

116TH CONGRESS
1ST SESSION

H. R. 5330

To amend the Fair Debt Collection Practices Act to provide a timetable for verification of medical debt and to increase the efficiency of credit markets with more perfect information, to prohibit consumer reporting agencies from issuing consumer reports containing information about debts related to medically necessary procedure, about and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2019

Ms. TLAIB introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Fair Debt Collection Practices Act to provide a timetable for verification of medical debt and to increase the efficiency of credit markets with more perfect information, to prohibit consumer reporting agencies from issuing consumer reports containing information about debts related to medically necessary procedure, about and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Consumer Protection
3 for Medical Debt Collections Act”.

4 **SEC. 2. AMENDMENTS TO THE FAIR DEBT COLLECTION**
5 **PRACTICES ACT.**

6 (a) IN GENERAL.—Section 809 of the Fair Debt Col-
7 lection Practices Act (15 U.S.C. 1692g) is amended by
8 adding at the end the following:

9 “(f) ADDITIONAL NOTICE REQUIREMENTS FOR MED-
10 ICAL DEBT.—

11 “(1) DEFINITIONS.—In this subsection:

12 “(A) CONSUMER REPORTING AGENCY.—
13 The term ‘consumer reporting agency’ has the
14 meaning given the term in section 603(f) of the
15 Fair Credit Reporting Act (15 U.S.C.
16 1681a(f)).

17 “(B) MEDICAL DEBT.—The term ‘medical
18 debt’ means a debt arising from the receipt of
19 medical services, products, or devices.

20 “(2) NOTICE ABOUT CREDIT REPORTING.—Be-
21 fore furnishing information regarding a medical debt
22 of a consumer to a consumer reporting agency, the
23 person furnishing the information shall send a state-
24 ment to the consumer that includes the following:

25 “(A) A notification that the medical debt
26 may not be reported to a consumer reporting

1 agency until the end of the 1-year period begin-
2 ning on the later of—

3 “(i) the date on which the person
4 sends the statement; and

5 “(ii) the last date on which the con-
6 sumer made any payment to the person
7 with respect to the medical debt.

8 “(B) A notification that, if the debt is set-
9 tled or paid by the consumer or an insurance
10 company before the end of the 1-year period de-
11 scribed under subparagraph (A)—

12 “(i) the debt may not be reported to
13 a consumer reporting agency; and

14 “(ii) the consumer may, any time be-
15 fore the end of such that 1-year period—

16 “(I) communicate with an insur-
17 ance company to determine coverage
18 for the debt; or

19 “(II) apply for financial assist-
20 ance.

21 “(3) NO REPORTING BEFORE THE END OF THE
22 1-YEAR PERIOD.—

23 “(A) IN GENERAL.—Before the end of the
24 1-year period described in paragraph (2)(A), no
25 person may communicate with, or report any

1 information to, any consumer reporting agency
2 regarding a debt described in that paragraph.

3 “(B) REPORTING AFTER THE END OF THE
4 1-YEAR PERIOD.—Nothing in this subsection
5 shall prohibit a person from communicating
6 with, or reporting any information to, a con-
7 sumer reporting agency regarding a medical
8 debt of a consumer after the end of the 1-year
9 period described in paragraph (2)(A) with re-
10 spect to the debt.

11 “(4) NO DEBT COLLECTION BEFORE THE END
12 OF THE 1-YEAR PERIOD.—With respect to a medical
13 debt, before the end of the 1-year period described
14 in paragraph (2)(A), a debt collector may not en-
15 gage in activities to collect or attempt to collect such
16 medical debt owed or due or asserted to be owed.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall take effect on the date that is 180 days
19 after the date of enactment of this Act.

20 **SEC. 3. PROHIBITION ON REPORTING MEDICALLY NEC-**
21 **CESSARY PROCEDURES.**

22 (a) IN GENERAL.—Section 605(a) of the Fair Credit
23 Reporting Act (15 U.S.C. 1681c(a)) is amended by adding
24 at the end the following new paragraph:

1 “(9) Any information related to a debt arising
2 from a medically necessary procedure.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 this section shall take effect on the date that is 180 days
5 after the date of enactment of this Act.

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