



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3803

Introduced 2/22/2021, by Rep. Dagmara Avelar

#### SYNOPSIS AS INTRODUCED:

210 ILCS 88/30

Amends the Fair Patient Billing Act. Requires a hospital to proactively offer information on charity care options available to patients, regardless of their immigration status, health insurance, or residency, and to obtain the signature of a patient declining charity care if the patient does not intend to access financial assistance. Effective July 1, 2021.

LRB102 14417 CPF 19769 b

1 AN ACT concerning regulation.

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

4 Section 5. The Fair Patient Billing Act is amended by  
5 changing Section 30 as follows:

6 (210 ILCS 88/30)

7 Sec. 30. Pursuing collection action.

8 (a) Hospitals and their agents may pursue collection  
9 action against an uninsured patient only if the following  
10 conditions are met:

11 (1) The hospital has given the uninsured patient the  
12 opportunity to:

13 (A) assess the accuracy of the bill;

14 (B) apply for financial assistance under the  
15 hospital's financial assistance policy; and

16 (C) avail themselves of a reasonable payment plan.

17 (2) If the uninsured patient has indicated an  
18 inability to pay the full amount of the debt in one  
19 payment, the hospital has offered the patient a reasonable  
20 payment plan. The hospital may require the uninsured  
21 patient to provide reasonable verification of his or her  
22 inability to pay the full amount of the debt in one  
23 payment.

1           (3) To the extent the hospital provides financial  
2           assistance and the circumstances of the uninsured patient  
3           suggest the potential for eligibility for charity care,  
4           the uninsured patient has been given at least 60 days  
5           following the date of discharge or receipt of outpatient  
6           care to submit an application for financial assistance.

7           (4) If the uninsured patient has agreed to a  
8           reasonable payment plan with the hospital, and the patient  
9           has failed to make payments in accordance with that  
10          reasonable payment plan.

11          (5) If the uninsured patient informs the hospital that  
12          he or she has applied for health care coverage under  
13          Medicaid, Kidcare, or other government-sponsored health  
14          care program (and there is a reasonable basis to believe  
15          that the patient will qualify for such program) but the  
16          patient's application is denied.

17          (a-5) A hospital shall proactively offer information on  
18          charity care options available to patients, regardless of  
19          their immigration status, health insurance, or residency. The  
20          hospital is required to obtain the signature of a patient  
21          declining charity care if the patient does not intend to  
22          access financial assistance.

23          (b) A hospital may not refer a bill, or portion thereof, to  
24          a collection agency or attorney for collection action against  
25          the insured patient, without first offering the patient the  
26          opportunity to request a reasonable payment plan for the

1 amount personally owed by the patient. Such an opportunity  
2 shall be made available for the 30 days following the date of  
3 the initial bill. If the insured patient requests a reasonable  
4 payment plan, but fails to agree to a plan within 30 days of  
5 the request, the hospital may proceed with collection action  
6 against the patient.

7 (c) No collection agency, law firm, or individual may  
8 initiate legal action for non-payment of a hospital bill  
9 against a patient without the written approval of an  
10 authorized hospital employee who reasonably believes that the  
11 conditions for pursuing collection action under this Section  
12 have been met.

13 (d) Nothing in this Section prohibits a hospital from  
14 engaging an outside third party agency, firm, or individual to  
15 manage the process of implementing the hospital's financial  
16 assistance and reasonable payment plan programs and policies  
17 so long as such agency, firm, or individual is contractually  
18 bound to comply with the terms of this Act.

19 (Source: P.A. 94-885, eff. 1-1-07.)

20 Section 99. Effective date. This Act takes effect July 1,  
21 2021.