



1700 G Street NW, Washington, D.C. 20552

December 11, 2024

David Addington
Executive Vice President and General Counsel
National Federation of Independent Businesses (NFIB)

RE: Petition for Rulemaking - Issuance of Rule Prohibiting Discrimination Against Medical Debt (Docket No. CFPB-2022-0047)

Dear David Addington,

Thank you for filing a petition for rulemaking requesting that the Consumer Financial Protection Bureau (CFPB) amend 12 CFR Part 1074 to include a new section titled Prohibition on Discrimination Against Medical Debt. On July 5, 2022, the CFPB posted this petition on Regulations.gov with a 60-day comment period, which ended on September 6, 2022.¹ The CFPB received no comments on your petition.

In the petition, you have asked us to amend 12 CFR Part 1074 to prohibit the CFPB, consumer reporting agencies, and others from treating medical debt differently than other types of consumer debt when administering consumer financial protection laws and when engaging in credit reporting and debt collection. You further explained that such an amendment to the rule would help to ensure that “companies all play by the same consumer protection rules[,]” consistent with the CFPB’s vision, as set forth in its 2022-2026 strategic plan. You also noted that small medical practices face adverse economic impacts when they do not receive payment for medical services rendered.

¹ Petition for Rulemaking – Issuance of Rule Prohibiting Discrimination Against Medical Debt, <https://www.regulations.gov/document/CFPB-2022-0047-0001>.

While we appreciate the concerns you have raised, the CFPB has already taken significant steps to address the state of medical debt collection on consumer credit records. In March 2024, the CFPB published the report *Recent Changes in Medical Collections on Credit Records*,² and on June 11, 2024, the CFPB issued a Notice of Proposed Rulemaking proposing to remove a regulatory exception in Regulation V that broadly permits lenders to obtain and use information about medical debt to make credit eligibility determinations. The proposed rule would also provide that a consumer reporting agency generally may not furnish to a creditor a consumer report containing information on medical debt that the creditor is prohibited from using. The comment period for this rulemaking ended on August 12, 2024, and the CFPB is in the process of reviewing comments received on the proposed rule.³ Consequently, the CFPB will not initiate the specific rulemaking you are requesting at this time.

Thank you again for submitting this petition.

Sincerely,

Seth Frotman

Seth Frotman
General Counsel

² *Recent Changes in Medical Collections on Credit Records*, March 2024, <https://www.consumerfinance.gov/data-research/research-reports/recent-changes-in-medical-collections-on-consumer-credit-records/>.

³ *Prohibition on Creditors and Consumer Reporting Agencies Concerning Medical Information (Regulation V)*, June 2024, <https://www.consumerfinance.gov/rules-policy/rules-under-development/prohibition-on-creditors-and-consumer-reporting-agencies-concerning-medical-information-regulation-v/>.