

Union Calendar No. 802

115TH CONGRESS
2D SESSION

H. R. 2683

[Report No. 115–1025]

To amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of veterans due to inappropriate or delayed billing payments or reimbursements from the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2017

Mr. DELANEY (for himself, Mr. HULTGREN, Ms. SINEMA, Mrs. WALORSKI, Mr. ROUZER, Mr. O’ROURKE, Mr. RUPPERSBERGER, Mr. YOUNG of Alaska, Ms. STEFANIK, Mr. JONES, Mr. DEFazio, Mr. RUSH, Mr. BISHOP of Georgia, Mr. HIMES, Mr. GONZALEZ of Texas, Ms. SHEA-PORTER, Mrs. DINGELL, Mr. CARTWRIGHT, Mr. COURTNEY, and Mr. HASTINGS) introduced the following bill; which was referred to the Committee on Financial Services

NOVEMBER 14, 2018

Additional sponsors: Mr. POLIS, Mr. COFFMAN, Mr. GOTTHEIMER, Mr. ARRINGTON, Mr. CRIST, Mr. POLIQUIN, Mrs. CAROLYN B. MALONEY of New York, Mr. WILLIAMS, Mr. BARR, Mr. MACARTHUR, Mr. RUIZ, Mr. STIVERS, Mr. SHERMAN, Mr. MESSER, and Ms. TENNEY

NOVEMBER 14, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 25, 2017]

A BILL

To amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of veterans due to inappropriate or delayed billing payments or reimbursements from the Department of Veterans Affairs, 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 “Protecting Veterans*
 5 *Credit Act of 2018”.*

6 **SEC. 2. PURPOSE.**

7 *The purpose of this Act is to rectify problematic report-*
 8 *ing of medical debt included in a consumer report of a vet-*
 9 *eran due to inappropriate or delayed payment for hospital*
 10 *care, medical services, or extended care services provided in*
 11 *a non-Department of Veterans Affairs facility under the*
 12 *laws administered by the Secretary of Veterans Affairs.*

13 **SEC. 3. AMENDMENTS TO FAIR CREDIT REPORTING ACT.**

14 *(a) VETERAN’S MEDICAL DEBT DEFINED.—Section*
 15 *603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)*
 16 *is amended by adding at the end the following:*

17 *“(z) VETERAN.—The term ‘veteran’ has the meaning*
 18 *given the term in section 101 of title 38, United States Code.*

19 *“(aa) VETERAN’S MEDICAL DEBT.—The term ‘vet-*
 20 *eran’s medical debt’—*

21 *“(1) means a medical collection debt of a veteran*
 22 *owed to an eligible non-Department of Veterans Af-*
 23 *fairs health care provider that was submitted to the*
 24 *Department for payment for health care authorized*
 25 *by the Department of Veterans Affairs; and*

1 “(2) includes medical collection debt that the De-
2 partment of Veterans Affairs has wrongfully charged
3 a veteran.”.

4 (b) *EXCLUSION FOR VETERAN’S MEDICAL DEBT.*—
5 Section 605(a) of the Fair Credit Reporting Act (15 U.S.C.
6 1681c(a)) is amended by adding at the end the following:

7 “(7) Any information related to a veteran’s med-
8 ical debt if the date on which the hospital care, med-
9 ical services, or extended care services was rendered
10 relating to the debt antedates the report by less than
11 one year if the consumer reporting agency has actual
12 knowledge that the information is related to a vet-
13 eran’s medical debt and the consumer reporting agen-
14 cy is in compliance with its obligation under section
15 4(e) of the Protecting Veterans Credit Act of 2018.

16 “(8) Any information related to a fully paid or
17 settled veteran’s medical debt that had been character-
18 ized as delinquent, charged off, or in collection if the
19 consumer reporting agency has actual knowledge that
20 the information is related to a veteran’s medical debt
21 and the consumer reporting agency is in compliance
22 with its obligation under section 4(e) of the Protecting
23 Veterans Credit Act of 2018.”.

1 (c) *UPDATE TO SUMMARY OF RIGHTS.*—Section
 2 609(c)(1)(B) of the Fair Credit Reporting Act (15 U.S.C.
 3 1681g(c)(1)(B)) is amended—

4 (1) in clause (v), by striking “and” at the end;

5 (2) in clause (vi), by striking the period and in-
 6 serting “; and”; and

7 (3) by adding at the end the following:

8 “(vii) the right of a veteran to dispute
 9 the inclusion of veteran’s medical debt
 10 under section 611.”.

11 (d) *REMOVAL OF VETERAN’S MEDICAL DEBT FROM*
 12 *CONSUMER REPORT.*—Section 611 of the Fair Credit Re-
 13 porting Act (15 U.S.C. 1681i) is amended—

14 (1) in subsection (a)(1)(A), by inserting “and ex-
 15 cept as provided in subsection (g)” after “subsection
 16 (f)”; and

17 (2) by adding at the end the following:

18 “(g) *DISPUTE PROCESS FOR VETERAN’S MEDICAL*
 19 *DEBT.*—

20 “(1) *IN GENERAL.*—With respect to a veteran’s
 21 medical debt, the veteran may submit a notice de-
 22 scribed in paragraph (2), proof of liability of the De-
 23 partment of Veterans Affairs for payment of that
 24 debt, or documentation that the Department of Vet-
 25 erans Affairs is in the process of making payment for

1 *authorized hospital care, medical services, or extended*
2 *care services rendered to a consumer reporting agency*
3 *or a reseller to dispute the inclusion of that debt on*
4 *a consumer report of the veteran.*

5 “(2) *NOTIFICATION TO VETERAN.—The Depart-*
6 *ment of Veterans Affairs shall submit to a veteran,*
7 *not later than 30 days after the Department of Vet-*
8 *erans Affairs assumes such liability, a written notice*
9 *that the Department of Veterans Affairs has assumed*
10 *liability for part or all of a veteran’s medical debt.*

11 “(3) *DELETION OF INFORMATION FROM FILE.—*
12 *If a consumer reporting agency receives notice, proof*
13 *of liability, or documentation under paragraph (1),*
14 *the consumer reporting agency, not later than 30*
15 *days after receipt, and free of charge to the veteran,*
16 *shall delete all information relating to the veteran’s*
17 *medical debt from the file of the veteran and notify*
18 *the furnisher and the veteran of that deletion.”.*

19 **SEC. 4. VERIFICATION OF VETERAN’S MEDICAL DEBT.**

20 (a) *DEFINITIONS.—For purposes of this section—*

21 (1) *the term “consumer reporting agency” means*
22 *a consumer reporting agency described in section*
23 *603(p) or 603(x) of the Fair Credit Reporting Act (15*
24 *U.S.C. 1681a); and*

1 (2) *the terms “veteran” and “veteran’s medical*
2 *debt” have the meanings given those terms in section*
3 *603 of the Fair Credit Reporting Act (15 U.S.C.*
4 *1681a), as added by section 3(a) of this Act.*

5 (b) *ESTABLISHMENT.*—*Not later than one year after*
6 *the date of enactment of this Act, the Secretary of Veterans*
7 *Affairs shall establish a database to allow consumer report-*
8 *ing agencies to verify whether a debt furnished to a con-*
9 *sumer reporting agency is a veteran’s medical debt.*

10 (c) *DATABASE FEATURES.*—

11 (1) *IN GENERAL.*—*The Secretary of Veterans Af-*
12 *fairs shall ensure that the database established under*
13 *subsection (b), to the extent permitted by law, pro-*
14 *vides consumer reporting agencies with—*

15 (A) *sufficiently detailed and specific infor-*
16 *mation to verify whether a debt being furnished*
17 *to the consumer reporting agency is a veteran’s*
18 *medical debt;*

19 (B) *access to verification information in a*
20 *secure electronic format;*

21 (C) *timely access to verification informa-*
22 *tion; and*

23 (D) *any other features that would promote*
24 *the efficient, timely, and secure delivery of infor-*
25 *mation that consumer reporting agencies could*

1 *use to verify whether a debt is a veteran’s med-*
2 *ical debt.*

3 (2) *SECURITY AND CONFIDENTIALITY.*—*The Sec-*
4 *retary shall ensure that, in maintaining and allowing*
5 *access to the database established under subsection (b),*
6 *the security and confidentiality of nonpublic personal*
7 *information is maintained.*

8 (d) *STAKEHOLDER INPUT.*—*Prior to establishing the*
9 *database for verification under subsection (b), the Secretary*
10 *of Veterans Affairs shall publish in the Federal Register a*
11 *notice and request for comment that solicits input from the*
12 *public.*

13 (e) *VERIFICATION.*—*Provided the database established*
14 *under subsection (b) is fully functional and the data avail-*
15 *able to consumer reporting agencies, a consumer reporting*
16 *agency shall use the database as a means to identify a vet-*
17 *eran’s medical debt pursuant to paragraphs (7) and (8) of*
18 *section 605(a) of the Fair Credit Reporting Act (15 U.S.C.*
19 *1681c(a)), as added by section (3)(b) of this Act.*

20 **SEC. 5. EFFECTIVE DATE.**

21 *The amendments made by this Act shall take effect on*
22 *the date that is one year after the date of enactment of this*
23 *Act.*

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