

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Protect Maine Citizens' Credit

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

Sec. 1. 10 MRSA §1320, sub-§3-A, as enacted by PL 1993, c. 365, §1, is amended to read:

3-A. Medical expenses debts; court or administrative orders. Except as provided in section 1330, 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. 10 MRSA §1330 is enacted to read:

§ 1330. Reporting of information related to debt resulting from necessary medical treatment

1. Definition. As used in this section, unless the context otherwise indicates, "necessary medical treatment" means medical treatment for a life-threatening condition, without which the likelihood of death is probable.

2. Furnishing information to consumer reporting agency prohibited. A person who provides medical treatment or a debt collection agency may not furnish information to a consumer reporting agency regarding an amount owed by a consumer for the receipt of necessary medical treatment by the consumer or a person to whom the consumer has a legal obligation to provide support.

3. Penalty. A person who provides medical treatment or a debt collection agency that violates this section is liable to the consumer against whom the violation occurs for the greatest of:

- A. Three times the amount of actual damages to the consumer;
- B. One thousand dollars plus reasonable attorney's fees and court costs; and
- C. The amount of costs and damages provided in section 1322 or 1323.

SUMMARY

This bill prohibits a person who provides medical treatment or a debt collection agency from furnishing information to a consumer reporting agency regarding an amount owed by a consumer for the receipt of necessary medical treatment by the consumer or by a person to whom the consumer has a legal obligation to provide support.