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**Testimony in Opposition to SB 106 before the Senate Judiciary Committee
Anna Lambertson, Executive Director, Kansas Health Consumer Coalition
February 16, 2011**

Mr. Chair and Members of the Committee:

I appreciate the opportunity to provide testimony this morning before your committee. My name is Anna Lambertson and I am the Executive Director of the Kansas Health Consumer Coalition (KHCC). KHCC is a statewide non-profit organization with the mission to advocate for affordable, accessible and quality health care in Kansas. Our statewide membership includes consumers, advocates and health-care professionals. We oppose Senate Bill 106 because we feel that the changes the bill proposes to the consumer protection act could strip health consumers in Kansas of vital protections against deceptive or unfair debt collection practices.

The issue of medical debt has been a priority of our organization for several years, as we have increasingly heard stories from consumers struggling to pay their mounting medical bills. As the economy has suffered, the profile of consumers defaulting on medical debt or receiving uncompensated care has changed. The burden of medical debt is no longer felt only by lower-income families, but is increasingly a burden being carried by Kansans with moderate to upper incomes as well.

While we don't have data on the exact number of Kansans with medical debt, national reports demonstrate that the numbers are rising. Between 2005 and 2007, the percentage of working-age Americans who struggled to pay their medical bills rose from 34 percent to 41 percent. Most of these adults had insurance. Sixty-one percent of those with medical debt or problems paying their bills were insured at the time care was provided.

In our state, Kansans struggling to pay their medical bills are often unable to afford basic necessities, such as food, heat or rent. They also forego additional medical care, which further exacerbates their health condition.

For these hard-working adults, abusive or overreaching debt collection practices add stress to their already weighty burden. Most consumers take responsibility for their financial obligations and wish to make good on their debt. These consumers could be tricked by unscrupulous collection agencies into making payments on debt that was calculated inaccurately, already covered by their insurance, or not their debt to begin with.

The Kansas consumer protection act serves as an invaluable governor of deceptive, abusive or overreaching collection practices. If a collection agency uses unscrupulous methods to either calculate or collect on debt, the act provides the consumer with a tool to enforce the protections it affords.

We believe that Senate Bill 106 amends the consumer protection act by striking key portions, such as civil penalties, that can encourage consumers to enforce the act. The bill could also strip consumers of their ability to seek private enforcement of the act or assistance in enforcement of the act from the offices of a district attorney or the attorney general. If passed, Senate Bill 106 could leave consumers with little recourse than to turn to federal resources.

We ask you to vote no on Senate Bill 106.

Senate Judiciary
2-17-11
Attachment 4