



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3298

Introduced 2/7/2024, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

815 ILCS 505/2EEEE new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a person shall not report to a consumer reporting agency any medical debt incurred by a consumer or any collection action against the consumer to collect medical debt. Provides that a consumer reporting agency shall not make, create, or furnish any consumer report or credit report containing, incorporating, or reflecting any adverse information that the consumer reporting agency knows or should know relates to medical debt incurred by the consumer or a collection action against the consumer to collect medical debt. Provides that no consumer reporting agency shall maintain in the file of a consumer any information relating to medical debt incurred by a consumer or a collection action against the consumer to collect medical debt. Provides that a health care provider shall not furnish or report any medical debt incurred by a consumer or any collection action against the consumer to collect medical debt to a consumer reporting agency. Provides that a health care provider shall include a provision in any contract entered into with a collection agency for the purchase or collection of medical debt that prohibits the reporting of any medical debt to a consumer reporting agency. Provides that a violation of the provisions constitutes an unlawful practice within the meaning of the Act.

LRB103 37026 SPS 67141 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section 2EEEE as follows:

6 (815 ILCS 505/2EEEE new)

7 Sec. 2EEEE. Credit reporting; medical debt.

8 (a) As used in this Section:

9 "Collection action" means any referral of a bill to a
10 collection agency or law firm to collect payment for services
11 from a consumer for health care services.

12 "Collection agency" means any individual, partnership,
13 corporation, trust, estate, co-operative, association,
14 government or government subdivision, agency, or other entity
15 that either purchases medical debt or collects medical debt on
16 behalf of another entity.

17 "Consumer report" or "credit report" have the meaning
18 ascribed to the term "consumer report" under 15 U.S.C.
19 1681a(d).

20 "Consumer reporting agency" has the meaning ascribed to
21 that term in 15 U.S.C. 1681a(f).

22 "Health care provider" means a physician licensed to
23 practice medicine in all of its branches, advanced practice

1 registered nurse, physician assistant, hospital licensed under
2 the Hospital Licensing Act, long-term care facility licensed
3 under the Nursing Home Care Act, an ambulance service licensed
4 to provide health care services in this State, or any other
5 individual or entity licensed, registered, or certified to
6 provide health care services in this State.

7 "Medical debt" means a debt arising from the receipt of
8 health care services, products, or devices, health care
9 professional, hospital, or an ambulance service that is
10 licensed, authorized, or certified to provide health care
11 services in this State

12 (b) A person shall not report to a consumer reporting
13 agency any medical debt incurred by a consumer or any
14 collection action against the consumer to collect medical
15 debt.

16 (c) A consumer reporting agency shall not make, create, or
17 furnish any consumer report or credit report containing,
18 incorporating, or reflecting any adverse information that the
19 consumer reporting agency knows or should know relates to
20 medical debt incurred by the consumer or a collection action
21 against the consumer to collect medical debt.

22 (d) No consumer reporting agency shall maintain in the
23 file of a consumer any information relating to medical debt
24 incurred by a consumer or a collection action against the
25 consumer to collect medical debt.

26 (e) A health care provider shall not furnish or report any

1 medical debt incurred by a consumer or any collection action
2 against the consumer to collect medical debt to a consumer
3 reporting agency. A health care provider shall include a
4 provision in any contract entered into with a collection
5 agency for the purchase or collection of medical debt that
6 prohibits the reporting of the medical debt to a consumer
7 reporting agency.

8 (f) A violation of this Section constitutes an unlawful
9 practice within the meaning of this Act.