

118TH CONGRESS  
1ST SESSION

# S. 3103

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

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2023

Mr. MERKLEY (for himself, Mr. MENENDEZ, Mr. FETTERMAN, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## 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 “Medical Debt Relief  
5 Act of 2023”.

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

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

1       “(bb) **MEDICAL DEBT.**—The term ‘medical debt’  
2 means a debt related to, in whole or in part, transactions,  
3 accounts, or balances arising from the receipt of medical  
4 services, products, or devices.”.

5       (b) **EXCLUSION FOR MEDICAL DEBT.**—Section  
6 605(a) of the Fair Credit Reporting Act (15 U.S.C.  
7 1681c(a)) is amended by adding at the end the following:

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

12 **SEC. 3. MODIFICATION OF REGULATIONS RELATING TO**  
13 **PROHIBITIONS ON USE OF MEDICAL DEBT IN-**  
14 **FORMATION.**

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

19       (b) **REQUIREMENT.**—Not later than 1 year after the  
20 date of enactment of this Act, the Director of the Bureau  
21 of Consumer Financial Protection shall amend section  
22 1022.30 of title 12, Code of Federal Regulations, or any  
23 successor regulation, to ensure that creditors are prohib-  
24 ited from obtaining or using information relating to the

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- 1 medical debt of a consumer in determining whether or not
- 2 to extend credit to that consumer.

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