



# Medical Debt & Collections Addendum *Agnesian Healthcare Inc. 2020*

December 2021

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## About ABC for Health:

ABC for Health is a Wisconsin  
based nonprofit public  
interest law firm dedicated  
to linking children and  
families, particularly those  
with special health care  
needs, to health care  
benefits and services.

ABC for Health's mission is to  
provide information,  
advocacy tools, legal  
services, and expert support  
needed to obtain, maintain,  
and finance health care

## Extending Our Research:

In a continuation of our previous medical debt and collections research,<sup>1</sup> ABC for Health conducted a comprehensive review of circuit court records to compile data on medical debt lawsuits filed in Wisconsin by Agnesian Healthcare Inc. and affiliates during 2020.<sup>2</sup> This research has offered valuable insight into the effect of the COVID-19 pandemic on medical debt collection.

## Our Findings:

**Patients were unrepresented in 99.9% of cases.**

- In 2020, Agnesian Healthcare Inc. (and affiliate hospitals) filed **679** collections actions against patients.
- All defendants except one were unrepresented, meaning defendants were unrepresented in **99.9%** of cases.
- In cases where the amount sought was available, Agnesian sought **\$1,369,009.24** from patients.
- That number swells to **\$1,491,058.04** when including attorney's fees & court costs.
- The amount sought by Agnesian in 2020 makes up **7.3%** of the system's reported bad debt in 2020.<sup>3</sup>
- Of the cases that ended in judgment for Agnesian, **99.6%** were default judgments.
- The average judgment, including costs and fees, was **\$3,030.61**.
- The largest judgment collected was **\$9,984.47**, including costs and fees, in a case filed March 11, 2020 but for which judgment was entered 6/22/20.
- Of the total 679 cases Agnesian filed, **453** suits were filed after the pandemic began (March 12, 2020).
- On average, Agnesian filed **48** new cases a month during the COVID-19 pandemic.
- Agnesian affiliates, however, only account for **12** of the 453 suits filed during the pandemic. The rest being filed by Agnesian Healthcare Inc.
- In addition, **227** suits filed before the pandemic were actively prosecuted by Agnesian into the pandemic era.

# A Better Way Forward for Wisconsin

## Agnesian Collections Actions Practices During the COVID Pandemic

Agnesian Healthcare Inc., along with many Wisconsin hospitals, faced heavy public pressure to cease filing collections actions during the COVID-19 pandemic. Early in the national Public Health Emergency, January 2020 to March 12, 2020, Agnesian filed a total of **226** cases. After March 12, there was a brief decline in the number of suits filed by Agnesian—14 for the balance of March and only 6 in April.



However, as time progressed, Agnesian began increasing the number of cases filed per month—25 in May, 96 in August, and 67 in November. In total, Agnesian filed **453** cases against patients after the start of the COVID-19 pandemic or **66.7%** of the total cases filed in 2020. Agnesian never ceased filing medical debt collection actions in 2020, and averaged 48 new filings a month after the Public Health Emergency was announced.

**Agnesian filed an average of 48 new cases a month during the pandemic.**

Most of the suits filed during the pandemic were filed by Agnesian Healthcare Inc., though cases were also filed under three affiliates—Fond du Lac Regional Clinic SC, Ripon Medical Center Inc., and Waupun Memorial Hospital Inc. These affiliates, unlike Agnesian Healthcare Inc., stopped filing new cases after April 1, 2020.

### Future Practices:

Agnesian's post-pandemic practices are still unknown, but since Agnesian never ceased filing new cases in 2020 during the COVID-19 pandemic, we can expect medical debt litigation against patients to continue. An initial glance at Agnesian's 2021 data shows similar filing practices as 2020 with no indications to cease filing new suits.

Like other hospital systems, a portion of cases filed by Agnesian in 2020 were dismissed during the pandemic, but tended to be dismissed **without prejudice**. As we have noted before, dismissals without prejudice allow hospitals to reopen the cases at a later date, perhaps once public pressure around the pandemic has settled down.

### Sources:

1. Medical Debt & Collections: A Better Way Forward for Wisconsin, available at: [https://www.safetyweb.org/PDFs/Medical\\_Debt\\_and\\_Collections.pdf](https://www.safetyweb.org/PDFs/Medical_Debt_and_Collections.pdf)
2. Agnesian Healthcare Inc. includes several affiliates not included in our data analysis. A full list can be found at: <https://www.charitynavigator.org/ein/391684956>
3. Wisconsin Hospital Association, Uncompensated Health Care Report, Fiscal Year 2020, available at: [https://www.whainfocenter.com/Data-Products/Publications/Uncompensated-Health-Care-Report-Wisconsin/Uncompensated\\_2020](https://www.whainfocenter.com/Data-Products/Publications/Uncompensated-Health-Care-Report-Wisconsin/Uncompensated_2020) (Calculated based on the total bad debt of St. Agnes Hospital, Waupun Memorial Hospital, and Ripon Medical Center—those included in 2020 Uncompensated Care Report).