

# 6TH ANNUAL VALUE IN CANCER CARE SUMMIT 2019



## Financial Navigation for Cancer Patients: A Community Partnership



### Judge Karen A. Overstreet (Ret.)

- Judicial Liaison, *Consumer Education and Training Services (CENTS)*
- United States Bankruptcy Judge (Retired)

# Financial Navigation for Cancer Patients A Community Partnership to Address Financial Toxicity

PRESENTED BY JUDGE KAREN A. OVERSTREET (RET.)

UNITED STATES BANKRUPTCY COURT, WESTERN DISTRICT OF WASHINGTON

JUDICIAL LIAISON, CENTS (CONSUMER EDUCATION AND TRAINING SERVICES)

ADVISORY BOARD MEMBER, CARE (CREDIT ABUSE RESISTANCE EDUCATION)



**CENTS**  
CONSUMER EDUCATION  
AND TRAINING SERVICES

# Overview of the Bankruptcy System

**Federal Law:** “The Congress shall have the power...to establish...uniform laws on the subject of bankruptcies throughout the United States.” (U.S. Constitution, Article I, Sec. 8)

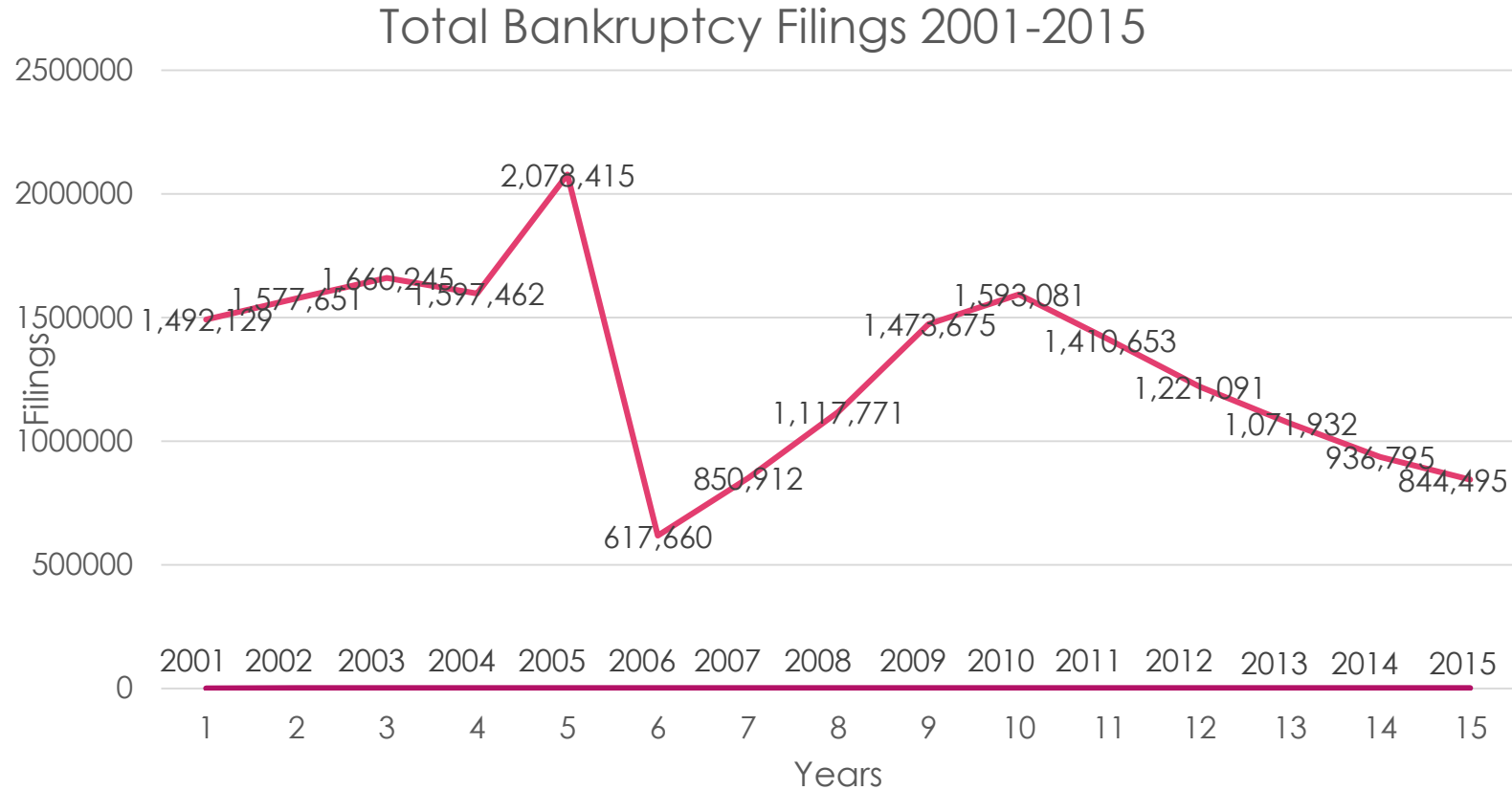
**Federal Courts:** 94 federal district trial courts and 13 courts of appeal sit below the Supreme Court. Bankruptcy courts exist in each of the 94 districts.

**Who can file:** Individuals and businesses; insolvency is NOT a prerequisite.

**Common Proceedings:** Ch. 7, 11, 12 & 13

**The Goal:** Discharge

# National Filing Statistics



2001	1,492,129
2002	1,577,651
2003	1,660,245
2004	1,597,462
2005	2,078,415
2006	617,660
2007	850,912
2008	1,117,771
2009	1,473,675
2010	1,593,081
2011	1,410,653
2012	1,221,091
2013	1,071,932
2014	936,795
2015	844,495

# Bankruptcy Myth

## People who file for bankruptcy are financially irresponsible

- Very few are: living above means; gambling; fraud/crime
- Divorce: cost of divorce; cost of two households
- Job loss: failure to adjust; exhaust savings/retirement
- Under-employment: jobs that don't pay a livable wage; rent
- Fraud and financial scams
- **Health challenges: lack of insurance/under-insurance**

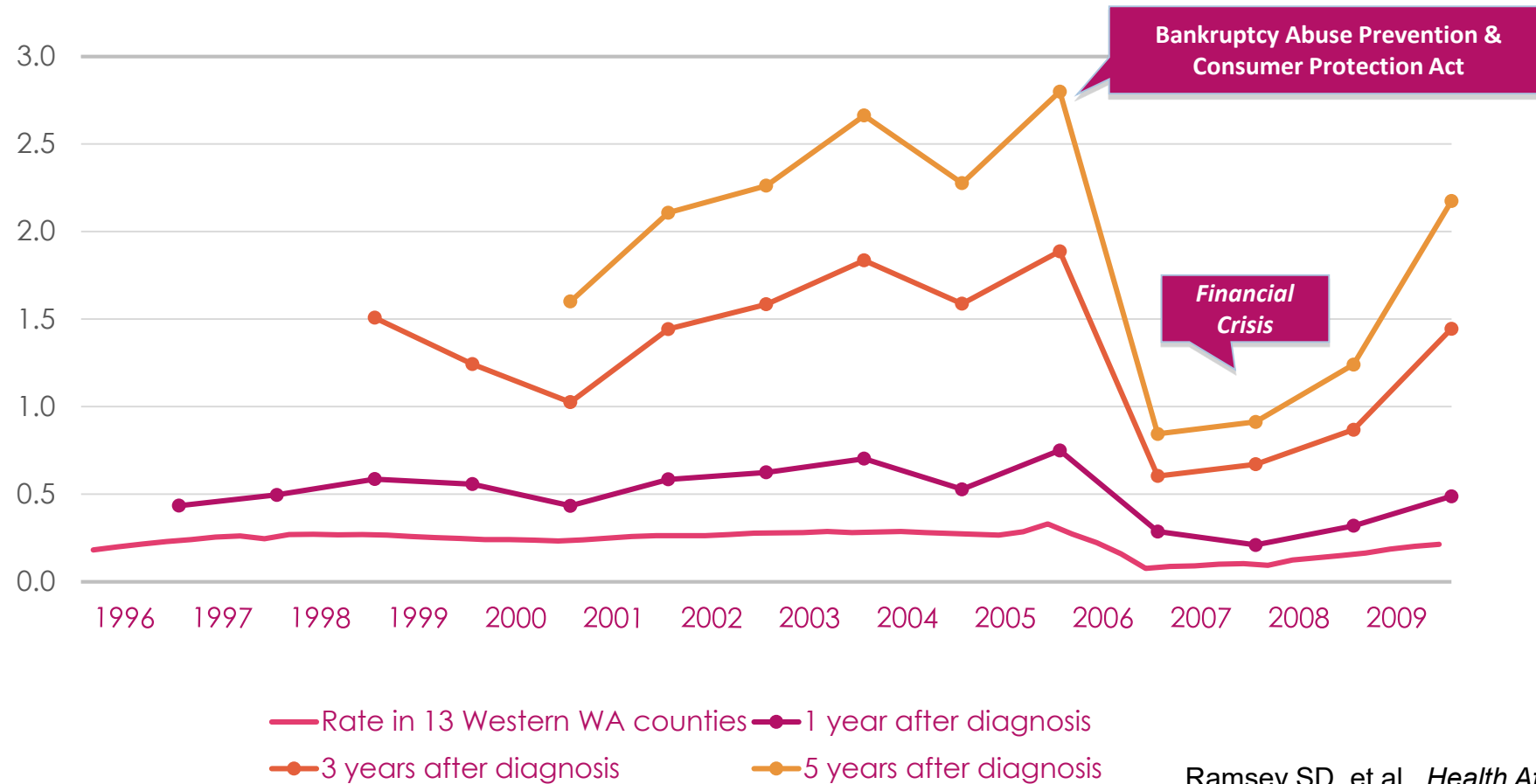
# CENTS (Consumer Education & Training Services) (Est. 1995)

**Who:** Judges, court staff, lawyers, financial professionals, law professors, law students

**What:** Financial literacy programs and pro bono legal aid

- ✓ Debt Clinic: Offering a free legal consultation
- ✓ *Debt Slapped*: A program for high school students about wise student loan borrowing
- ✓ *Senior Money*: A program for seniors about financial scams and frauds
- ✓ *Money Steps*: A re-entry program for former justice involved individuals
- ✓ *Student Loan Navigation Program*: Providing info for those burdened by student loan debt
- ✓ *Cancer education and counseling*: Connecting lawyers, financial professionals, and certified financial planners to patients with cancer and their caregivers

# Cancer patients were 2.65 times more likely to file for bankruptcy compared with matched controls

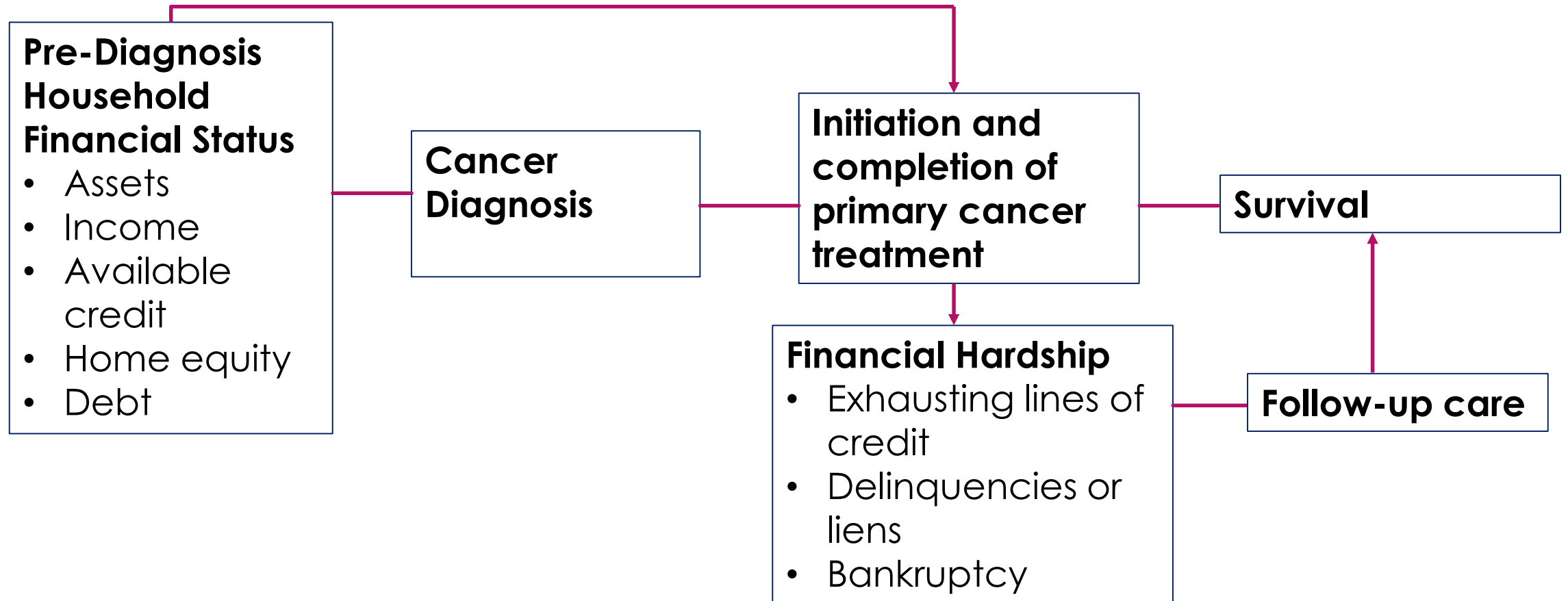


# A Quick Look at the Details

- Patients who filed for bankruptcy were more likely to be younger (age < 65), female, non-white, and diagnosed with localized or regional stage (vs. distant stage) disease.
- The incidence rate of bankruptcy at one year post-diagnosis varied across cancer types, with notably higher rates in patients with thyroid cancer.
- The youngest age groups had up to ten times the rate of bankruptcy filings than older groups.
- Patients who go bankrupt are 79% more likely to die than patients who do not.



# Household Finances, Treatment, and Outcomes



# Financial Navigation –Patient Fears

“Since there is no money and no way to afford the chemotherapy, it is too **overwhelming to discuss costs.**”

“When your financial status is not good, it is **paralyzing to know the costs in advance.**”

“I don’t want to be **shirked on a full diagnosis or full treatment.** I will pay the price.”

“My wellbeing takes precedence, so **whatever sacrifices would have to be made** would be made for health care”

“I do not think it is the doctor’s responsibility to talk about costs or provide cost information. In fact, it is **better for the doctors to be unaware of costs entirely, since this information may sway their recommendation.**”

“I **want to survive cancer,** so I kind of don’t care how much it costs.”

# Financial Navigation – Patient/Clinic Mismatch

## What Patients Want / Need

Over 75% of cancer patients want a financial literacy / counseling program **starting at diagnosis** and periodically throughout care:

- **Money management**
- **Where to find copayment assistance**
- **How to choose and navigate a health insurance plan**

## Current clinic practice

- Most lack in-house financial counselors / planners
- Social workers and financial coordinators typically meet patients after need arises – *after financial circumstances have worsened.*
- Physicians can't help

# Financial Navigation – Partnership

## Program Goals:

- Educate about financial aspects of treatment
- Provide financial planning assistance
- Connect to resources that can help manage costs



**CENTS**  
CONSUMER EDUCATION  
AND TRAINING SERVICES

**LITERACY**  
understanding the financial and employment implications of cancer diagnosis

**FINANCIAL PLANNING**  
budgeting and asset management

**PAF** Patient Advocate  
Foundation

Solving Insurance and Healthcare Access Problems | since 1996

**NAVIGATING INSURANCE** appeals, pre-authorization, Medicare, and Medicaid applications

**HIGH OUT-OF-POCKET MEDICAL COSTS** copayment relief, drug access

 familyreach

**MANAGING OTHER LIFE EXPENSES** help with utility payments, mortgage and rent, other expenses



**FRED HUTCH**  
CURES START HERE

**RESEARCH** survey participants, data analysis and reporting

# Financial Navigation – What we learned

- Proactive financial navigation **decreased patient anxiety**
- **Caregivers involvement** was critical to success, and caregivers themselves are directly impacted by financial toxicity
- Some patients were **hard to engage (ill, overwhelmed)**
- Patients with different income levels and cancer stage (early vs. late) **benefitted from the program in different ways**
- **Most common interventions:** budget and retirement planning, medical bill questions, copayment assistance, cost of living issues, employment rights and disability applications, cash grants for short term needs (rent, burial expenses, transportation)

# Financial Navigation – Next Steps

- Putting the research into action to reach a broader patient pool
- CENTS launched the Financial Planning for Cancer program in mid-2018.
- Patients or caregivers are matched with a Certified Financial Planner (CFP) for free confidential one-on-one meetings to address the costs of cancer treatment.



## Where do we go from here....

- We must acknowledge the problem; financial toxicity is real
- We must look at legislative solutions to the problem
- We must look at institutional solutions to the problem
- We need to engage multiple institutional and community partners in the solution
- We need to develop assistance programs for patients *before* their financial lives collapse around them
- Bankruptcy should be the last and least-used option

Judge Overstreet was appointed a United States Bankruptcy Judge effective January 3, 1994, and sat in the Western District of Washington at Seattle for 21 years until her retirement effective June 30, 2015. She was the first woman bankruptcy judge appointed in the State of Washington and served as the Chief Judge in her district from June 16, 2005 to December 31, 2010. Judge Overstreet's connection with the Bankruptcy Court has spanned almost 40 years, beginning in 1977, when she began working as a file clerk in the Bankruptcy Clerk's office in Seattle, and continuing 17 years later when she returned to the court as a judge after law school and private practice. Judge Overstreet is currently an Adjunct Professor at Seattle University School of Law.

Judge Overstreet is a member of the National Conference of Bankruptcy Judges, the American Bar Association, the Washington State Bar Association, the King County Bar Association, and Washington Women Lawyers. Judge Overstreet was most recently a member of the Ninth Judicial Circuit Historical Society Advisory Panel and a member of the Ninth Circuit Wellness Committee. She is a former two-term member of the United States Judicial Conference Committee on the Administration of the Bankruptcy System and chaired its Subcommittee on Technology and Statistics (2005-2011). From 1999 to 2006, Judge Overstreet served as a member of the Ninth Circuit Automation Committee. She also served as a member of the Bankruptcy Reform Legislation Working Group, established by the Director of the Administrative Office of the United States Courts, to prepare the bankruptcy court clerk's offices for implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. She was also a member of the Executive Committee of the Pro Bono Subcommittee of the American Bar Association, Business Bankruptcy Committee (2001-2003).

In 1995, Judge Overstreet co-founded the non-profit organization now known as CENTS (Consumer Education & Training Services) and acts currently as its Judicial Liaison. CENTS is nationally known for its efforts in providing a variety of resources, including web resources, to the community on matters of money management, consumer credit and personal finance. Judge Overstreet is a frequent speaker in Western Washington high schools for CENTS, providing information to teens about the wise use of credit. In recent years, CENTS has launched additional programs, which include a financial educational and fraud-prevention program for senior citizens, a program to provide pro se representation to debtors seeking to discharge student loan debt, a financial education program for inmates scheduled for release from prison, and a project in partnership with The Fred Hutchinson Cancer Research Center to study and address the financial impact of cancer diagnosis and treatment. Judge Overstreet is also a member of the Advisory Board of CARE (Credit Abuse Resistance Education), a national organization of bankruptcy judges and other professionals working to improve financial education for teens.

In 2018, Judge Overstreet was awarded the King County Bar Association Friend of the Legal Profession award and the 2018 CARE Volunteer of the Year award. In 2015, Judge Overstreet was awarded the Sidney C. Volinn Award by the Creditor/Debtor Section of the Washington State Bar Association for her distinguished service with the federal judiciary. In 2013, Judge Overstreet was awarded the Vanguard Award by the King County Chapter of Washington Women Lawyers; the award honors a judge who has been at the forefront of a movement or issue. In 2012, Judge Overstreet was awarded the Difference Maker Award for Community Service by the American Bar Association GP Solo Division; the award honors an attorney who has made a significant lifetime contribution to the local community through community service. King County Washington Women Lawyers honored Judge Overstreet in 1999 with its Judge of the Year award.

Prior to her appointment, Judge Overstreet was a partner at the law firm of Davis Wright Tremaine in Seattle, specializing in bankruptcy and commercial law. She received her undergraduate degree in economics from the University of Washington in 1977 and her law degree from the University of Oregon in 1982.