

SENATE No. 743

The Commonwealth of Massachusetts

PRESENTED BY:

Lydia Edwards

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure uniform and transparent reporting of medical debt data.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/11/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/13/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>8/1/2023</i>

SENATE No. 743

By Ms. Edwards, a petition (accompanied by bill, Senate, No. 743) of Lydia Edwards, James B. Eldridge and Patrick M. O'Connor for legislation to ensure uniform and transparent reporting of medical debt data. Health Care Financing.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act to ensure uniform and transparent reporting of medical debt data.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 12C of the General Laws, as appearing in the 2020 Official
2 Edition, is hereby amended by inserting in 1 the following new definitions:-

3 “Medical debt”, any debt owed for goods or services provided by a medical facility, a
4 provider of health care or a provider of emergency medical services including the financing or an
5 extension of credit by a third party for the sole purpose of purchasing goods or services provided
6 by a medical facility, a provider of health care or a provider of emergency medical services.

7 “Significant medical debt”, any medical debt owed by an individual exceeding \$200.

8 SECTION 2. Chapter 12C of the General Laws, as appearing in the 2020 Official
9 Edition, is hereby amended by inserting after section 24 the following new section:-

10 “SECTION 25. Uniform medical debt reporting system.

(a) The center shall coordinate with the public health council, the boards of registration for providers, the commission board, and the state finance and governance board to develop a uniform and interoperable electronic system of public reporting for providers as a prerequisite condition for advancing overdue medical bills to a debt collection agency.

(b) The uniform medical debt reporting system shall include information designed to advise on policy relating to medical debt. The uniform medical debt reporting system shall also ensure a comprehensive and transparent analysis of demographic data as it relates to medical debt including, but not limited to, rates of medical debt carried in the following demographics: (1) race; (2) sex, gender identity, and sexual orientation; (2) disability status; (3) criminal record; (4) health status; (5) family and individual income level; (6) education; (7) nation of origin; (8) region of residence in the commonwealth; (8) individual and family health insurance status; (8) veteran status; (9) age group; (10) chronic condition status; (11) education level; (12) primary language; and (13) times between procedures and reporting of debt to a collection agency.

(c) The purpose of the uniform medical debt reporting system is to reduce the adverse effects of medical debt and to protect patients in matters related to medical creditors, medical debt buyers, and medical debt collectors with respect to such debt. As such, the center shall collect and analyze data on all aspects related to the purposes of this section including, but not limited to, trends of medical debt assignment and collection per provider; rates of medical debt qualifying as “significant” as defined in chapter 12C, section 1; the relative concentration of individual and family debt per person as compared to the total amount of medical debt in the commonwealth; any risks associated with masking medical debt data; the impact of medical debt data on public health and welfare; and dating relating to the rate at which those carrying medical debts successfully settle such debt.

(d) The center may centralize the uniform medical debt reporting system or create a central portal for public access to the medical debt data and information. The uniform medical debt reporting system shall be accessible to other state agencies and authorities including, but not limited to, the commission, the secretary for the executive office of health and human services, the department of public health, and the state finance and governance board.

(e) The center shall promptly make available to the secretary of the executive office of health and human services all data pursuant to paragraph (a) of this section prior to a provider sending such debt information to a collection agency.”

(f) The center shall coordinate with the commission, through its oversight and control of the Healthcare Payment Reform Fund pursuant to chapter 6D, section 7, to receive reimbursement funds for the purposes of executing the uniform medical debt reporting system as established in this section.

SECTION 3. Section 52 of chapter 93 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after clause (6) the following clause:-

(7) Information concerning medical debt arising from the receipt of health care services.

SECTION 4. Said section 52 of said chapter 93 of the General Laws, as so appearing is further amended by striking subsection (b) and inserting in place thereof the following subsection:-

(b) Except for subsection (7), the provisions of subsection (a) are not applicable in the case of any consumer credit report to be used in connection with (1) a credit transaction

involving, or which may reasonably be expected to involve, a principal amount of fifty thousand dollars or more; or -

(2) the underwriting of life insurance involving, or which may reasonably be expected to involve, a face amount of fifty thousand dollars or more.

SECTION 5. Chapter 93, section 52 of the General Laws, as appearing in the 2020 Official Edition, hereby amended by inserting after subsection (a)(6) the following new subsection:-

(7) Medical debt which has:

(a) not yet been reported to the secretary of the executive office of health and human services pursuant to chapter 12C, section 25, subsection c; (b) already been fully paid or settled; or

(c) existed for less than one year from the date of first acquisition.

SECTION 6. Chapter 6D, section 7 of the General Laws, as appearing in the 2020 Official Edition, hereby amended by inserting after subsection (d)(v) and before subsection (d)(vi), which shall now be amended as subsection (d)(vii), the following new subsection:-

(vi) to reimburse the center for health information analysis on all funds expended for the purposes of executing the uniform medical debt reporting system established in chapter 12C, section 25.