

116TH CONGRESS
2D SESSION

H. R. 6470

To amend the Fair Credit Reporting Act to institute a 1-year waiting period before medical debt will be reported on a consumer's credit report and to remove paid-off and settled medical debts from credit reports that have been fully paid or settled, 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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2020

Ms. PORTER (for herself, Ms. DELAURO, Mr. RASKIN, Mr. SEAN PATRICK MALONEY of New York, Mr. GARCÍA of Illinois, Ms. NORTON, Mrs. NAPOLITANO, Ms. TLAIB, Mr. CLAY, Ms. BARRAGÁN, Ms. HAALAND, Ms. ESCOBAR, Mr. MCGOVERN, Mr. RUSH, Ms. BONAMICI, Ms. VELÁZQUEZ, Mr. DOGGETT, Ms. DELBENE, Mr. LEVIN of Michigan, Mr. BLUMENAUER, Mr. KILMER, Mr. CORREA, Mr. POCAN, Ms. SÁNCHEZ, Mr. NADLER, Mr. SOTO, Mr. ESPAILLAT, Mr. VAN DREW, Mr. BROWN of Maryland, Mr. DEFazio, Mr. RYAN, Mr. CASTRO of Texas, Mr. TAKANO, Mr. SERRANO, Ms. CLARKE of New York, Mr. CÁRDENAS, Ms. MENG, Mr. LARSON of Connecticut, Ms. OMAR, Mr. TED LIEU of California, Mr. LYNCH, Ms. SCANLON, Mr. NEGUSE, Ms. OCASIO-CORTEZ, Mr. JOHNSON of Georgia, Mrs. HAYES, Mr. MALINOWSKI, Mrs. KIRKPATRICK, Mr. LOWENTHAL, Ms. JUDY CHU of California, Mr. LEVIN of California, Mr. DANNY K. DAVIS of Illinois, Ms. JAYAPAL, Mr. COHEN, Ms. ADAMS, Mr. ROUDA, Ms. JACKSON LEE, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Mr. HARDER of California, Mr. MCEACHIN, Ms. SLOTKIN, Mr. KENNEDY, and Ms. CRAIG) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Fair Credit Reporting Act to institute a 1-year waiting period before medical debt will be reported

on a consumer’s credit report and to remove paid-off and settled medical debts from credit reports that have been fully paid or settled, 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, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medical Debt Relief
 5 Act of 2020”.

6 **SEC. 2. AMENDMENTS TO FAIR CREDIT REPORTING ACT.**

7 (a) MEDICAL DEBT DEFINED.—Section 603 of the
 8 Fair Credit Reporting Act (15 U.S.C. 1681a) is amended
 9 by adding at the end the following:

10 “(bb) MEDICAL DEBT.—The term ‘medical debt’
 11 means a debt described in section 604(g)(1)(C).”.

12 (b) EXCLUSION FOR PAID OR SETTLED MEDICAL
 13 DEBT.—Section 605(a) of the Fair Credit Reporting Act
 14 (15 U.S.C. 1681c(a)) is amended by adding at the end
 15 the following:

16 “(9) Any information relating to a medical debt if
 17 the date on which the debt was placed for collection,
 18 charged to profit or loss, or subjected to any similar action
 19 antedates the report by less than 1 year.

1 “(10) Any information relating to a fully paid or set-
 2 tled medical debt that had been characterized as delin-
 3 quent, charged off, or in collection which, from the date
 4 of payment or settlement, antedates the report by more
 5 than 45 days.”.

6 **SEC. 3. AMENDMENTS TO THE FAIR DEBT COLLECTION**
 7 **PRACTICES ACT.**

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

11 “(f) ADDITIONAL NOTICE REQUIREMENTS FOR MED-
 12 ICAL DEBT.—

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

14 “(A) CONSUMER REPORTING AGENCY.—

15 The term ‘consumer reporting agency’ has the
 16 meaning given the term in section 603(f) of the
 17 Fair Credit Reporting Act.

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

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

1 “(A) A notification that the medical debt
2 may not be reported to a consumer reporting
3 agency until the end of the 1-year period begin-
4 ning on the date on which the person sends the
5 statement.

6 “(B) The specific date that is the end of
7 the 1-year period beginning on the date on
8 which the person sends the statement.

9 “(C) A notification that, if the debt is set-
10 tled or paid by the consumer or an insurance
11 company during the 1-year period beginning on
12 the date on which the person sends the state-
13 ment—

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

16 “(ii) the consumer may, during that
17 1-year period—

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

21 “(II) apply for financial assist-
22 ance.

23 “(3) NO REPORTING DURING 1-YEAR PERIOD.—

24 “(A) IN GENERAL.—During the 1-year pe-
25 riod described in paragraph (2), no person may

1 communicate with, or report any information
2 to, any consumer reporting agency regarding a
3 debt described in that paragraph.

4 “(B) RULE OF CONSTRUCTION.—Nothing
5 in subparagraph (A) may be construed to affect
6 when a debt collector may engage in activities
7 to collect or attempt to collect any debt owed or
8 due or asserted to be owed.

9 “(4) REPORTING AFTER THE 1-YEAR PERIOD.—
10 Nothing in this subsection shall prohibit a person
11 from communicating with, or reporting any informa-
12 tion to, a consumer reporting agency regarding a
13 medical debt of a consumer after the end of the 1-
14 year period described in paragraph (2) with respect
15 to the debt.”.

○