



October 18, 2021

NEVADA TO HOLD WORKSHOP ON NEW MEDICAL COLLECTIONS LAW

The Nevada Financial Institutions Division ("FID") announced it would hold an open workshop on draft regulations on Nevada SB 248, the new medical collections statute. The workshop will be held Tuesday, October 26, 2021 from 10 a.m. to 1 p.m. Pacific Time via WebEx. Among other things, SB 248 requires a 60 day notice period before taking "any action" to collect a medical debt, prohibits civil actions to collect for less than \$10,000 and caps collection fees at 5% the amount of debt.

SB 248 passed into law this summer after quickly clearing the legislative process. It has been the subject of much confusion and at least one lawsuit so far. The FID has issued draft regulations and is collecting information from affected Nevada small businesses. This workshop is the most public statement by the FID on SB 248 since it first proposed draft regulations in August.

SB 248 is similar to a number of other bills introduced in other state legislatures across the country targeting medical collections. Colorado, Maryland, New Mexico, Ohio and Oklahoma have introduced similar bills. Currently, only the bills in Nevada and New Mexico have passed into law, but the Maryland bill is awaiting Governor Larry Hogan's signature. There is also a similar bill introduced in the U.S. Congress. Congresswoman Rashida Tlaib introduced a bill in the U.S. House of Representatives to amend the federal Fair Debt Collection Practices Act to address medical collections.

We have been actively advising clients on compliance strategies for SB 248 since the statute passed. If you have any questions, please let us know. ☐

✧ *Mike Tomkies and Ben Hurford*

DEALING WITH MULTISTATE DEBT COLLECTION COMPLIANCE?

We routinely advise on collection-related activities and the regulated activities of creditors, third party debt collectors, debt buyers and loan servicers. We also publish an easy-to-use reference that compiles state and federal laws governing debt collection practices. Our DEBT COLLECTION DIGEST is organized topically, includes the federal Fair Debt Collection Practices Act and Commentary for easy cross-reference, and covers ADAD and monitoring and recording statutes. **Contact us for details.**

Darrell L. Dreher
ddreher@dtlaw.com

Elizabeth L. Anstaett
eanstaett@dtlaw.com

Emily C. Cellier
ecellier@dtlaw.com

Susan L. Ostrander
sostrander@dtlaw.com

2750 HUNTINGTON CENTER
41 S. HIGH STREET
COLUMBUS, OHIO 43215
TELEPHONE: (614) 628-8000 FACSIMILE: (614) 628-1600
WWW.DTLAW.COM

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Michael C. Tomkies
mtomkies@dtlaw.com

Susan M. Seaman
sseaman@dtlaw.com

Benjamin J. Hurford
bhurford@dtlaw.com

Judith M. Scheiderer
jscheiderer@dtlaw.com

Robin R. De Leo
robin@deher-la.com