

2024 -- S 2709

LC005575

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
MEDICAL DEBT REPORTING

Introduced By: Senators Murray, Burke, Pearson, Lauria, and Valverde

Date Introduced: March 05, 2024

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 6 of the General Laws entitled "COMMERCIAL LAW — GENERAL
2 REGULATORY PROVISIONS" is hereby amended by adding thereto the following chapter:

3 CHAPTER 60

4 MEDICAL DEBT REPORTING

5 **6-60-1. Definitions.**

6 As used in this chapter, the following terms shall have the following meanings:

7 (1) "Consumer" shall have the same meaning as such term is defined in § 19-14.9-3.

8 (2) "Consumer reporting agency" shall have the same meaning as such term is defined in
9 § 19-14.9-3.

10 (3) "Debt collector" shall have the same meaning as such term is defined in § 19-14.9-3.

11 (4) "Medical debt" means an obligation or alleged obligation of a consumer to pay any
12 amount whatsoever related to the receipt of healthcare services, products, devices, durable medical
13 equipment or prescription drugs including, but not be limited to, those provided by a physician as
14 defined in § 27-9.2-4, a healthcare provider as defined in § 27-81-3, and emergency medical
15 transportation services provided pursuant to the provisions of chapter 4.1 of title 23.

16 "Medical debt" does not include debt charged to a credit card unless the credit card is issued
17 under an open-ended or closed-end plan offered specifically for the payment of healthcare services,
18 products, or devices provided to a person.

1 **6-60-2. Medical debt reporting prohibited in contracts with collection entities.**

2 A healthcare provider as defined in § 27-81-3, or a healthcare facility authorized or licensed
3 under chapter 17 of title 23, or an emergency medical transportation service certified under chapter
4 4.1 of title 23, shall not furnish information regarding any portion of a medical debt to a consumer
5 reporting agency. In any contract entered into with a collection entity or debt collector for the
6 purchase or collection of medical debt, there shall be included a provision which prohibits the
7 reporting of any portion of medical debt to a consumer reporting agency.

8 **6-60-3. Credit reporting agencies.**

9 No credit reporting agency shall acquire, record or report any medical debt, in any manner.
10 A credit reporting agency shall not make a consumer report containing any adverse information
11 that the agency knows or should know is related to medical debt of a consumer.

12 **6-60-4. Medical debt collectors.**

13 (a) A debt collector or collection agency shall not use any false, deceptive or misleading
14 information or means when attempting to collect a medical debt or in an attempt to obtain
15 information about a consumer in relation to collect a medical debt by making a false, deceptive or
16 misleading representation that the medical debt will be included in a consumer credit report or
17 factored into a credit score.

18 (b) Any correspondence from a debt collector or collection agency to a consumer shall
19 include the following language: "The State of Rhode Island general laws prohibit credit bureaus
20 from reporting medical debt or factoring medical debt into a credit score."

21 (c) No creditor or debt collector that knows or should have known about an internal review,
22 external review, or other appeal of a health insurance decision that is pending within sixty (60) days
23 of the consumer's receipt of the financial statement shall:

24 (1) Provide information relative to unpaid charges for healthcare services to a consumer
25 reporting agency;

26 (2) Communicate with the consumer regarding the unpaid charges for healthcare services
27 for the purpose of seeking to collect the charges; or

28 (3) Initiate a lawsuit or arbitration proceeding against the consumer relative to unpaid
29 charges for healthcare services.

30 (d) If a medical debt has already been reported to a consumer reporting agency and the
31 creditor or debt collector who reported the information learns of an internal review, external review,
32 or other appeal of a health insurance decision that is pending within sixty (60) days of the
33 consumer's receipt of the financial statement, such creditor or collector shall instruct the consumer
34 reporting agency to delete the information about the debt.

1 **6-60-5. Reported medical debt void.**

2 Any portion of medical debt information that is furnished by any healthcare facility or
3 healthcare provider or by the facility's or provider's agent to a consumer reporting agency shall
4 render the debt void and uncollectable.

5 **6-60-6. Enforcement.**

6 Any consumer reporting agency or debt collector that fails to comply with the requirements
7 imposed under this chapter, and that does not achieve compliance within three (3) working days of
8 being notified by the consumer of its noncompliance, is liable to that consumer in an amount equal
9 to the sum of ten dollars (\$10.00) per day for each day of noncompliance. If the noncompliance
10 persists beyond the fourth day following the consumer's notification, the consumer may notify the
11 attorney general, who may bring an action against the offending person or entity to enjoin that
12 person or entity from continuing the violation and for any other relief that the court deems
13 appropriate. In the case of any successful action to enforce any provision of this chapter, the costs
14 of the action together with reasonable attorneys' fees as determined by the court shall be borne by
15 the offending consumer reporting agency or debt collector.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
MEDICAL DEBT REPORTING

1 This act prohibits hospitals and other medical providers from reporting medical debt to
2 consumer reporting agencies. A violation of this chapter may be pursued on behalf of the consumer
3 by the attorney general.

4 This act would take effect upon passage.

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