handwritten signature in blue ink that reads "Joaquin Castro". The signature is written in a cursive, slightly slanted style.

Joaquin Castro
Member of Congress