

119TH CONGRESS
2D SESSION

S. _____

To amend the Fair Credit Reporting Act to prohibit the inclusion of medical debt on a consumer report, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Fair Credit Reporting Act to prohibit the inclusion of medical debt on a consumer report, 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 Americans
5 from Treatment-related Credit Harm Act” or the
6 “PATCH Act”.

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

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

1 “(bb) MEDICAL DEBT.—The term ‘medical debt’
2 means a debt arising from the receipt of medical services,
3 products, or devices.”.

4 (b) EXCLUSION FOR MEDICAL DEBT.—

5 (1) IN GENERAL.—Section 605(a) of the Fair
6 Credit Reporting Act (15 U.S.C. 1681c(a)) is
7 amended by striking paragraph (6) and inserting the
8 following:

9 “(6)(A) Any adverse information related to a medical
10 debt, including a medical debt that was placed for collec-
11 tion, charged to profit or loss, or subjected to any similar
12 action.

13 “(B) Nothing in subparagraph (A) may be construed
14 to prevent a consumer reporting agency from collecting
15 the information described in that subparagraph.”.

16 (2) TECHNICAL AND CONFORMING AMEND-
17 MENTS.—Section 604(g) of the Fair Credit Report-
18 ing Act (15 U.S.C. 1681b(g)) is amended—

19 (A) in paragraph (1)—

20 (i) in the matter preceding subpara-
21 graph (A), by striking “(other than med-
22 ical contact information treated in the
23 manner required under section
24 605(a)(6))”;

1 (ii) in subparagraph (A), by adding
2 “or” at the end;
3 (iii) in subparagraph (B)(ii), by strik-
4 ing “; or” and inserting a period; and
5 (iv) by striking subparagraph (C); and
6 (B) in paragraph (2), by striking “(other
7 than medical information treated in the manner
8 required under section 605(a)(6))”.

9 **SEC. 3. MODIFICATION OF REGULATIONS RELATING TO**
10 **PROHIBITIONS ON USE OF MEDICAL DEBT IN-**
11 **FORMATION.**

12 (a) DEFINITIONS.—In this section, the terms “cred-
13 it” and “creditor” have the meanings given those terms
14 in section 702 of the Equal Credit Opportunity Act (15
15 U.S.C. 1691a).

16 (b) REQUIREMENT.—Not later than 1 year after the
17 date of enactment of this Act, the Director of the Bureau
18 of Consumer Financial Protection shall amend section
19 1022.30 of title 12, Code of Federal Regulations, or any
20 successor regulation, to ensure that creditors are prohib-
21 ited from obtaining or using information relating to the
22 medical debt of a consumer in determining whether or not
23 to extend credit to that consumer.