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Help us celebrate our fifth year as the state's leading consumer watchdog by contributing to Georgia Watch today. Georgia Watch is doing more than ever to help you learn about and avoid insurance scams, predatory lenders, hospital infection rates, access to affordable health care and other threats to our families and our way of life.

We work to raise these same issues with the media and state officials every day, and guard against attacks on your rights by powerful interest groups at the State Capitol.

Through generous tax-deductible contributions from our members, we are able to grow, as does our ability to help Georgia consumers.

We're excited about what we've accomplished and what lies ahead – but we can't do it alone. A tax-deductible contribution of any amount to Georgia Watch today is money well spent.

ALLISON WALL

DANNY ORROCK POLICY COORDINATOR

HOLLY LANG COMMUNICATIONS COORDINATOR

JEANNINE LOWERY GRASSROOTS COORDINATOR

BETH MALONE COMMUNICATIONS ASSISTANT

MIKE RODGERS COURT WATCH FELLOW

FOR QUESTIONS REGARDING



CONTACT US BY PHONE AT

(866) 33-WATCH OR BY EMAIL AT

GEORGIAWATCH@ GEORGIAWATCH.ORG

GeorgiaWatch

Already in 2008, Georgia Watch employees have made consumer presentations to:

- Rotary Club of Vinings
- Northwest Business Association
- North Georgia Masonic festival
- NPU-F, Ansley Park
- Alive After Five, Roswell Square
- Summerville Senior Citizens Fishing Rodeo
- NPU-G, English Park

You too can book Georgia Watch for a speaking engagement by calling **(866) 33-WATCH!**



The newsletter of the state's leading consumer watchdog

Vol. X, Summer 2008

FULTON'S OTHER NONPROFIT HOSPITAL - NORTHSIDE HOSPITAL

BY HOLLY LANG

In May, Georgia Watch released a detailed financial analysis of one of metro Atlanta's largest nonprofit hospitals – Northside Hospital.

Northside is one of two nonprofit hospitals in Fulton County that are exempt from paying most taxes, including sales, income and property taxes. As a result, Northside does not financially contribute to local infrastructure and services – such as road and sewer maintenance, police and firefighter responders – even though they utilize these services.

Also, both Northside and Grady Memorial Hospital were established with Fulton County taxpayer funds.

Tax-exempt nonprofit hospitals are obligated to provide accessible and affordable health care, regardless of whether a patient has insurance or their ability to pay. These health care services are generally referred to as "community benefits" and include charity and indigent care.

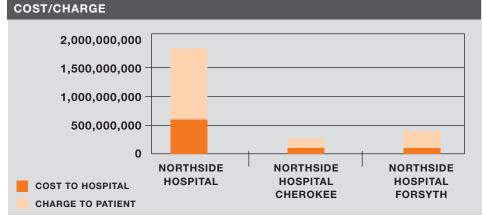


Georgia Watch's report – "A Crisis of Affordable Health Care: Northside Hospital" – shows instead that approximately one in every ten Northside Hospital patients is billed inflated charges.

In 2005 filings with the IRS and with the US Centers for Medicaid and Medicare Services, Northside Hospital reported:

• A 297 percent overall price mark-up - from approximately \$439,309,863 in costs to \$1,304,700,247 in patient charges.

• A 3,060 percent mark-up in anesthesiology services – from \$463,061 in total costs to \$14,167,361 in patient charges.



CONTINUES ON PAGE 2

FIRST YEAR-IN-REVIEW REPORT FOR COURT WATCH BY BETH MALONE

In 2007, Georgia Watch launched a legal fellowship to inform the public and raise awareness of state court decisions affecting consumer rights.

The first annual Court Watch review of cases, called "2007 Annual Report," was released in June and summarized consumer-related decisions issued by the Supreme Court of Georgia and the Georgia Court of Appeals.

In addition to identifying and profiling noteworthy consumer-related decisions, the report also recognized emerging trends in the courts related to consumer cases.

"Many of the decisions reached by the state Supreme Court and Court of Appeals significantly impact the rights that consumers have under law," said Georgia Watch Executive Director Allison Wall.

"Georgia Watch launched this project to provide ongoing, thoughtful, fact-based analysis."

Cases discussed in the "2007 Annual Report" include:

• Dees v. Logan, in which the court forced insurance companies to pay drivers the full amount of their uninsured motorist (UM) insurance benefits. Previously, insurers tried to reduce their payouts to drivers by using "offset clauses."

Drivers may need UM insurance to cover medical bills and property damage resulting from an accident with an uninsured motorist.

In 2008, the General Assembly responded by passing Senate Bill 276. This bill counters the court's decision by allowing insurers to use offsets for worker's compensation benefits and insurance medical payments.

Georgia Watch also found that only 25 percent of Northside's patients came from Fulton County. That's the lowest number of in-county patients served by any Fulton tax-exempt nonprofit hospital.

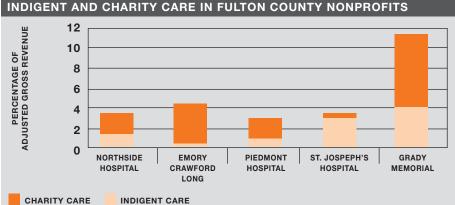
"As a Fulton County Authority hospital, Northside has a financial responsibility to provide health care to Fulton residents, regardless of ability to pay," said Gerogia Watch Director Allison Wall. "Their own tax filings indicate that Northside has failed to meet its basic obligation to county taxpayers."

Another obvious example of this failure is the amount of revenue that Northside spends on indigent and charity care which subsidizes care for those who are uninsured and unable to pay. Northside provided a total 3.25 percent of their annual adjusted gross revenue, as compared to 10.98 percent at Grady Memorial Hospital.

"Fulton taxpayers deserve a comprehensive cost-benefit analysis that takes into account lost tax revenue, what Northside provides the area in terms of indigent and charity care, and even impacts on Grady," Wall said.

Georgia Watch's most important policy recommendation is that Northside Hospital use their surplus funds to open a Level II trauma center.

Currently, there is only one other Level



Il trauma center at a nonprofit hospital in the 13-county metro Atlanta area.

A Level II trauma center offers emergency care to trauma patients similar to that of a Level I trauma center. Grady Memorial Hospital operates the metro area's only Level I trauma center.

As it stands now, Georgia's trauma death rates is approximately 20 percent higher than the national average.

We also recommend that:

• Charges and financial assistance options should be fair and clearly explained to patients at the time of admission.

• Information about financial assistance should be posted at all points of entry to the hospital, including the emergency room and the billing areas.

• State lawmakers should enact definitions for the terms "indigent care," "charity care," and "bad debt" that are based on cost instead of marked-up charges. This will help local, state and federal agencies know the true benefit that nonprofit hospitals offer their communities.

• County tax authorities should regularly assess the value of the property that nonprofit hospitals hold.

"Nonprofit management impacts not only a patient's access to care, but also the community as a whole," Wall said. "Approximately half of all Americans who file for bankruptcy do so because of medical bills, and three-quarters of those patients had health insurance at the time of illness or injury."

Of the 100 counties in the nation with the highest rates of bankruptcy, 45 are in Georgia. On average, Georgians spend \$4,891 a year on health care at hospitals and doctor's offices.

"A Crisis of Affordable Health Care: Northside Hospital" can found at www. GeorgiaWatch.org.

COURT WATCH CONTINUED FROM PAGE 1

• Glenn v. State, in which the court upheld Georgia's statewide ban on payday lending.

• Kaminer v. Canas, which was brought by a 16 year-old boy born with pediatric AIDS who had been misdiagnosed his entire life by two different doctors, even though his symptoms and condition worsened each year.

Patients who have suffered because of a medical misdiagnosis have two years to bring a complaint to court. This is called the "two year statute of limitations."

The patient asked the court to start the two-year countdown from the date of the last misdiagnosis, as opposed to the date of the very first misdiagnosis, when he was a baby. The court refused, denying the patient any chance to ever hold the two doctors accountable for decades of mistakes.

The Court Watch Fellowship is a collaborative effort of the 2007 Court Watch Fellowship recipient and primary researcher, Nathan Gaffney, and the Court Watch Advisory Committee, which includes three members of the Executive Committee of the State Bar of Georgia.

Read the Court Watch "2007 Annual Report" online at www.GeorgiaWatch. org.

INDIGENT AND CHARITY CARE

LEGISLATIVE WRAP-UP — CONTINUED FROM PAGE 6

Georgia Watch did ask for four consumer protections, including a longer shopping-around period, that were ultimately rejected by the House.

SB 276 also allows consumers to choose between two types of UM insurance – stacking and non-stacking. Consumers who purchase stacking UM coverage will know that their available benefits will not be reduced if they also receive benefits from the at-fault driver's insurance company.

That being said, SB 276 still allows insurers to avoid paying out all UM benefits when the consumer receives workers compensation and medical payments. For some drivers, these two "offsets" will never be an issue.

But for those drivers who receive worker's compensation or medical payments, these new offsets could reduce their available UM benefits to zero.

SB 276 passed the House and Senate on the same day, through the use of a tactic called "immediate transmittal." It was one of the last bills that Governor Perdue signed.

Prior approval of auto insurance rate changes will end on October 01, and consumers will have the option to purchase stacking UM insurance beginning January 01, 2009.

ADDING ANOTHER CONSUMER TO THE COMPOSITE STATE MEDICAL BOARD

Unfortunately, one important bill that Georgia Watch has supported for several years failed again in 2008.

Currently, the state board responsible for licensing doctors, investigating patient complaints and disciplining negligent doctors has 13 board members. Twelve of them are doctors.

House Bill 492, sponsored by Rep. Mike Keown (R-Coolidge), would bring more balance to the medical board by adding two new members – a doctor and a non-doctor. The medical board itself supported HB 492, and there was very little opposition to the bill.

In both chambers, however, HB 492 was used as a vehicle for controversial, unrelated amendments. In the House, supporters of authorizing nurses to prescribe certain medications hijacked HB 492 on the House floor with their own amendment.

Next, in the Senate, HB 492 was used as a vehicle for a licensing amendment for laser cosmetic services. This amendment was so troublesome to so many legislators that it kept HB 492 from getting a vote on the Senate floor, and the bill died.

We expect that this simple and noncontroversial bill will be reintroduced next year.

STUDY COMMITTEE ON NONPROFIT HOSPITALS

House Resolution 1625, authored by Rep. John Lunsford (R-McDonough), creates a study committee to investigate financial practices at Georgia's nonprofit hospitals, and the amount of indigent care these facilities deliver in their communities.

Nonprofit hospitals are exempt from paying most taxes, which allows them to operate with lower costs than for-profit hospitals. In return for the lost tax revenue, our state and local governments expect nonprofit hospitals to provide low-cost and free health care services to indigent and low-income members of the community.

We are discovering, however, that some of the state's largest and most wealthy nonprofit hospitals provide a very small amount of indigent and charity care. At the same time, some of these hospitals have enormous stockpiles of cash and investments, and pay millions of dollars in executive compensation packages. Georgia Watch will attend upcoming study committee hearings to continue educating legislators on these and other financial issues at the state's nonprofit hospitals.

UNTIL NEXT YEAR...

The end of an even-year legislative session brings the beginning of campaign season. Our primary election is on July 15, while the 2008 general election takes place on November 04. To find out who's running for state offices, go to the Secretary of State's Elections page at www.sos.ga.gov and click on the list of qualified candidates.

BETH MALONE NAMED COMMUNICATIONS ASSISTANT BY HOLLY LANG



Georgia Watch has named Beth Malone communications a s s i s t a n t . Malone, 26, a t t e n d e d Georgia State University as an undergraduate,

where she completed her studies with a dual degree in English and history. She is currently finishing up her Master of Letters degree from the University of Glasgow in Scotland. She moved back to Georgia in June and will graduate in August.

In her new role, Malone will work closely with the grassroots coordinator and the communications coordinator on research, writing and editing projects.

"I'm really proud to be here, and find the dedication of the Georgia Watch staff and advocates incredibly inspiring and supportive," Malone said.

Malone has lived and worked in five countries – USA, Scotland, England, China and Russia. Of them all, she found China the most challenging.

When not working or traveling, Malone is an active freelance writer. She also paints and works on films.

2008 LEGISLATIVE WRAP-UP

BY DANNY ORROCK

Georgia Watch supported several important pieces of legislation during the 2008 Georgia General Assembly, while other important consumer measures fell to the wayside. For the most part, 2008 was a success for consumer protection. Here are a few of the highlights from under the Gold Dome:

CREDIT FREEZE

After more than three years of work by Georgia Watch and AARP Georgia, our state finally has a strong credit freeze law. The House and Senate overwhelmingly approved House Bill 130, sponsored by Rep. Calvin Hill (R-Canton), which lets consumers freeze their file at the three major credit reporting bureaus for a fee of \$3 or less.

Victims of identity theft and senior citizens 65 and older can request a freeze for free.

Consumers who freeze their credit files will enjoy the only fool-proof protection against identity thieves opening up new credit card accounts, utility accounts and loans in their name.

Simply put, credit freeze stops new account fraud cold.

Under Georgia law, consumers can also request a temporary lift of the freeze, available in 15 minutes by telephone or over the internet.

The \$3 fee is one of the lowest in the nation, and was pushed by Reps. Tommy Benton (R-Jefferson) and Rich Golick (R-Smyrna).

Governor Perdue signed HB 130 into law during a ceremony at GBI headquarters. The bill becomes effective August 01.

RESPONSE TO THE FORECLOSURE CRISIS

The foreclosure rate has been rising steadily in Georgia largely because homeowners and speculators who were pushed towards unaffordable loan products have been unable to make increasing payments.

Recently available financing options, such as adjustable-rate mortgages and interest-only loans, are structured to reset to larger monthly payments after a brief low-interest or interest-only introductory period.

For too often, the larger, longterm payments are unaffordable for homeowners. Without direct communication between the mortgage holder and the homeowner, foreclosure is inevitable.

The legislature responded this year by voting to give homeowners more time to save their home from foreclosure, and better information on who is authorized to help renegotiate the loan.

Under Senate Bill 531, sponsored by Sens. Bill Hamrick (R-Carrollton) and Nan Orrock (D-Atlanta), the notification period before a foreclosed home can be sold is increased from 15 to 30 days, giving homeowners more notice before potentially losing their homes.

SB 531 also mandates that the identity of the mortgage holder, and the contact information for a party authorized to negotiate a modification of the mortgage, be provided to a homeowner facing foreclosure.

CHANGES TO AUTO INSURANCE

Senate Bill 276 made major changes to under/uninsured motorist (UM) coverage, and to the state's regulation of auto insurance rates.

Sponsored by Cecil Staton (R-Macon), SB 276 allows auto insurers to hike or lower rates without the "prior approval" of the insurance commissioner. The commissioner still has the authority to review the new rate after the fact. Time will tell how this new way of price regulation affects the market.

BY THE NUMBERS: CAR INSURANCE ON THE RISE IN 2008

28: Number of states where consumers paid higher car insurance rates in the 1st quarter of 2008.

3.15%: Georgia had the fourthhighest increase in car insurance rates, up \$49 or 3.15 percent.

4th: During the 1st quarter of 2008, Georgia still had the fourth-cheapest rates in the Southeast, at \$1,621 per year.

\$1,830: On average, the lowest insurance rate quotes given out during the 1st quarter of 2008 increased 1.05 percent, from \$1,811 to \$1,830 per year.

These figures reverse the trend noted in the 2007 Pricing Report, which reported a 5.2 percent decrease in car insurance rates from 2006.

Source: First Quarter 2008 Car Insurance Rate Report, insurance.com

BY THE NUMBERS: WATCHING OVER YOUR HEALTH INSURANCE

In June, D.C.-based nonprofit group Families USA released a 50-state survey on the accessibility and affordability of private health insurance.

According to Families USA, Georgia gets a failing grade and ranks among the lowest compared to other states.

5: Number of states that prohibit insurance companies from "cherry-picking" the healthiest consumers and excluding others from coverage. Georgia allows cherry-picking.

35: Number of states, including Georgia, that don't limit how much insurers can raise premiums based on an individual's health status.

21: Number of states, including Georgia, that allow insurers to exclude coverage of pre-existing conditions, such as cancer and diabetes, for more than one year.

75%: Five states require insurers to spend 75 percent of premium revenues on health care, as opposed to administrative costs, such as executive salaries and marketing. Georgia, on the other hand, sets no standard for how much of a consumer's premium is spent by insurers on actual health care.

Georgia did receive credit for the authority of our insurance commissioner to review denials of coverage and provide a free external review on consumers' behalf. Source: Families USA

FROM THE DIRECTOR'S CHAIR GEORGIA WATCH AWARDS INAUGURAL "LEGISLATOR OF THE YEAR" HONOR

BY ALLISON WALL EXECUTIVE DIRECTOR



Board member and bestselling consumer advisor Clark Howard presented the first annual Georgia Watch "Legislator

of the Year" award to Rep. Rich Golick (R-Smyrna) at a May meeting of the Rotary Club of Vinings.

The Georgia Watch Board of Directors selected Rep. Golick for recognition because of his leadership and support of two important consumer bills – House Bill 130 and House Bill 1344.

Chief among several notable efforts in the state House on behalf of consumer protection was Rep. Golick's co-sponsorship of a successful amendment to the credit freeze bill – HB 130 – to reduce the fee cap from \$10 to \$3.

As a result of Rep. Golick's outspoken support from the House floor, Georgia consumers can place a freeze on their credit file for \$3 or less beginning August 1.

"I am excited beyond words that we in Georgia now have the best credit freeze law in the United



CLARK HOWARD, ALLISON WALL AND REP. GOLICK AT THE VININGS ROTARY CLUB

States," Georgia Watch Board Member Clark Howard said. "Now Georgians have the best way possible to shut down identity thieves cold."

Credit freeze is the only tool that completely stops new account fraud, one of the most damaging forms of identity theft. A freeze allows consumers to bar access to their credit files with the three major credit reporting agencies (CRAs), prohibiting identity thieves from fraudulently opening new accounts or lines of credit in a victim's name.

Rep. Golick also sponsored HB 1344, a pro-consumer bill that, had it passed, would have required pawnbrokers and car title lenders to return to borrowers any surplus funds from the sale of a repossessed car.

Under Georgia law, pawnbrokers and title lenders can repossess a pawned car if a borrower is one day late on a payment. After repossession, borrowers have 30 days from the date of default to repay the loan in full, plus back interest, repossession fees and storage fees.

If a borrower fails to make full payment, current law allows pawnbrokers and title lenders to sell the car and pocket all the proceeds from the sale – even if the car is worth far more than the amount owed by the borrower.

"With HB 1344, we were trying to correct a situation where a consumer loses equity over and beyond what is owed to the lender," said Rep. Golick. "This is about avoiding unjust enrichment and maintaining fundamental fairness in repossession situations."

Through his leadership and support of both bills, Rep. Golick has demonstrated his dedication to promoting and advancing fair, sound policy that benefits Georgia consumers.



EP. GOLICK GRACIOUSLY ACCEPTS HIS AWARD

Georgia Watch appreciates and applauds Rep. Golick's dogged efforts, and is proud to honor him with our very first "Legislator of the Year" award.

Finally, an interesting bit of trivia – the Georgia Watch award was crafted by Lillie Glassblowers, a prominent glassblowing company located in Golick's south Cobb district.



GEORGIA WATCH OUTREACH



ATTENDS THE FISHIN' RODEO IN SUMMERVILLE, GA



IFANNINE SPEAKS WITH A CONSUMER AT





BY THE NUMBERS: GET YOUR CREDIT FREEZE!

Credit freeze locks your credit files with the three major credit bureaus, which keeps identity thieves out of your finances.

- **\$3:** Cost for a Georgia resident to place, temporarily lift or remove a freeze on their credit file.
- **\$0:** Cost for seniors 65+ and victims of ID theft identity theft with a valid police report.
- **15:** Number of minutes it takes to temporarily lift, or "thaw," one's file.

August 1: Date that credit freezes are available to Georgia residents.

In order to request this service, you must send a certified letter to each of the credit bureaus, with:

- 1) \$3 payment, unless you are an ID theft victim or a senior 65+
- 2) Name
- 3) Address
- 4) Date of birth
- 5) Social Security Number
- 6) One copy of your driver's license or state ID card
- 7) One copy of a utility bill, bank or insurance statement
- 8) One copy of a valid police report, if you are a victim of ID theft

Equifax Security Freeze P.O. Box 105788 Atlanta, GA 30348 Equifax Security Freeze P.O. Box 9554 Allen, TX 75013 TransUnion Security Freeze P.O. Box 6790 Fullerton, CA 92834

For more information on credit freeze, visit **www.gacreditfreeze.com**.

NEW TAX EXEMPTIONS FOR NONPROFIT HEALTH CLINICS

BY DANNY ORROCK

Nonprofit health care clinics in Georgia will get a helping hand from the state starting July 1st. The General Assembly voted to grant these clinics an exemption from state sales and use taxes, allowing them to take advantage of some of the same benefits that other nonprofit health care facilities enjoy.

The measure was tacked onto an unrelated bill, House Bill 957. Nonprofit hospitals have long enjoyed an exemption from state sales tax, as well as other taxes, which improves their bottom line. Now, after several attempts in past years, nonprofit health centers find some relief from the tax burden as well.

Volunteer nonprofit health centers provide primary care to underserved populations. In addition to improving quality of life for indigent families, services provided by clinics reduce the ever-increasing load on hospital emergency rooms.

The option of an accessible clinic allows people without health insurance to seek treatment for a manageable problem before it develops into a serious issue that requires a visit to the ER. This saves money for individuals, insurers, hospitals, and government health programs.

As with most tax exemptions, this act has a sunset provision and will expire in 2010 unless extended by the legislature. HB 957 was sponsored by Rep. Ron Stephens (R-Savannah) and signed by Governor Perdue in May.



ESTABLISHING OUR ROOTS

BY JEANNINE LOWERY

With the summer underway and the legislative session comfortably behind us, we are ready to swing back into fulltime community outreach. Our one-onone work around the state is particularly important this year because Georgia's credit freeze law goes into effect on August 1st, giving consumers the right to a free or inexpensive identity protection tool.

Our outreach plan for this summer has four major directions – street fairs and festivals, community groups, senior centers and collaborations with other nonprofit organizations.

Street Fairs and Festivals

Setting up tables at street fairs and festivals is a new priority for Georgia Watch. Anyone can stop by our tables, pick up our literature and ask consumerrelated questions, expanding their knowledge of our organization and important state issues. We have events planned each month through October. If you would like more information, call (404) 525-1085.

July

- Wednesday & Thursday, June 16-17, 2008 Georgia Fire Safety Symposium, Forsyth
- Thursday, June 17, 5-9 p.m., Alive After Five Festival, Roswell Square

August

- Saturday, August 2, 10 a.m.-2 p.m., Market Day, Downtown Newnan
- Thursday, August 21, 5-9 p.m., Alive After Five Festival, Roswell Square

September

 Saturday, September 6 10 a.m.-2 p.m., Market Day, Downtown Newnan

- Thursday, September 18, 5-9 p.m., Alive After Five Festival, Roswell Square
- October 4-5, Cotton Pickin' Fair., Gay, GA

October

- Saturday, October 4, 10 a.m.-2 p.m., Market Day, Downtown Newnan
- Friday and Saturday, October 10-11, Sherman's Last Burning Festival, Covington
- Thursday, October 16, 5-9 p.m. Alive After Five Festival, Roswell Square

Community Groups

Georgia Watch has also scheduled a wide variety of summer outreach to neighborhood planning units (NPUs), churches and civic organizations. In the upcoming months, we plan to visit the Roswell Kiwanis Club, Vinings Rotary Club, Covington Lions Club, Griffin Rotary Club, Northwest Business Association and NPUs A, F and G.

Senior Centers

Because Georgia's credit freeze is free for seniors, we have a special mission to offer older consumers more information about this valuable identity protection tool. Georgia Watch is partnering with the Atlanta Regional Commission's Seniors Division and the North Fulton Senior Service Centers, and we will also speak at Camp Best Friends, a free service offered by the City of Atlanta that provides dancing, swimming and field trips to individuals 50 and over.

Collaborations with Nonprofits

Collaborations with other nonprofit organizations continue to create outreach opportunities for Georgia Watch. We recently participated in ACORN's Foreclosure Seminar at the I.B.E.W. building in downtown Atlanta, where more than three hundred homeowners received information on how to save their homes from foreclosure. We provided information and counseling on identity theft and predatory lending topics, and were able to help a handful of families with specific consumer problems.

If you are a member of a community group and would like to schedule a consumer presentation from Georgia Watch, please contact (404) 525-1085 or email jlowery@ georgiawatch.org.

2008 COURT WATCH FELLOWSHIP RECIPIENT FELLOW NAMED BY HOLLY LANG



The Court Watch fellowship was awarded in May to Mike Rodgers, а third-vear law student at Georgia State University. In this role.

Rodgers analyzes and summarizes court opinions from the Supreme Court of Georgia and the Georgia Court of Appeals that involve consumer issues. The cornerstone product of the Court Watch fellowship is its annual report, which provides the public with information about the most significant consumer cases of the previous year.

Rodgers, 28, graduated from the University of Tennessee with a degree in political science. He moved to Atlanta in 2006 to attend GSU's School of Law. Despite that move, Rodgers remains an ardent fan of the Tennessee Volunteers.

Rodgers lives in Atlanta with his wife Tiffany and his dog Mason. When he can find spare time, he likes to read and play the Nintendo Wii.