

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2174

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S.P. 925

In Senate, January 22, 2024

### **An Act to Protect Consumers from Predatory Medical Credit Card Providers**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by President JACKSON of Aroostook.  
Cosponsored by Speaker TALBOT ROSS of Portland and  
Senators: BAILEY of York, CURRY of Waldo, HICKMAN of Kennebec, NANGLE of  
Cumberland, RENY of Lincoln, TIPPING of Penobscot, Representatives: ARFORD of  
Brunswick, PERRY of Calais.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 9-A MRSA §5-116-A, sub-§1**, as enacted by PL 2009, c. 526, §1, is  
3 repealed and the following enacted in its place:

4 **1. Definitions.** For the purposes of this section, the following terms have the following  
5 meanings.

6 A. "Deferred interest provision" means a contractual provision that allows for interest  
7 to be charged on portions of the original balance on a medical credit card that have  
8 already been paid off.

9 B. "Health care provider" means a physician, health care practitioner, hospital, clinic,  
10 clinical laboratory, health care facility or other person or facility that provides health  
11 care services and is licensed or registered by the State.

12 C. "Medical credit card" means a credit card that is extended by a creditor to a  
13 consumer to defer payment for health care services.

14 **Sec. 2. 9-A MRSA §5-116-A, sub-§5** is enacted to read:

15 **5. Medical credit cards; requirements.** The following requirements apply to medical  
16 credit cards.

17 A. A health care provider may not offer or arrange for a medical credit card for a  
18 consumer, or establish or otherwise complete any portion of an application for a  
19 medical credit card on a consumer's behalf, in that health care provider's office,  
20 treatment area or other health care setting.

21 B. A health care provider may not offer, arrange for or establish a medical credit card  
22 for a consumer that contains a deferred interest provision in the medical credit card  
23 contract.

24 C. A health care provider may not charge the costs for health care services on a medical  
25 credit card at any time prior to the date upon which health care services are rendered  
26 or costs are incurred.

27 D. Before accepting any payment from a consumer using a medical credit card, a health  
28 care provider shall screen the consumer for eligibility for charity care in accordance  
29 with any charity care policy adopted by the health care provider in accordance with the  
30 requirements of Title 22, sections 1715 and 1716.

31 E. A creditor that extends a medical credit card to a consumer and is attempting to  
32 collect unpaid payments in connection with the medical credit card from a consumer is  
33 subject to the provisions of Title 32, chapter 109-A.

34 **SUMMARY**

35 This bill establishes the following requirements related to credit cards designed  
36 specifically for the payment of health care services.

37 1. It prohibits a health care provider from offering or arranging for a medical credit  
38 card for a consumer, or establishing or otherwise completing any portion of an application  
39 for a medical credit card on a consumer's behalf, in that health care provider's office,  
40 treatment area or other health care setting.

1           2. It prohibits a health care provider from offering, arranging for or establishing a  
2 medical credit card for a consumer that contains a deferred interest provision in the medical  
3 credit card contract.

4           3. It prohibits a health care provider from charging the costs for health care services  
5 to a medical credit card at any time prior to the date upon which health care services are  
6 rendered or costs are incurred.

7           4. It requires a health care provider to screen a consumer for eligibility for charity care  
8 before accepting payment from a consumer using a medical credit card.

9           5. It provides that a creditor that extends a medical credit card to a consumer and is  
10 attempting to collect unpaid payments in connection with the medical credit card from a  
11 consumer is subject to the provisions of the Maine Fair Debt Collection Practices Act.