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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of Native Americans due to inappropriate or delayed billing payments or reimbursements from the Indian Health Service, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of Native Americans due to inappropriate or delayed billing payments or reimbursements from the Indian Health Service, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Native  
3 Americans’ Credit Act of 2024”.

4 **SEC. 2. AMENDMENTS TO FAIR CREDIT REPORTING ACT.**

5 (a) NATIVE AMERICAN’S MEDICAL DEBT DE-  
6 FINED.—Section 603 of the Fair Credit Reporting Act (15  
7 U.S.C. 1681a) is amended by adding at the end the fol-  
8 lowing:

9 “(bb) NATIVE AMERICAN.—The term ‘Native Amer-  
10 ican’ has the meaning given the term ‘Indians’ or ‘Indian’  
11 in section 1603 of title 25, United States Code, and fur-  
12 ther includes the term ‘California Indian’ as defined in  
13 that section.

14 “(cc) NATIVE AMERICAN’S MEDICAL DEBT.—The  
15 term ‘Native American’s medical debt’—

16 “(1) means a debt of a Native American arising  
17 from health care provided in a non-Indian Health  
18 Service facility that was authorized by an employee  
19 of the Indian Health Service; and

20 “(2) includes medical debt that the Secretary of  
21 Health and Human Services has wrongfully charged  
22 a Native American.”.

23 (b) EXCLUSION FOR NATIVE AMERICAN’S MEDICAL  
24 DEBT.—Section 605(a) of the Fair Credit Reporting Act  
25 (15 U.S.C. 1681c) is amended by adding at the end the  
26 following:

1           “(9) Any information related to a Native Amer-  
2           ican’s medical debt if the date on which the hospital  
3           care or medical services was rendered relating to the  
4           debt antedates the report by less than 1 year.

5           “(10) Any information related to a fully paid or  
6           settled Native American’s medical debt that had  
7           been characterized as delinquent, charged off, or in  
8           collection.”.

9           (c) REMOVAL OF NATIVE AMERICAN’S MEDICAL  
10          DEBT FROM CONSUMER REPORT.—Section 611 of the  
11          Fair Credit Reporting Act (15 U.S.C. 1681i) is amend-  
12          ed—

13               (1) in subsection (a)(1)(A) by striking “and ex-  
14               cept as provided in subsection (g)” and inserting  
15               “and except as provided in subsections (g) and (h)”;  
16               and

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

18           “(h) DISPUTE PROCESS FOR NATIVE AMERICAN’S  
19          MEDICAL DEBT.—

20               “(1) IN GENERAL.—With respect to a Native  
21               American’s medical debt of a consumer, the con-  
22               sumer may submit a notice along with proof of li-  
23               ability of the Department of Health and Human  
24               Services for payment of that debt or documentation  
25               that the Indian Health Service is in the process of

1 making payment for authorized medical services ren-  
2 dered to a consumer reporting agency or a reseller  
3 to dispute the inclusion of that debt on a consumer  
4 report of the consumer.

5 “(2) NOTIFICATION TO NATIVE AMERICAN.—  
6 The Department of Health and Human Services  
7 shall submit to a Native American a notice that the  
8 Department of Health and Human Services has as-  
9 sumed liability for part or all of a Native American’s  
10 medical debt.

11 “(3) DELETION OF INFORMATION FROM  
12 FILE.—If a notice and proof of liability or docu-  
13 mentation is received under paragraph (1), the con-  
14 sumer reporting agency shall delete all information  
15 relating to the Native American’s medical debt from  
16 the file of the consumer and notify the furnisher and  
17 the consumer of that deletion.”.

18 **SEC. 3. EFFECTIVE DATE.**

19 The amendments made by this Act shall take effect  
20 on the date that is 90 days after the date of enactment  
21 of this Act.