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Ask a lawyer

A medical debt from 2001 leaves sick feeling

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Q: I recently was contacted by a collections agency for an outstanding debt relating to hospital services from early 2001. Upon my inquiry, I learned the hospital repeatedly billed the wrong insurance company despite its having my correct insurance company on file.

This is the first I've heard about this "debt." I told the collection agency about the screw-up, and they have asked me to submit a letter disputing this claim. By submitting a dispute letter, am I assuming responsibility for this debt?

A.P.
Orlando

A: Unfortunately, the dilemma you find yourself in is one that many face after they leave the doctor's office believing their bill has been paid. But there's good news: Since these services were provided back in 2001, the statute of limitations for collecting on this debt has now passed, meaning that you cannot be sued.

However, the error could still show up on your credit report. I recommend submitting a letter to the collections agency, with a copy to your medical provider, stating that you do not owe this debt and that the statute of limitations has already expired on any claim involving this debt.

The letter should include a demand that the collection agency not report this debt to your credit bureau (or remove it if it has already been reported). If the collection agency persists, you might want to consider filing a wrongful-debt-collection claim against it.

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