

**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. 1681e(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)”;

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.

