

# *Medical Debt & Your Credit Report*

## *A Guide to Your Rights in Colorado*

August 2023

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*Legal notice: The information in this guide is not legal advice. This guide is for general informational purposes only. Information in this guide may not be the most up-to-date information.*

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# *Do you have medical debt?*

**Good news!** Thanks to a new law in Colorado, your credit report can't include information about your medical debt anymore. This means your unpaid medical bills won't affect your credit score.

This guide goes over questions many people have about the new law, including:

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# What do I need to do to remove medical debt from my credit report?

The companies that create credit reports are supposed to stop including your medical debt information automatically. But there are some situations when you might want to take action, just to be safe.

Do you have a life event coming up where someone might look at your credit report or credit score? For example, are you planning to apply for a new apartment, credit card, loan, insurance plan, or a financial services job in the next few months?

If so, it's a good idea to check your credit report *now*, before your important life event, to make sure the companies removed all of your medical debt information properly.

# How do I check that my medical debt has been removed from my credit report?

There are three big companies that create credit reports in the U.S.: Experian, Equifax, and TransUnion. You have a right to receive a free credit report from each of the three companies once a year.

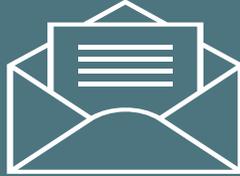
You can request a free copy of your credit reports at [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com) or by calling 1-877-322-8228. You can request all three reports at once or you can order one report at a time. Some other websites offer credit reports too, but they might charge you a fee or try to steal your personal information.

# What do I do if my credit report still lists my medical debt?

Sometimes credit reports have mistakes. If you live in Colorado and your unpaid medical bills show up on your credit report, that's a mistake. Other types of mistakes include listing the wrong name or address, including a debt you do not owe, or listing the same debt twice.

You have the right to ask the credit reporting company to fix any mistakes you find on your credit report. This is called a *dispute*.

The next few pages of this guide will walk you through how to dispute information on your credit report.



## ***TIP: Keep good records.***

Keep copies of any letters and documents you send to the credit reporting company — and save whatever they send you, too! Write down the date you sent the information and the date you heard back. Take detailed notes if you talk with someone on the phone. These details can help you if you have problems later on.

## *How to dispute mistakes on your credit report*

A *dispute* is when you tell the credit reporting company what you think is wrong with your credit report and ask them to fix it. The company then has to review your case and fix or delete any mistakes they find.

1. **Figure out the name of the credit reporting company that created your credit report.** These companies are also called “credit bureaus.” The three biggest credit reporting companies are Experian, Equifax, and TransUnion.
2. **Start a dispute with that company.** You can dispute a mistake on your credit report by mail, online, or by phone. Contact information for each company is listed on the next page.

Disputing by mail can be the most effective option. To dispute by mail, write a letter explaining your situation. You can use the dispute letter template on pages 6-7 to get started.

Then, send the company a copy of your letter, a completed dispute form, and any supporting documents. Keep a copy of what you send the company for your records!

If you want, you can send the letter through Certified Mail with Return Receipt, in order to have proof of when the letter was received.

3. **Wait to hear back.** The credit reporting company is required to investigate your situation and get back to you within 30-45 days of receiving your dispute.

## Contact Information

### Equifax

*By mail:* Fill out the Equifax dispute form ([assets.equifax.com/assets/personal/Dispute.pdf](https://assets.equifax.com/assets/personal/Dispute.pdf)), and mail it, your letter, and any supporting documents to:

Equifax Information Services LLC  
P.O. Box 740256  
Atlanta, GA 30348

*Online:* Go to [www.equifax.com/personal/credit-report-services/credit-dispute/](http://www.equifax.com/personal/credit-report-services/credit-dispute/).

*By phone:* Call the phone number listed on your credit report or (866) 349-5191.

### Experian

*By mail:* Fill out the Experian dispute form ([www.experian.com/blogs/ask-experian/wp-content/themes/exp/pdf/dispute-form.pdf](http://www.experian.com/blogs/ask-experian/wp-content/themes/exp/pdf/dispute-form.pdf)), and mail it, your letter, and any supporting documents to:

Experian  
P.O. Box 4500  
Allen, TX 75013

*Online:* Go to [www.experian.com/disputes/main.html](http://www.experian.com/disputes/main.html).

*By phone:* Call the phone number listed on your credit report or (888) 397-3742.

### TransUnion

*By mail:* Fill out the TransUnion dispute form (<https://www.transunion.com/docs/rev/personal/InvestigationRequest.pdf>), and mail it, your letter, and any supporting documents to:

TransUnion LLC  
Consumer Dispute Center  
P.O. Box 2000  
Chester, PA 19016

*Online:* Go to [www.transunion.com/credit-disputes/dispute-your-credit](http://www.transunion.com/credit-disputes/dispute-your-credit).

*By phone:* Call the phone number listed on your credit report or (800) 916-8800.

## Dispute Letter Template

This template was adapted from materials from the Consumer Financial Protection Bureau. You can download this template in an editable, Word document format at [www.cclponline.org/resource/med-debt-credit-reports](http://www.cclponline.org/resource/med-debt-credit-reports).

[Your name]

[Your return address]

[Date you are sending the letter]

[Name of Credit Reporting Company]

[Street Address]

[City, State, Zip Code]

### **Re: Disputing information on my credit report**

Dear [Name of Credit Reporting Company]:

I am writing to dispute the following information that appears on my [Name of Credit Reporting Company] consumer report:

#### **Item 1:**

- **Describe the piece of information you are disputing**, so the credit reporting company knows what you are referring to. If relevant, include the name of the account number (e.g. “214365YZ”); the name of hospital, doctor, debt collector, bank, or company that provided the information to the credit reporting company (e.g. “ABC Health,” “USA Collections”); the category that the item is listed under on your credit report (e.g. “personal information,” “collections account,” “credit inquiries”); and any dates associated with the item (e.g. “opened 8/28/2019”).]
- **Explain why you are disputing the information**. You can use one of the options below, if it applies to your situation, or write your own short explanation. Include copies of any supporting documentation that you have.
  - “This item is medical debt, and the inclusion of adverse information concerning medical debt on consumer reports is prohibited by Colorado state law, Colorado Revised Statutes 5-18-109(1)(f)(I).”

- *“My report lists my [name/address/date of birth] incorrectly. My correct [name/address/date of birth] is \_\_\_\_.”*
- *“I don’t recognize the account(s) in question.”*
- *“The report shows I owe money to a company that I have already repaid. I repaid [X amount] on [Y date]. I have attached proof of payment to this letter.”*
- *“This item is inaccurate because \_\_\_\_.”*

- ***Explain what you want them to do: remove or correct the information.***

- *If you are requesting that the item be removed entirely, like a medical debt account that should not have been listed, say: “I am requesting that this item be removed from my report as soon as possible.”*
- *If you are requesting that an inaccurate or incomplete item be changed to be made accurate or complete, say: “I am requesting that this item be corrected to reflect [my correct address / the payments I made on X and Y date / etc.]”*

*If you have more than one piece of information you’re disputing, describe the next item in the same way you did above. Number each section Item 2, Item 3, etc.*

*It can be helpful to include a copy of your credit report with the information you are disputing circled. If you do that, add: “I have also attached a copy of the report I received with [this item/these items] circled.”*

*It can also be helpful to include copies of documents that support your argument and prove what you are saying is true, such as medical bills, payment records, or court documents. If you add supporting documents, add: “I have also attached [a copy of/copies of] [attached document(s)] supporting my position.”*

Please reinvestigate and address this issue as soon as possible. Thank you for your assistance.

Sincerely,

[Your name]

[Phone number where credit reporting company can reach you]

# What do I do if my dispute is ignored or doesn't fix the problem?

If you filed a dispute with the credit reporting company and they don't fix the problem or don't reply at all, you have some options:

- **File a complaint with the Colorado Attorney General's Office.** Complaints help the state government understand what problems Coloradans are facing and if any companies are breaking the law. The state government has the power to investigate companies and even bring them to court. If you are having problems with a credit reporting company, you're probably not the only one.

To submit a complaint about your credit report or medical debt, go to [coag.gov/file-complaint/](https://coag.gov/file-complaint/).

- **Add a personal statement to your credit report.** If you submit a dispute and the credit reporting company doesn't update or remove the disputed information, you have the right to add a short explanation to your credit report that explains your situation. This is called a "personal statement" or "consumer statement." Your personal statement will then be included on future credit reports and shared with whoever requests your credit report.

To learn how to submit a personal statement, visit:

- Experian: [www.tzedekdc.org/covid-19-experian](https://www.tzedekdc.org/covid-19-experian)
- Equifax: [www.tzedekdc.org/covid-19-equifax](https://www.tzedekdc.org/covid-19-equifax)
- Transunion: [www.tzedekdc.org/covid-19-transunion](https://www.tzedekdc.org/covid-19-transunion)

In some cases, you also have the **right to bring a lawsuit**. You can read more about your right to legal action at:

<https://www.consumerfinance.gov/ask-cfpb/what-can-i-do-if-i-disagree-with-the-results-of-a-credit-report-dispute-en-1327/>.

# *Other Frequently Asked Questions*

## **Does this mean I don't owe my medical debt anymore?**

No. This law does not make your medical debt go away. This law only keeps information about your medical debt from being included on your credit report and factored into your credit score.

Hospitals, doctors, and debt collectors can still pressure you to pay your medical debt in other ways, like by calling you, sending you letters, and even taking you to court.

You do have additional rights and protections regarding medical debt, however!

As of May 2023, Colorado law prohibits charging interest rates higher than 3% on medical debt. (This does not apply to medical bills charged to a credit card.) You also have the right to get an itemized list of charges from the debt collector upon written request, and you have the right to dispute any debts that you believe are invalid.

If you think your rights to medical debt protections are being violated, submit a complaint with the Colorado Attorney General's Office at [coag.gov/file-complaint/](https://coag.gov/file-complaint/).

## **Do these protections apply to old medical bills?**

Yes. Starting August 7, 2023, Colorado residents' credit reports can't include any medical debt information, regardless of when the medical services were received.

## **Do these protections apply to credit card debt?**

These protections apply to medical bills that were never paid in full and were sent to collections. These protections also apply to medical debt held on specialty medical credit cards.

These protections do NOT apply to normal credit card debt. For example, if you paid a medical bill using a Visa or American Express credit card and then did not pay off your credit card balance in full, that debt can still show up on your credit report and impact your credit score.

## **Who is protected by this law?**

If you live in Colorado, you are protected by this law. It doesn't matter where you got the medical bills or where the person looking at your credit report is located. It also doesn't matter what your citizenship or immigration status is.

If you move to another state, this law won't apply to you anymore.

## **Are there any exceptions to these protections?**

Yes. If you are applying for a very large loan, your credit report can include medical debt information.

In 2023, medical debt can show up on your credit report if you take out a loan that's more than \$726,200. In future years, the threshold might be higher. To look up the current threshold, visit this website and look at the "Baseline Conforming Loan Limit" for the current year:

<http://www.fhfa.gov/DataTools/Downloads/Pages/Conforming-Loan-Limit.aspx>

## **How long will these protections last?**

The protections are currently set to last until July 2028, but the Colorado state legislature can take action to extend the protections so they last longer.

It is not 100% guaranteed that the protections will be extended past July 2028. If you are considering a loan that will go beyond that date, talk to a financial advisor about what is best for you.

## **What is the name of the new law?**

The law that creates the new protection can be found in the Colorado Consumer Credit Reporting Act, at Colorado Revised Statutes 5-18-109(1)(f)(I). The bill that created this law is called House Bill 23-1126.

## Where can I learn more?

The **Consumer Financial Protection Bureau** has helpful, trustworthy resources on credit reports, credit scores and your rights at [www.consumerfinance.gov/consumer-tools/credit-reports-and-scores/](http://www.consumerfinance.gov/consumer-tools/credit-reports-and-scores/).

Check out articles like:

- [\*How do I get a copy of my credit reports?\*](#)
- [\*How do I dispute an error on my credit report?\*](#)
- [\*What if my dispute is ignored or I disagree with the results of a credit report dispute?\*](#)
- [\*Credit Report Review Checklist\*](#)
- and more!

For more information about Colorado's new medical debt credit reporting law, the **Colorado Center on Law and Policy** has resources at [www.cclponline.org/resource/med-debt-credit-reports](http://www.cclponline.org/resource/med-debt-credit-reports).