

SENATE BILL 1833

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 8; Title 16; Title 18; Title 20; Title 21; Title 27; Title 28; Title 29; Title 45; Title 47; Title 63 and Title 68, relative to credit data.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding the following as a new part:

47-18-5701.

As used in this part:

(1) "Consumer report" has the same meaning as defined by 15 U.S.C. § 1681a(d);

(2) "Consumer reporting agency" has the same meaning as defined by 15 U.S.C. § 1681a(f);

(3) "Debt collections agency" means any person or entity hired to collect or attempt to collect debts due or asserted to be due to another person or entity;

(4) "Healthcare provider" means a healthcare practitioner, person, or facility licensed, authorized, certified, registered, or regulated under title 33, title 63, or title 68; and

(5) "Medical debt" means debt arising from the receipt of healthcare services and related expenses.

47-18-5702.

(a) Beginning July 1, 2024, a healthcare provider shall not report a patient's medical debt to a consumer reporting agency. This section does not prohibit a healthcare provider from reporting a patient's medical debt to a debt collections agency.

(b) Beginning July 1, 2024, a consumer reporting agency shall not include on a consumer report a record of medical debt.

(c) If a consumer reporting agency includes information in a consumer report in violation of subsection (b), the person to whom the consumer report applies may dispute the completeness or accuracy of such information, as provided under the federal Fair Credit Reporting Act (15 U.S.C. § 1681i).

47-18-5703.

(a) A violation of this part constitutes a violation of the Tennessee Consumer Protection Act of 1977, compiled in part 1 of this chapter. A violation of this part constitutes an unfair or deceptive act or practice affecting trade or commerce and is subject to the penalties and remedies as provided in the Tennessee Consumer Protection Act of 1977, in addition to the penalties and remedies in this part.

(b) The attorney general and reporter has all of the investigative and enforcement authority that the attorney general and reporter has under the Tennessee Consumer Protection Act of 1977 relating to alleged violations of this part. The attorney general and reporter may institute any proceedings involving alleged violations of this part in Davidson County circuit or chancery court or any other venue otherwise permitted by law.

(c) Costs of any kind or nature cannot be taxed against the attorney general and reporter or the state in actions commenced under this part.

SECTION 2. This act takes effect July 1, 2024, the public welfare requiring it.