

## **Formal Request for Financial Waiver of Medical Charges**

Serina Spence

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Date: April 22, 2025

To:

Ascension Sacred Heart Emerald Coast

PO Box 946891

Atlanta, GA 30394-6891

RE: Formal Request for Financial Waiver of Medical Charges - Account #61007332226

Dear Billing Department,

I am submitting this letter as a formal request for full financial waiver of the outstanding balance of \$10,280.85 associated with Account #61007332226, referenced in your billing statement dated April 5, 2025. The charges relate to childbirth services rendered in a medically emergent setting.

### **1. Financial Assistance Application Status**

The statement confirms that a financial assistance application was filed on my behalf. As of the date of this letter, no final decision has been issued. According to federal requirements under IRS 501(r) for nonprofit hospitals, billing and collection activity must be suspended until the hospital completes

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a determination of financial eligibility.

Reference:

- Affordable Care Act, § 501(r), 26 U.S.C. § 501
- 26 C.F.R. § 1.501(r)-6: Billing and collection policies

### **2. EMTALA and Emergency Care Rights**

I received emergency obstetric care while in labor. Under the Emergency Medical Treatment and Labor Act (EMTALA), the hospital was required to treat and stabilize me without regard to my ability to pay. I was not in a condition to provide financial consent or engage in any payment agreement. Post-care billing in this case conflicts with the core obligations under federal law.

Reference:

- EMTALA, 42 U.S.C. § 1395dd
- Arrington v. Wong, 237 F.3d 1066 (9th Cir. 2001)

### **3. Medical Debt and Federal Oversight Policy**

Both the Consumer Financial Protection Bureau (CFPB) and the Department of Health and Human Services (HHS) have declared medical debt a national concern. Billing patients for unavoidable and essential healthcare services, particularly those delivered during emergencies, contradicts public policy and places undue financial strain on families.

Reference:

- CFPB: Medical Debt Burden in the United States (2022)
- HHS Office for Civil Rights, Charity Care Policy Guidance (2023)

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### **4. Legal Basis for Charge Waivers**

In cases involving emergency care, financial hardship, and nonprofit hospitals, courts have acknowledged that full or partial forgiveness of medical debt is both lawful and expected under regulatory standards. Tax-exempt institutions are required to implement and honor policies that mitigate hardship and promote access to care.

#### **Case Examples:**

- Franciscan Skemp Healthcare v. Central States, 538 F.3d 594 (7th Cir. 2008)
- Yakima Valley Mem'l Hosp. v. Wash. State Dept. of Health, 170 Wash. 2d 329 (2010)

### **5. Clarification on Immigration Status and Equal Protection**

I respectfully note that I am not a U.S. citizen. However, I received emergency medical care under the protections afforded by federal law, including EMTALA. My eligibility for financial assistance is based on income and medical necessity, not immigration status. IRS 501(r) obligations, hospital charity policies, and federal billing protections are universally applied and do not exclude non-citizens. I therefore request a full waiver under these protections and respectfully ask that no collection actions be taken based on my citizenship status.

### **6. Requested Action**

Accordingly, I respectfully request the following:

1. Immediate halt to all billing and collection activity for Account #61007332226
2. Full waiver of the \$10,280.85 balance due to medical necessity, lack of informed consent, and financial hardship

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3. Written confirmation that this waiver request is under review in accordance with your Financial Assistance Policy

Should you require additional documentation to support this waiver or hardship claim, I am prepared to provide it.

Thank you for your time and understanding.

Sincerely,

Serina Spence

Phone: (850) 630-7887

Email: serina.spence615@gmail.com

Account #: 61007332226