

SPONSOR: McMullen

This bill prohibits a hospital, or a person or entity collecting on behalf of the hospital, from initiating or pursuing collection actions against a patient or patient guarantor, for debt incurred by the patient on a date or dates of service when the hospital was not in material compliance with federal hospital price transparency laws.

If a patient believes that a hospital was not in material compliance with price transparency laws, the patient or patient guarantor may file a lawsuit. If a judge or jury finds the hospital out of material compliance with federal hospital price transparency laws, the hospital:

- (1) Is subject to a penalty equal to the amount of the debt;
- (2) Must refund any amount paid on the debt;
- (3) Must dismiss any court action initiated by the hospital;
- (4) Pay attorney fees and costs the patient or patient guarantor incurred relating to the action; and
- (5) Must remove any report made to a consumer reporting agency relating to the debt from the patient's or guarantor's credit report.

Nothing in the bill:

- (1) Prohibits a hospital from billing a patient, patient's guarantor, or third-party payer, including a health insurer, for items or services provided to the patient; or
- (2) Requires a hospital to refund a payment made to the hospital for items or services provided to a patient, so long as no collection action is taken in violation of this bill.

Additionally, any patient who pays a bill received from the hospital that charges the patient for items or services in an amount that exceeds the actual costs thereof may bring a civil action in circuit court against the hospital and recover the difference between what had been paid by the patient and the actual cost of the items or services.

This bill is similar to HB 1161 (2023).