



Rep. Dagmara Avelar

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10200HB3803ham001

LRB102 14417 CPF 25275 a

1 AMENDMENT TO HOUSE BILL 3803

2 AMENDMENT NO. _____. Amend House Bill 3803 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Fair Patient Billing Act is amended by
5 changing Section 30 as follows:

6 (210 ILCS 88/30)

7 Sec. 30. Pursuing collection action.

8 (a) Hospitals and their agents may pursue collection
9 action against an uninsured patient only if the following
10 conditions are met:

11 (1) The hospital has given the uninsured patient the
12 opportunity to:

13 (A) assess the accuracy of the bill;

14 (B) apply for financial assistance under the
15 hospital's financial assistance policy; and

16 (C) avail themselves of a reasonable payment plan.

1 (2) If the uninsured patient has indicated an
2 inability to pay the full amount of the debt in one
3 payment, the hospital has offered the patient a reasonable
4 payment plan. The hospital may require the uninsured
5 patient to provide reasonable verification of his or her
6 inability to pay the full amount of the debt in one
7 payment.

8 (3) To the extent the hospital provides financial
9 assistance and the circumstances of the uninsured patient
10 suggest the potential for eligibility for charity care,
11 the uninsured patient has been given at least 60 days
12 following the date of discharge or receipt of outpatient
13 care to submit an application for financial assistance.

14 (4) If the uninsured patient has agreed to a
15 reasonable payment plan with the hospital, and the patient
16 has failed to make payments in accordance with that
17 reasonable payment plan.

18 (5) If the uninsured patient informs the hospital that
19 he or she has applied for health care coverage under
20 Medicaid, Kidcare, or other government-sponsored health
21 care program (and there is a reasonable basis to believe
22 that the patient will qualify for such program) but the
23 patient's application is denied.

24 (a-5) A hospital shall proactively offer information on
25 charity care options available to uninsured patients,
26 regardless of their immigration status or residency.

1 (b) A hospital may not refer a bill, or portion thereof, to
2 a collection agency or attorney for collection action against
3 the insured patient, without first offering the patient the
4 opportunity to request a reasonable payment plan for the
5 amount personally owed by the patient. Such an opportunity
6 shall be made available for the 30 days following the date of
7 the initial bill. If the insured patient requests a reasonable
8 payment plan, but fails to agree to a plan within 30 days of
9 the request, the hospital may proceed with collection action
10 against the patient.

11 (c) No collection agency, law firm, or individual may
12 initiate legal action for non-payment of a hospital bill
13 against a patient without the written approval of an
14 authorized hospital employee who reasonably believes that the
15 conditions for pursuing collection action under this Section
16 have been met.

17 (d) Nothing in this Section prohibits a hospital from
18 engaging an outside third party agency, firm, or individual to
19 manage the process of implementing the hospital's financial
20 assistance and reasonable payment plan programs and policies
21 so long as such agency, firm, or individual is contractually
22 bound to comply with the terms of this Act.

23 (Source: P.A. 94-885, eff. 1-1-07.)

24 Section 99. Effective date. This Act takes effect on the
25 first day of the first month immediately following 90 days

1 after becoming law."