

As Introduced

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 444

Senator Patton

To amend sections 1343.01, 1343.03, 2716.02, 1
2716.03, and 4712.01 of the Revised Code 2
regarding medical debt and to name this act the 3
Ohio Medical Debt Fairness Act. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1343.01, 1343.03, 2716.02, 5
2716.03, and 4712.01 of the Revised Code be amended to read as 6
follows: 7

Sec. 1343.01. (A) The parties to a bond, bill, promissory 8
note, or other instrument of writing for the forbearance or 9
payment of money at any future time, may stipulate therein for 10
the payment of interest upon the amount thereof at any rate not 11
exceeding eight per cent per annum payable annually, except as 12
authorized in division (B) of this section or limited by 13
division (C) of this section. 14

(B) ~~Any~~ Subject to division (C) of this section, any party 15
may agree to pay a rate of interest in excess of the maximum 16
rate provided in division (A) of this section when: 17

(1) The original amount of the principal indebtedness 18
stipulated in the bond, bill, promissory note, or other 19
instrument of writing exceeds one hundred thousand dollars; 20

(2) The payment is to a broker or dealer registered under 21
the "Securities Exchange Act of 1934," 48 Stat. 881, 15 U.S.C. 22
78A, as amended, for carrying a debit balance in an account for 23
a customer if such debit balance is payable on demand and 24
secured by stocks, bonds or other securities; 25

(3) The instrument evidences a loan secured by a mortgage 26
or deed of trust on real estate where the loan has been 27
approved, insured, guaranteed, purchased, or for which an offer 28
or commitment to insure, guarantee, or purchase has been 29
received, in whole or in part, by the federal government or any 30
agency or instrumentality thereof, the federal national mortgage 31
association, the federal home loan mortgage corporation, or the 32
farmers home administration, all of which is authorized pursuant 33
to the "National Housing Act," 12 U.S.C. 1701; the 34
"Serviceman's Readjustment Act," 38 U.S.C. 1801; the "Federal 35
Home Loan Bank Act," 12 U.S.C. 1421; and the "Rural Housing 36
Act," 42 U.S.C. 1471, amendments thereto, reenactments thereof, 37
enactments parallel thereto, or in substitution therefor, or 38
regulations issued thereunder; or by the state or any agency or 39
instrumentality thereof authorized pursuant to Chapter 122. of 40
the Revised Code, or rules issued thereunder. 41

(4) The instrument evidences a loan secured by a mortgage, 42
deed of trust, or land installment contract on real estate which 43
does not otherwise qualify for exemption from the provisions of 44
this section, except that such rate of interest shall not exceed 45
eight per cent in excess of the discount rate on ninety-day 46
commercial paper in effect at the federal reserve bank in the 47
fourth federal reserve district at the time the mortgage, deed 48
of trust, or land installment contract is executed. 49

(5) The instrument is payable on demand or in one 50

installment and is not secured by household furnishings or other 51
goods used for personal, family, or household purposes. 52

(6) (a) The loan is a business loan to a business 53
association or partnership, a person owning and operating a 54
business as a sole proprietor; any persons owning and operating 55
a business as joint venturers, joint tenants, or tenants in 56
common; any limited partnership; or any trustee owning or 57
operating a business or whose beneficiaries own or operate a 58
business, except that: 59

(i) Any loan which is secured by an assignment of an 60
individual obligor's salary, wages, commissions, or other 61
compensation for services or by ~~his~~ the individual obligor's 62
household furniture or other goods used for ~~his~~ the individual 63
obligor's personal, family, or household purposes shall be 64
deemed not a loan within the meaning of division (B) (6) of this 65
section; 66

(ii) Any loan which otherwise qualifies as a business loan 67
within the meaning of division (B) (6) of this section shall not 68
be deemed disqualified because of the inclusion, with other 69
security consisting of business assets of any such obligor, of 70
real estate occupied by an individual obligor solely as ~~his~~ the 71
individual obligor's residence. 72

(b) As used in division (B) (6) (a) of this section, 73
"business" means a commercial, agricultural, or industrial 74
enterprise which is carried on for the purpose of investment or 75
profit. "Business" does not mean the ownership or maintenance of 76
real estate occupied by an individual obligor solely as ~~his~~ the 77
individual obligor's residence. 78

(C) (1) As used in division (C) of this section: 79

(a) "Health care provider" has the same meaning as in 80
section 3701.74 of the Revised Code. 81

(b) "Incur" means, with respect to medical debt, the date 82
a health care provider or its designee first sends the consumer, 83
patient guarantor, or third-party payer a bill for health care 84
services, products, or devices. 85

(c) "Medical debt" means debt arising from health care 86
services or health care goods, including products, devices, 87
durable medical equipment, and prescription drugs. "Medical 88
debt" does not include any of the following: 89

(i) Debt arising from services provided by a veterinarian; 90

(ii) Debt charged to a credit card, unless the credit card 91
is issued under an open-end or closed-end credit plan offered 92
solely for the payment of health care services; 93

(iii) Debt charged to a home equity or general purpose 94
line of credit; 95

(iv) Secured debt. 96

(2) Notwithstanding any contrary provision of the Revised 97
Code, the rate of interest drawn upon medical debt incurred on 98
or after the effective date of this amendment shall not exceed 99
three per cent per annum. 100

Sec. 1343.03. (A) In cases other than those provided for 101
in sections 1343.01 and 1343.02 of the Revised Code, when money 102
becomes due and payable upon any bond, bill, note, or other 103
instrument of writing, upon any book account, upon any 104
settlement between parties, upon all verbal contracts entered 105
into, and upon all judgments, decrees, and orders of any 106
judicial tribunal for the payment of money arising out of 107

tortious conduct or a contract or other transaction, the 108
creditor is entitled to interest at the rate per annum 109
determined pursuant to section 5703.47 of the Revised Code, 110
unless a written contract provides a different rate of interest 111
in relation to the money that becomes due and payable, in which 112
case the creditor is entitled to interest at the rate provided 113
in that contract. 114

(B) Except as provided in divisions (C) ~~and~~, (D), and (E) 115
of this section and subject to section 2325.18 of the Revised 116
Code, interest on a judgment, decree, or order for the payment 117
of money rendered in a civil action based on tortious conduct or 118
a contract or other transaction, including, but not limited to a 119
civil action based on tortious conduct or a contract or other 120
transaction that has been settled by agreement of the parties, 121
shall be computed from the date the judgment, decree, or order 122
is rendered to the date on which the money is paid and shall be 123
at the rate determined pursuant to section 5703.47 of the 124
Revised Code that is in effect on the date the judgment, decree, 125
or order is rendered. That rate shall remain in effect until the 126
judgment, decree, or order is satisfied. 127

(C) (1) If, upon motion of any party to a civil action that 128
is based on tortious conduct, that has not been settled by 129
agreement of the parties, and in which the court has rendered a 130
judgment, decree, or order for the payment of money, the court 131
determines at a hearing held subsequent to the verdict or 132
decision in the action that the party required to pay the money 133
failed to make a good faith effort to settle the case and that 134
the party to whom the money is to be paid did not fail to make a 135
good faith effort to settle the case, interest on the judgment, 136
decree, or order shall be computed as follows: 137

(a) In an action in which the party required to pay the money has admitted liability in a pleading, from the date the cause of action accrued to the date on which the order, judgment, or decree was rendered;

(b) In an action in which the party required to pay the money engaged in the conduct resulting in liability with the deliberate purpose of causing harm to the party to whom the money is to be paid, from the date the cause of action accrued to the date on which the order, judgment, or decree was rendered;

(c) In all other actions, for the longer of the following periods:

(i) From the date on which the party to whom the money is to be paid gave the first notice described in division (C) (1) (c) (i) of this section to the date on which the judgment, order, or decree was rendered. The period described in division (C) (1) (c) (i) of this section shall apply only if the party to whom the money is to be paid made a reasonable attempt to determine if the party required to pay had insurance coverage for liability for the tortious conduct and gave to the party required to pay and to any identified insurer, as nearly simultaneously as practicable, written notice in person or by certified mail that the cause of action had accrued.

(ii) From the date on which the party to whom the money is to be paid filed the pleading on which the judgment, decree, or order was based to the date on which the judgment, decree, or order was rendered.

(2) No court shall award interest under division (C) (1) of this section on future damages, as defined in section 2323.56 of

the Revised Code, that are found by the trier of fact. 167

(D) Division (B) of this section does not apply to a 168
judgment, decree, or order rendered in a civil action based on 169
tortious conduct or a contract or other transaction, and 170
division (C) of this section does not apply to a judgment, 171
decree, or order rendered in a civil action based on tortious 172
conduct, if a different period for computing interest on it is 173
specified by law, or if it is rendered in an action against the 174
state in the court of claims, or in an action under Chapter 175
4123. of the Revised Code. 176

(E) (1) As used in division (E) of this section, "incur" 177
and "medical debt" have the same meanings as in section 1343.01 178
of the Revised Code. 179

(2) The rate of interest on a judgment, decree, or order 180
for the payment of a medical debt incurred on or after the 181
effective date of this amendment shall not exceed three per cent 182
per annum. 183

Sec. 2716.02. (A) Any person seeking an order of 184
garnishment of personal earnings, after obtaining a judgment, 185
shall make the following demand in writing for the excess of the 186
amount of the judgment over the amount of personal earnings that 187
may be exempt from execution, garnishment, attachment, or sale 188
to satisfy a judgment or order, or for so much of the excess as 189
will satisfy the judgment. The demand shall be made after the 190
judgment is obtained and at least fifteen days and not more than 191
forty-five days before the order is sought by delivering it to 192
the judgment debtor by personal service by the court, by sending 193
it to the judgment debtor by certified mail, return receipt 194
requested, or by sending it to the judgment debtor by regular 195
mail evidenced by a properly completed and stamped certificate 196

of mailing by regular mail, addressed to the judgment debtor's 197
last known place of residence. 198

The demand shall be in substantially the following form: 199

"NOTICE OF COURT PROCEEDING TO COLLECT DEBT 200

Date of mailing or date of service by the court _____ 201

To: _____ 202

(Name of Judgment Debtor) 203

_____ 204

(Last Known Residence Address of Judgment Debtor) 205

You owe the undersigned _____ (Name of 206
Judgment Creditor) \$_____, including interest and court 207
costs, for which a judgment was obtained against you or 208
certified in the _____ court on _____, payment of 209
which is hereby demanded. 210

If you do not do one of the three things listed below 211
within fifteen days of the date of the mailing of this notice or 212
of its service by the court, we will go to court, unless we are 213
otherwise precluded by law from doing so, and ask that your 214
employer be ordered to withhold money from your earnings until 215
the judgment is paid in full or, if applicable, is paid to a 216
certain extent and to pay the withheld money to the court in 217
satisfaction of your debt. This is called garnishment of 218
personal earnings. 219

It is to your advantage to avoid garnishment of personal 220
earnings because the placing of the extra burden on your 221
employer possibly could cause you to lose your job. 222

YOU CAN AVOID THE GARNISHMENT BY DOING ONE OF THESE THREE 223

THINGS WITHIN THE FIFTEEN-DAY PERIOD:	224
(1) Pay to us the amount due;	225
(2) Complete the attached form entitled "Payment to Avoid Garnishment" and return it to us with the payment, if any, shown due on it; or	226 227 228
(3) Apply to your local municipal or county court or, if you are not a resident of Ohio, to the municipal or county court in whose jurisdiction your place of employment is located, for the appointment of a trustee to receive the part of your earnings that is not exempt from garnishment, and notify us that you have applied for the appointment of a trustee. You will be required to list your creditors, the amounts of their claims, and the amounts due on their claims, and the amount you then will pay to your trustee each payday will be divided among them until the debts are paid off. This can be to your advantage because in the meantime none of those creditors can garnish your wages.	229 230 231 232 233 234 235 236 237 238 239 240
You also may contact a budget and debt counseling service described in division (D) (E) of section 2716.03 of the Revised Code for the purpose of entering into an agreement for debt scheduling. There may not be enough time to set up an agreement for debt scheduling in order to avoid a garnishment of your wages based upon this demand for payment, but entering into an agreement for debt scheduling might protect you from future garnishments of your wages. Under an agreement for debt scheduling, you will have to regularly pay a portion of your income to the service until the debts subject to the agreement are paid off. This portion of your income will be paid by the service to your creditors who are owed debts subject to the agreement. This can be to your advantage because these creditors	241 242 243 244 245 246 247 248 249 250 251 252 253

cannot garnish your wages while you make your payments to the 254
service on time. 255

_____ 256

(Name of Judgment Creditor) 257

_____ 258

(Signature of Judgment Creditor 259
or Judgment Creditor's Attorney) 260

_____ 261

_____ 262

_____ 263

(Address of Judgment Creditor) 264

PAYMENT TO AVOID GARNISHMENT 265

To: _____ 266

(Name of Judgment Creditor) 267

_____ 268

_____ 269

(Address of Judgment Creditor) 270

To avoid the garnishment of personal earnings of which you 271
have given me notice, I enclose \$ _____ to apply 272
toward my indebtedness to you. The amount of the payment was 273
computed as follows: 274

1. Total amount of indebtedness demanded: (1) \$ _____ 275

2. Enter the amount of your personal earnings, 276

after deductions required by law, earned by you 277

during the current pay period (that is, the pay	278
period in which this demand is received	279
by you):	(2) \$ _____ 280
3. (A) Enter your pay period (weekly, biweekly,	281
semimonthly, monthly):	(3) (A) _____ 282
(B) Enter the date when your present pay	283
period ends:	(3) (B) _____ 284
4. Enter an amount equal to 25% of the amount on	285
line (2):	(4) _____ 286
5. (A) The current federal minimum hourly wage is	287
_____ (to be filled in by Judgment Creditor) (You	288
should use the above figure to complete this portion of the	289
form.) If you are paid weekly, enter thirty times the current	290
federal minimum hourly wage; if paid biweekly, enter sixty times	291
the current federal minimum hourly wage; if paid semimonthly,	292
enter sixty-five times the current federal minimum hourly wage;	293
if paid monthly, enter one hundred thirty times the current	294
federal minimum hourly wage:	(5) (A) _____ 295
	296
(B) Enter the amount by which the amount on line (2)	297
exceeds the amount on line 5(A):	(5) (B) _____ 298
	299
6. Enter the smallest of the amounts on line (1), (4), or	300
5(B). Send this amount to the judgment creditor along with this	301
form after you have signed it:	(6) \$ _____ 302
	303
I certify that the statements contained above are true to	304
the best of my knowledge and belief.	305

(Signature of Judgment Debtor) 306
307

308

309

(Print Name and Residence Address of
Judgment Debtor) 310
311
312

(To verify that the amount shown on line (2) is a true 313
statement of your earnings, you must either have your employer 314
certify below that the amount shown on line (2) is a true 315
statement of your earnings or you may submit copies of your pay 316
stubs for the two pay periods immediately prior to your 317
receiving this notice.) 318

I certify that the amount shown on line (2) is a true 319
statement of the judgment debtor's earnings. 320

(Print Name of Employer) 321
322

(Signature of Employer or Agent) 323
324

I certify that I have attached copies of my pay stubs for 325
the two pay periods immediately prior to my receiving this 326
notice. 327

(Signature of Judgment Debtor)" 328
329

(B) If a judgment debtor properly completes a payment to 330
avoid garnishment and returns it with the required funds to the 331
judgment creditor or the judgment creditor's attorney, the 332

judgment creditor or the judgment creditor's attorney who issued 333
the notice of court proceeding to collect debt may not issue 334
another notice of court proceeding to collect debt to the 335
judgment debtor until the expiration date of the judgment 336
debtor's present pay period that is set forth by the judgment 337
debtor and the judgment debtor's employer in the answer to (3) 338
(B) in the payment to avoid garnishment. 339

(C) If an order of garnishment of personal earnings issued 340
pursuant to this chapter has not been paid in full when it 341
ceases to remain in effect because of the operation of division 342
(C) (1) of section 2716.041 of the Revised Code, the garnishee's 343
duties under the order of garnishment are complete with the 344
filing of the final report and answer of the garnishee. The 345
judgment creditor must institute new garnishment proceedings if 346
the judgment creditor wants an additional garnishment. 347

Sec. 2716.03. (A) Subject to the limitation on the 348
commencement of proceedings contained in division (B) of section 349
124.10 of the Revised Code, a proceeding in garnishment of 350
personal earnings may be commenced after a judgment has been 351
obtained by a judgment creditor by the filing of an affidavit in 352
writing made by the judgment creditor or the judgment creditor's 353
attorney setting forth all of the following: 354

(1) The name of the judgment debtor whose personal 355
earnings the judgment creditor seeks to garnish; 356

(2) The name and address of the garnishee who may be an 357
employer of the judgment debtor and who may have personal 358
earnings of the judgment debtor; 359

(3) That the demand in writing, as required by section 360
2716.02 of the Revised Code, has been made; 361

(4) That the payment demanded in the notice required by 362
section 2716.02 of the Revised Code has not been made, and a 363
sufficient portion of the payment demanded has not been made to 364
prevent the garnishment of personal earnings as described in 365
section 2716.02 of the Revised Code; 366

(5) That the affiant has no knowledge of any application 367
by the judgment debtor for the appointment of a trustee so as to 368
preclude the garnishment of the judgment debtor's personal 369
earnings; 370

(6) That the affiant has no knowledge that the debt to 371
which the affidavit pertains is the subject of a debt scheduling 372
agreement of a nature that precludes the garnishment of the 373
personal earnings of the judgment debtor under division (B) of 374
this section. 375

(B) No proceeding in garnishment of personal earnings 376
shall be brought against a judgment debtor for the collection of 377
a debt that is the subject of an agreement for debt scheduling 378
between the judgment debtor and a budget and debt counseling 379
service, unless any payment to be made by the judgment debtor, 380
or by a budget and debt counseling service to the judgment 381
creditor under the agreement for debt scheduling between the 382
judgment debtor and the budget and debt counseling service, is 383
due and unpaid for more than forty-five days after the date on 384
which the payment became due, or unless the judgment creditor 385
previously was notified by the service that the debt scheduling 386
agreement between the judgment debtor and the service was 387
terminated. 388

(C) Upon a court's issuance of an order of garnishment of 389
personal earnings following a judgment creditor's filing of an 390
affidavit under this section and compliance with section 2716.04 391

of the Revised Code, the garnishee and the judgment debtor shall 392
be notified of the proceeding in garnishment of personal 393
earnings in accordance with sections 2716.05 and 2716.06 of the 394
Revised Code. 395

~~(D)~~(D) (1) As used in division (D) of this section, "incur" 396
and "medical debt" have the same meanings as in section 1343.01 397
of the Revised Code. 398

(2) Notwithstanding any provision of the Revised Code to 399
the contrary, no proceeding in garnishment of personal earnings 400
shall be brought against a judgment debtor for the collection of 401
a medical debt incurred on or after the effective date of this 402
amendment at any time during which both of the following apply: 403

(a) The judgment debtor and the creditor have agreed to a 404
payment plan providing for installment payments toward 405
satisfaction of the medical debt. 406

(b) The judgment debtor is making payments in accordance 407
with the terms of such payment plan. 408

(3) A creditor may seek a proceeding in garnishment of 409
personal earnings for the collection of a medical debt only if 410
the judgment debtor has failed to make payments required under a 411
payment plan described in division (D) (2) of this section for a 412
period of one hundred twenty consecutive days. 413

(4) If a proceeding in garnishment of personal earnings is 414
permitted under division (D) (3) of this section, the amount of 415
disposable earnings of the judgment debtor that may be subjected 416
to garnishment for any workweek shall not exceed ten per cent of 417
the judgment debtor's disposable earnings for that workweek. 418

(5) Nothing in this section shall be construed as 419
eliminating or diminishing a patient's obligation to pay for 420

<u>health care services.</u>	421
<u>(E)</u> As used in this chapter:	422
(1) A "budget and debt counseling service" or "service"	423
means a corporation organized under Chapter 1702. of the Revised	424
Code for the purpose of counseling consumers with respect to	425
their financial obligations and assisting them in dealing with	426
their creditors.	427
(2) "Debt scheduling" means counseling and assistance	428
provided to a consumer by a budget and debt counseling service	429
under all of the following circumstances:	430
(a) The counseling and assistance is manifested in an	431
agreement between the consumer and the service under which the	432
consumer regularly pays that portion of the consumer's income to	433
the service that has been determined not to be required for the	434
maintenance of health or the essentials of life.	435
(b) The payments are made to the service until the debts	436
of the consumer that are the subject of the agreement are fully	437
retired.	438
(c) The service has sent written notice, by certified	439
mail, return receipt requested, or by regular mail evidenced by	440
a properly completed and stamped certificate of mailing by	441
regular mail, to the creditors of the consumer that are	442
disclosed by the consumer to the service. The notice shall	443
contain all of the following:	444
(i) A statement of the consumer's intent to participate in	445
debt scheduling;	446
(ii) A summary of the consumer's income, proposed itemized	447
budget, schedule of creditors, and proposed debt retirement	448

plan; 449

(iii) A statement of the particular creditor's duty to 450
respond, in writing, to the service regarding the consumer's 451
participation in debt scheduling within fifteen days after 452
receiving the notice. 453

(d) The debts of the consumer that are the subject of the 454
agreement for debt scheduling are determined as follows: 455

(i) Any debt owed to a creditor that was notified of the 456
consumer's intent to participate is a subject of the agreement 457
if the creditor responds to the service and enters into an 458
agreement with the service, pursuant to which the creditor 459
agrees not to attempt to collect the debts of the consumer as 460
long as the consumer regularly pays to the service the amount 461
previously agreed upon by the service and the consumer, and no 462
payment to be made by the judgment debtor to the service or by 463
the service to the creditor is due and unpaid for more than 464
forty-five days after the date on which the payment became due, 465
as long as the debt scheduling agreement between the consumer 466
and the service has not been terminated, and as long as the 467
service regularly pays to the creditor a mutually acceptable 468
amount that is either the amount agreed upon by the service and 469
the creditor on the date they entered into their original 470
agreement or an amount agreed upon by both the service and the 471
creditor on a date after the date of the original agreement. 472

(ii) Any debt owed to a creditor that was notified of the 473
consumer's intent to participate is a subject of the agreement 474
if the creditor does not respond to the service and state the 475
creditor's objection, in writing, to the consumer's 476
participation in debt scheduling within fifteen days after 477
receiving notice of the consumer's intention to do so; however, 478

no debt that is subject to a lien or security interest of any 479
type, other than a judgment lien or execution lien, shall be a 480
subject of the agreement unless the creditor specifically 481
assents, in writing, to the debt being a subject of the 482
agreement. The creditor shall be considered to have entered into 483
an agreement of the type described in division ~~(D) (2) (d) (i)~~ (E) 484
(2) (d) (i) of this section, and the amount to be regularly paid 485
by the service to the creditor shall be an amount determined to 486
be reasonable by the service or an amount agreed upon by both 487
the service and the creditor on a date after the expiration of 488
the fifteen-day period. 489

(iii) Any debt owed to a creditor that was not notified of 490
the consumer's intent to participate, or a debt owed to a 491
creditor that was notified of the consumer's intent to 492
participate and that responded to the service and stated its 493
objection, in writing, to the consumer's participation in debt 494
scheduling within fifteen days after receiving notice of the 495
consumer's intention to do so, is not a subject of the 496
agreement. 497

(e) The service agrees that, if the consumer fails to make 498
a payment under the agreement within forty-five days of its due 499
date or if the agreement is terminated, the service will notify 500
each creditor that is owed a debt that is subject to the 501
agreement of the failure or termination by regular mail within 502
two business days of the failure or termination, and the service 503
provides that notice in accordance with the agreement. 504

Sec. 4712.01. As used in sections 4712.01 to 4712.14 of 505
the Revised Code: 506

(A) "Buyer" means an individual who is solicited to 507
purchase or who purchases the services of a credit services 508

organization for purposes other than obtaining a business loan 509
as described in division (B) (6) of section 1343.01 of the 510
Revised Code. 511

(B) "Consumer reporting agency" has the same meaning as in 512
the "Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 513
1681a, as amended. 514

(C) (1) "Credit services organization" means any person 515
that, in return for the payment of money or other valuable 516
consideration readily convertible into money for the following 517
services, sells, provides, or performs, or represents that the 518
person can or will sell, provide, or perform, one or more of the 519
following services: 520

(a) Improving a buyer's credit record, history, or rating; 521

(b) Obtaining an extension of credit by others for a 522
buyer; 523

(c) Providing advice or assistance to a buyer in 524
connection with division (C) (1) (a) or (b) of this section; 525

(d) Removing adverse credit information that is ~~accurate~~ 526
~~and not~~ inaccurate or ~~obsolete~~ from the buyer's credit record, 527
history, or rating; 528

(e) Altering the buyer's identification to prevent the 529
display of the buyer's credit record, history, or rating. 530

(2) "Credit services organization" does not include any of 531
the following: 532

(a) A person that makes or collects loans, to the extent 533
these activities are subject to licensure or registration by 534
this state; 535

(b) A mortgage broker, as defined in section 1322.01 of 536
the Revised Code, that holds a valid certificate of registration 537
under Chapter 1322. of the Revised Code; 538

(c) A lender approved by the United States secretary of 539
housing and urban development for participation in a mortgage 540
insurance program under the "National Housing Act," 48 Stat. 541
1246 (1934), 12 U.S.C.A. 1701, as amended; 542

(d) A bank, savings bank, or savings and loan association, 543
or a subsidiary or an affiliate of a bank, savings bank, or 544
savings and loan association. For purposes of division (C) (2) (d) 545
of this section, "affiliate" has the same meaning as in division 546
(A) of section 1101.01 of the Revised Code and "bank," as used 547
in division (A) of section 1101.01 of the Revised Code, is 548
deemed to include a savings bank or savings and loan 549
association. 550

(e) A credit union organized and qualified under Chapter 551
1733. of the Revised Code or the "Federal Credit Union Act," 84 552
Stat. 994 (1970), 12 U.S.C.A. 1751, as amended; 553

(f) A budget and debt counseling service, as defined in 554
division ~~(D)~~(E) of section 2716.03 of the Revised Code, provided 555
that the service is a nonprofit organization exempt from 556
taxation under section 501(c) (3) of the "Internal Revenue Code 557
of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, and that 558
the service is in compliance with Chapter 4710. of the Revised 559
Code; 560

(g) A consumer reporting agency that is in substantial 561
compliance with the "Fair Credit Reporting Act," 84 Stat. 1128, 562
15 U.S.C.A. 1681a, as amended. 563

(h) A mortgage banker; 564

(i) Any political subdivision, or any governmental or 565
other public entity, corporation, or agency, in or of the United 566
States or any state of the United States; 567

(j) A college or university, or controlled entity of a 568
college or university, as defined in section 1713.05 of the 569
Revised Code; 570

(k) A motor vehicle dealer licensed pursuant to Chapter 571
4517. of the Revised Code acting within the scope and authority 572
of that license or a motor vehicle auction owner licensed 573
pursuant to Chapters 4517. and 4707. of the Revised Code acting 574
within the scope and authority of that license; 575

(l) An attorney at law admitted to the practice of law in 576
this state who offers, provides, or performs a legal service 577
that is privileged by reason of the attorney-client 578
relationship, provided that the service is not a service 579
described in division (C) (1) (b) or (e) of this section. 580

(D) "Extension of credit" means the right to defer payment 581
of debt, or to incur debt and defer its payment, offered or 582
granted primarily for personal, family, or household purposes. 583
"Extension of credit" does not include a mortgage. 584

(E) "Mortgage" means any indebtedness secured by a deed of 585
trust, security deed, or other lien on real property. 586

(F) "Mortgage banker" means any person that makes, 587
services, or buys and sells mortgage loans and is approved by 588
the United States department of housing and urban development, 589
the United States department of veterans affairs, the federal 590
national mortgage association, or the federal home loan mortgage 591
corporation. 592

(G) "Superintendent of financial institutions" includes 593

the deputy superintendent for consumer finance as provided in	594
section 1181.21 of the Revised Code.	595
Section 2. That existing sections 1343.01, 1343.03,	596
2716.02, 2716.03, and 4712.01 of the Revised Code are hereby	597
repealed.	598
Section 3. This act shall be known as the Ohio Medical	599
Debt Fairness Act.	600