

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1268

(Filing No. H-508)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 939, L.D. 1268, Bill, "An Act Regarding the Collection of Medical Payments for an Absent Parent When a Court Order Exists"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 10 MRSA §1320, sub-§3-A is enacted to read:

3-A. Medical expenses debts; court or administrative orders. A debt collector may report overdue medical expenses for a minor child to a consumer reporting agency only in the name of the responsible party identified in a court order or administrative order if the debt collector is notified orally or in writing of the existence of the order. In addition, a report may not be made until after the debt collector has notified, or made a good faith effort to notify, the responsible party of that party's obligation to pay the overdue medical expenses. Existing information regarding overdue medical expenses for a minor child in the name of a person other than the responsible party identified in a court order or administrative order is considered inaccurate information for the purposes of section 1317 and is subject to correction. A debt collector or consumer reporting agency may request reasonable verification of the order, including a certified copy of the order.

Sec. 2. 32 MRSA §11013, sub-§5 is enacted to read:

5. Reporting certain unpaid medical expenses; court or administrative orders. A debt collector may not report to a consumer reporting agency any credit or debt information regarding overdue medical expenses owed by a parent for a minor child if the debt collector is notified orally or in writing of

COMMITTEE AMENDMENT

2 the existence of a court order or administrative order
3 identifying another person as the party responsible for payment
4 of medical expenses for that minor child. In addition, a report
5 may not be made until after the debt collector has notified, or
6 made a good faith effort to notify, the responsible party of that
7 party's obligation to pay the overdue medical expenses. The debt
8 collector may request reasonable verification of the order,
9 including requesting a certified copy of the order.'

STATEMENT OF FACT

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12
13 This amendment replaces the bill. It prohibits a debt
14 collector from reporting to a consumer reporting agency unpaid
15 medical bills for a minor child in the name of the parent who is
16 not the parent identified in a court order or administrative
17 order as being responsible for medical expenses of the child if
18 the debt collector is notified of the existence of the order. It
19 allows the debt collector or, if the debt has already been
20 reported, the consumer reporting agency to request reasonable
21 proof of the existence of the order.

22
23 This amendment prohibits a debt collector from reporting the
24 debt in the name of the party identified in the court or
25 administrative order as being responsible for the medical
26 expenses until the debt collector has either notified the
27 responsible parent or at least made a good faith effort to notify
28 the responsible parent.

29
30 If a debt for a minor's medical expenses is included in the
31 information a consumer reporting agency makes available, and that
32 consumer is not the person identified in a court or
33 administrative order as being responsible for the debt, that
34 information is considered inaccurate information and can be
35 corrected by the consumer through the existing procedures.

36
Reported by the Committee on Judiciary
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