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The Honorable Jean Schmidt, Chair
Ohio House Health Committee
77 S. High St., 12th floor
Columbus, OH 43215

Dear Chair Schmidt and members of the House Health Committee,

It is with great pleasure that I write this letter to you in opposition to HB 257.

I have been an attorney in Ohio, and the other states listed above, for many years. I write to you as a practicing Ohio attorney with extensive experience in debt collection and civil judgment enforcement. I am formally expressing my strong opposition to this proposed legislation that would prohibit the garnishment of wages and the use of credit reporting for outstanding medical debts.

While the intent to alleviate financial stress on vulnerable Ohioans is understandable, this legislation represents a serious departure from foundational legal and financial norms. It would undermine lawful enforcement of valid debt judgments, disrupt the credit system, and unintentionally harm the very healthcare ecosystem it seeks to support.

Wage Garnishment and Credit Reporting Are Lawful and Necessary Tools

Wage garnishment and credit reporting are not arbitrary or abusive. These mechanisms are only used after proper legal process, including a court judgment. They serve as essential tools to enforce civil debts and uphold the rule of law.

The Ohio Court of Appeals has repeatedly affirmed the legitimacy of these practices, including in:

O'Donnell v. N.E. Ohio Neighborhood Health Servs., Inc. (2020)

Debt Recovery Solutions of Ohio, Inc. v. Lash (2009)

Burhill Leasing Corp. v. Graham (2022)

These cases confirm a core principle: once a court has adjudicated a debt, enforcement must remain available. To exempt medical debt from such mechanisms would cause a change in civil enforcement generally.

If this legislation passes, it will set a precedent with several harmful effects:

Medical debt will not remain the only exemption. Housing debt, utility arrears, and consumer credit may soon follow, weakening the enforceability of all civil obligations.

Destabilization of Healthcare Providers

Especially for smaller practices, clinics, and rural hospitals, debt recovery is vital. If patients know debts are unenforceable, nonpayment will increase, forcing providers to raise prices, demand prepayment, or limit services to lower-income individuals.

Increased Burdens on Responsible Consumers

Providers do not absorb unpaid balances—they shift the cost to others. Those who pay their bills will subsidize those who don't, creating greater financial strain on Ohio families and insurers.

The credit system depends on the assumption that debts are enforceable. Weakening that assumption will reduce access to credit, raise interest rates, and discourage providers and lenders from working with high-risk populations.

Both state and federal laws already limit garnishment and provide relief for those facing real financial hardship:

The Consumer Credit Protection Act (15 U.S.C. § 1673) caps wage garnishment.

Ohio law includes hardship exemptions and court discretion.

Existing charity care, payment plans, and bankruptcy options remain available.

The notion that Ohioans are left defenseless under current law is simply inaccurate.

Valid debts must remain enforceable, or we risk undermining the rule of law and collapsing essential credit and healthcare systems. I urge the Committee to reject this proposal and instead work toward targeted, balanced reforms that protect both patients and the broader financial integrity of Ohio.

Lastly, I would like to mention the possible reasoning behind this bill being introduced. I am familiar with the case in which a consumer was allegedly arrested for not paying a medical debt due. This is very inaccurate and a quick interpretation of the facts should make it understandable. A consumer chose to not pay his/her medical debt. The consumer chose to ignore the provider's invoice. The consumer then chose to ignore a collection agency's attempt to collect this invoice. The consumer then chose to ignore a debt collection attorney's attempts. The consumer then chose to ignore the debt collection attorney's suit in court. The court granted a judgment in the case. The collection attorney then filed a debtor exam requesting the consumer to appear in court. The consumer was personally served to appear in court at the court's order. The consumer ignored this. The court then granted a warrant for the consumer's arrest. This is a standard procedure. This procedure had absolutely nothing to do with the underlying nature of the debt due.

Thank you for your time and consideration.

Hal Burke Esq