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

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 Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

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

SEC. 2. AMENDMENTS TO THE FAIR DEBT COLLECTION PRACTICES ACT.

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

“(f) ADDITIONAL NOTICE REQUIREMENTS FOR MEDICAL DEBT.—

“(1) DEFINITIONS.—In this subsection:

“(A) CONSUMER REPORTING AGENCY.—

The term ‘consumer reporting agency’ has the meaning given the term in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)).

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

“(2) NOTICE ABOUT CREDIT REPORTING.—Before furnishing information regarding a medical debt of a consumer to a consumer reporting agency, the person furnishing the information shall send a statement to the consumer that includes the following:

“(A) A notification that the medical debt may not be reported to a consumer reporting
agency until the end of the 1-year period beginning on the later of—

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

“(ii) the last date on which the consumer made any payment to the person with respect to the medical debt.

“(B) A notification that, if the debt is settled or paid by the consumer or an insurance company before the end of the 1-year period described under subparagraph (A)—

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

“(ii) the consumer may, any time before the end of such that 1-year period—

“(I) communicate with an insurance company to determine coverage for the debt; or

“(II) apply for financial assistance.

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

“(A) IN GENERAL.—Before the end of the 1-year period described in paragraph (2)(A), no person may communicate with, or report any
information to, any consumer reporting agency regarding a debt described in that paragraph.

“(B) REPORTING AFTER THE END OF THE 1-YEAR PERIOD.—Nothing in this subsection shall prohibit a person from communicating with, or reporting any information to, a consumer reporting agency regarding a medical debt of a consumer after the end of the 1-year period described in paragraph (2)(A) with respect to the debt.

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

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

SEC. 3. PROHIBITION ON REPORTING MEDICALLY NECESSARY PROCEDURES.

(a) IN GENERAL.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)) is amended by adding at the end the following new paragraph:
“(9) Any information related to a debt arising from a medically necessary procedure.”.

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