

34-LS0569\N
Gunther
4/6/25

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MINA

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to medical debt and consumer credit reporting agencies; relating to**
2 **discriminatory practices based on the medical debt of a person; and providing for an**
3 **effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 18.80.220(a) is amended to read:

6 (a) Except as provided in (c) of this section, it is unlawful for

7 (1) an employer to refuse employment to a person, or to bar a person
8 from employment, or to discriminate against a person in compensation or in a term,
9 condition, or privilege of employment because of the person's race, religion, color, or
10 national origin, **because of the person's medical debt**, or because of the person's age,
11 physical or mental disability, sex, marital status, changes in marital status, pregnancy,
12 or parenthood when the reasonable demands of the position do not require distinction
13 on the basis of age, physical or mental disability, sex, marital status, changes in
14 marital status, pregnancy, or parenthood;

(2) a labor organization, because of a person's sex, marital status, changes in marital status, pregnancy, parenthood, age, race, religion, physical or mental disability, color, [OR] national origin, or medical debt, to exclude or to expel a person from its membership, or to discriminate in any way against one of its members or an employer or an employee;

(3) an employer or employment agency to print or circulate or cause to be printed or circulated a statement, advertisement, or publication, or to use a form of application for employment or to make an inquiry in connection with prospective employment, that expresses, directly or indirectly, a limitation, specification, or discrimination as to sex, physical or mental disability, marital status, changes in marital status, pregnancy, parenthood, age, race, creed, color, [OR] national origin, or medical debt, or an intent to make the limitation, unless based on [UPON] a bona fide occupational qualification;

(4) an employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against a person because the person has opposed any practices forbidden under AS 18.80.200 - 18.80.280 or because the person has filed a complaint, testified, or assisted in a proceeding under this chapter;

(5) an employer to discriminate in the payment of wages as between the sexes, or to employ a female in an occupation in this state at a salary or wage rate less than that paid to a male employee for work of comparable character or work in the same operation, business, or type of work in the same locality; or

(6) a person to print, publish, broadcast, or otherwise circulate a statement, inquiry, or advertisement in connection with prospective employment that expresses directly a limitation, specification, or discrimination as to sex, physical or mental disability, marital status, changes in marital status, pregnancy, parenthood, age, race, religion, color, [OR] national origin, or medical debt, unless based on [UPON] a bona fide occupational qualification.

* **Sec. 2.** AS 18.80.240 is amended by adding a new subsection to read:

(b) It is unlawful for the owner, lessee, manager, or other person having the right to lease or rent residential real property

(1) to refuse to lease or rent the real property to a person because of the

person's medical debt;

(2) to discriminate against a person in a term, condition, or privilege relating to the use, lease, or rental of the real property because of the person's medical debt;

(3) to make a written or oral inquiry or record of the medical debt of a person seeking to rent or lease the real property;

(4) to represent to a person that the real property is not available for inspection, rental, or lease when in fact it is so available, or to refuse to allow a person to inspect the real property because of the person's medical debt;

(5) to make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the rental of the real property that indicates any preference, limitation, or discrimination based on a person's medical debt.

* **Sec. 3.** AS 18.80.300 is amended by adding a new paragraph to read:

(19) "medical debt" has the meaning given in AS 45.85.800(c).

* **Sec. 4.** AS 45.48 is amended by adding a new section to read:

Article 6A. Miscellaneous Provisions.

Sec. 45.48.800. Medical debt. (a) A medical creditor or medical debt collector may not communicate with or report information to a consumer credit reporting agency regarding a medical debt. If a medical creditor or medical debt collector communicates with or reports information to a consumer credit reporting agency regarding the medical debt of a consumer in violation of this subsection, the consumer's agreement to pay the debt is void and unenforceable.

(b) A consumer credit reporting agency may not include medical debt in a consumer report or use medical debt to calculate a credit score.

(c) In this section,

(1) "medical creditor" means an entity that provides health care services and to whom a consumer owes or, if purchased by a medical debt collector, owed medical debt;

(2) "medical debt" means an obligation for the payment of money arising out of an agreement or contract, express or implied, for the provision of health

1 care services, products, or devices; "medical debt" does not include debt charged to a
2 credit card or an extension of credit made by a financial institution to a borrower;

3 (3) "medical debt collector" means a person that

4 (A) regularly collects or attempts to collect, directly or
5 indirectly, medical debt originally owed or due, or asserted to be owed or due,
6 to another;

7 (B) purchases medical debt from an entity that provides health
8 care services.

9 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).