

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2683
OFFERED BY MR. DELANEY OF MARYLAND**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Protecting Veterans
3 Credit Act of 2018”.

4 SEC. 2. PURPOSE.

5 The purpose of this Act is to rectify problematic re-
6 porting of medical debt included in a consumer report of
7 a veteran due to inappropriate or delayed payment for hos-
8 pital care, medical services, or extended care services pro-
9 vided in a non-Department of Veterans Affairs facility
10 under the laws administered by the Secretary of Veterans
11 Affairs.

12 SEC. 3. AMENDMENTS TO FAIR CREDIT REPORTING ACT.

13 (a) VETERAN’S MEDICAL DEBT DEFINED.—Section
14 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)
15 is amended by adding at the end the following:

16 “(z) VETERAN.—The term ‘veteran’ has the meaning
17 given the term in section 101 of title 38, United States
18 Code.

1 “(aa) VETERAN’S MEDICAL DEBT.—The term ‘vet-
2 eran’s medical debt’—

3 “(1) means a medical collection debt of a vet-
4 eran owed to an eligible non-Department of Veterans
5 Affairs health care provider that was submitted to
6 the Department for payment for health care author-
7 ized by the Department of Veterans Affairs; and

8 “(2) includes medical collection debt that the
9 Department of Veterans Affairs has wrongfully
10 charged a veteran.”.

11 (b) EXCLUSION FOR VETERAN’S MEDICAL DEBT.—
12 Section 605(a) of the Fair Credit Reporting Act (15
13 U.S.C. 1681c(a)) is amended by adding at the end the
14 following:

15 “(7) Any information related to a veteran’s
16 medical debt if the date on which the hospital care,
17 medical services, or extended care services was ren-
18 dered relating to the debt antedates the report by
19 less than one year if the consumer reporting agency
20 has actual knowledge that the information is related
21 to a veteran’s medical debt and the consumer report-
22 ing agency is in compliance with its obligation under
23 section 4(e) of the Protecting Veterans Credit Act of
24 2018.

1 “(8) Any information related to a fully paid or
2 settled veteran’s medical debt that had been charac-
3 terized as delinquent, charged off, or in collection if
4 the consumer reporting agency has actual knowledge
5 that the information is related to a veteran’s medical
6 debt and the consumer reporting agency is in com-
7 pliance with its obligation under section 4(e) of the
8 Protecting Veterans Credit Act of 2018.”.

9 (c) REMOVAL OF VETERAN’S MEDICAL DEBT FROM
10 CONSUMER REPORT.—Section 611 of the Fair Credit Re-
11 porting Act (15 U.S.C. 1681i) is amended—

12 (1) in subsection (a)(1)(A), by inserting “and
13 except as provided in subsection (g)” after “sub-
14 section (f)”; and

15 (2) by adding at the end the following:

16 “(g) DISPUTE PROCESS FOR VETERAN’S MEDICAL
17 DEBT.—

18 “(1) IN GENERAL.—With respect to a veteran’s
19 medical debt, the veteran may submit a notice de-
20 scribed in paragraph (2), proof of liability of the De-
21 partment of Veterans Affairs for payment of that
22 debt, or documentation that the Department of Vet-
23 erans Affairs is in the process of making payment
24 for authorized hospital care, medical services, or ex-
25 tended care services rendered to a consumer report-

1 ing agency or a reseller to dispute the inclusion of
2 that debt on a consumer report of the veteran.

3 “(2) NOTIFICATION TO VETERAN.—The De-
4 partment of Veterans Affairs shall submit to a vet-
5 eran, not later than 30 days after the Department
6 of Veterans Affairs assumes such liability, a written
7 notice that the Department of Veterans Affairs has
8 assumed liability for part or all of a veteran’s med-
9 ical debt.

10 “(3) DELETION OF INFORMATION FROM
11 FILE.—If a consumer reporting agency receives no-
12 tice, proof of liability, or documentation under para-
13 graph (1), the consumer reporting agency, not later
14 than 30 days after receipt, shall delete all informa-
15 tion relating to the veteran’s medical debt from the
16 file of the veteran and notify the furnisher and the
17 veteran of that deletion.”.

18 **SEC. 4. VERIFICATION OF VETERAN’S MEDICAL DEBT.**

19 (a) DEFINITIONS.—For purposes of this section—

20 (1) the term “consumer reporting agency”
21 means a consumer reporting agency described in sec-
22 tion 603(p) or 603(x) of the Fair Credit Reporting
23 Act (15 U.S.C. 1681a); and

24 (2) the terms “veteran” and “veteran’s medical
25 debt” have the meanings given those terms in sec-

1 tion 603 of the Fair Credit Reporting Act (15
2 U.S.C. 1681a), as added by section 3(a) of this Act.

3 (b) ESTABLISHMENT.—Not later than one year after
4 the date of enactment of this Act, the Secretary of Vet-
5 erans Affairs shall establish a database to allow consumer
6 reporting agencies to verify whether a debt furnished to
7 a consumer reporting agency is a veteran's medical debt.

8 (c) DATABASE FEATURES.—The Secretary of Vet-
9 erans Affairs shall ensure that the database established
10 under subsection (b), to the extent permitted by law, pro-
11 vides consumer reporting agencies with—

12 (1) sufficiently detailed and specific information
13 to verify whether a debt being furnished to the con-
14 sumer reporting agency is a veteran's medical debt;
15 (2) access to verification information in a se-
16 cure electronic format;

17 (3) timely access to verification information;
18 and

19 (4) any other features that would promote the
20 efficient, timely, and secure delivery of information
21 that consumer reporting agencies could use to verify
22 whether a debt is a veteran's medical debt.

23 (d) STAKEHOLDER INPUT.—Prior to establishing the
24 database for verification under subsection (b), the Sec-
25 retary of Veterans Affairs shall publish in the Federal

1 Register a notice and request for comment that solicits
2 input from the public.

3 (e) VERIFICATION.—Provided the database estab-
4 lished under subsection (b) is fully functional and the data
5 available to consumer reporting agencies, a consumer re-
6 porting agency shall use the database as a means to iden-
7 tify a veteran's medical debt pursuant to paragraphs (7)
8 and (8) of section 605(a) of the Fair Credit Reporting
9 Act (15 U.S.C. 1681c(a)), as added by section (3)(b) of
10 this Act.

11 SEC. 5. EFFECTIVE DATE.

12 The amendments made by this Act shall take effect
13 on the date that is one year after the date of enactment
14 of this Act.

