

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Fair Patient Billing Act is amended by  
5 changing Section 30 as follows:

6 (210 ILCS 88/30)

7 Sec. 30. Pursuing collection action.

8 (a) Hospitals and their agents may pursue collection  
9 action against an uninsured patient only if the following  
10 conditions are met:

11 (1) The hospital has complied with the screening  
12 requirements set forth in Section 16 and applied and  
13 exhausted any discount available to a patient under  
14 Section 10 of the Hospital Uninsured Patient Discount Act.

15 (2) The hospital has given the uninsured patient the  
16 opportunity to:

17 (A) assess the accuracy of the bill;

18 (B) apply for financial assistance under the  
19 hospital's financial assistance policy; and

20 (C) avail themselves of a reasonable payment plan.

21 (3) If the uninsured patient has indicated an  
22 inability to pay the full amount of the debt in one  
23 payment, the hospital has offered the patient a reasonable

1 payment plan. The hospital may require the uninsured  
2 patient to provide reasonable verification of his or her  
3 inability to pay the full amount of the debt in one  
4 payment.

5 (4) To the extent the hospital provides financial  
6 assistance and the circumstances of the uninsured patient  
7 suggest the potential for eligibility for charity care,  
8 the uninsured patient has been given at least 90 days  
9 following the date of discharge or receipt of outpatient  
10 care to submit an application for financial assistance and  
11 shall be provided assistance with the application in  
12 compliance with subsection (a) of Section 16 and Section  
13 27.

14 (5) If the uninsured patient has agreed to a  
15 reasonable payment plan with the hospital, and the patient  
16 has failed to make payments in accordance with that  
17 reasonable payment plan.

18 (6) If the uninsured patient informs the hospital that  
19 he or she has applied for health care coverage under a  
20 public health insurance program (and there is a reasonable  
21 basis to believe that the patient will qualify for such  
22 program) but the patient's application is denied.

23 (a-5) A hospital shall proactively offer information on  
24 charity care options available to uninsured patients,  
25 regardless of their immigration status or residency.

26 (b) A hospital may not refer a bill, or portion thereof, to

1 a collection agency or attorney for collection action against  
2 the insured patient, without first ensuring compliance with  
3 Section 16 and offering the patient the opportunity to request  
4 a reasonable payment plan for the amount personally owed by  
5 the patient. Such an opportunity shall be made available for  
6 the 90 days following the date of the initial bill. If the  
7 insured patient requests a reasonable payment plan, but fails  
8 to agree to a plan within 90 days of the request, the hospital  
9 may proceed with collection action against the patient.

10 (c) No collection agency, law firm, or individual may  
11 initiate legal action for non-payment of a hospital bill  
12 against a patient without the written approval of an  
13 authorized hospital employee who reasonably believes that the  
14 conditions for pursuing collection action under this Section  
15 have been met.

16 (c-5) For any legal action initiated against a patient for  
17 unpaid medical debt, a hospital may not file for or be granted  
18 a lien upon that patient's primary residence.

19 (d) Nothing in this Section prohibits a hospital from  
20 engaging an outside third party agency, firm, or individual to  
21 manage the process of implementing the hospital's financial  
22 assistance and reasonable payment plan programs and policies  
23 so long as such agency, firm, or individual is contractually  
24 bound to comply with the terms of this Act.

25 (Source: P.A. 102-504, eff. 12-1-21; 103-323, eff. 1-1-24.)

1 Section 10. The Code of Civil Procedure is amended by  
2 changing Section 12-101 as follows:

3 (735 ILCS 5/12-101) (from Ch. 110, par. 12-101)

4 Sec. 12-101. Lien of judgment. With respect to the  
5 creation of liens on real estate by judgments, all real estate  
6 in the State of Illinois is divided into 2 classes.

7 The first class consists of all real property, the title  
8 to which is registered under "An Act concerning land titles",  
9 approved May 1, 1897, as amended.

10 The second class consists of all real property not  
11 registered under "An Act concerning land titles".

12 As to real estate in class one, a judgment is a lien on the  
13 real estate of the person against whom it is entered for the  
14 same period as in class two, when Section 85 of "An Act  
15 concerning land titles", has been complied with.

16 As to real estate included within class two, a judgment is  
17 a lien on the real estate of the person against whom it is  
18 entered in any county in this State, including the county in  
19 which it is entered, only from the time a transcript,  
20 certified copy or memorandum of the judgment is filed in the  
21 office of the recorder in the county in which the real estate  
22 is located. The lien may be foreclosed by an action brought in  
23 the name of the judgment creditor or its assignee of record  
24 under Article XV in the same manner as a mortgage of real  
25 property, except that the redemption period shall be 6 months

1 from the date of sale and the real estate homestead exemption  
2 under Section 12-901 shall apply. A judgment resulting from  
3 the entry of an order requiring child support payments shall  
4 be a lien upon the real estate of the person obligated to make  
5 the child support payments, but shall not be enforceable in  
6 any county of this State until a transcript, certified copy,  
7 or memorandum of the lien is filed in the office of the  
8 recorder in the county in which the real estate is located. Any  
9 lien hereunder arising out of an order for support shall be a  
10 lien only as to and from the time that an installment or  
11 payment is due under the terms of the order. Further, the order  
12 for support shall not be a lien on real estate to the extent of  
13 payments made as evidenced by the records of the Clerk of the  
14 Circuit Court or State agency receiving payments pursuant to  
15 the order. In the event payments made pursuant to that order  
16 are not paid to the Clerk of the Circuit Court or a State  
17 agency, then each lien imposed by this Section may be released  
18 in the following manner:

19 (a) A Notice of Filing and an affidavit stating that  
20 all installments of child support required to be paid  
21 pursuant to the order under which the lien or liens were  
22 imposed have been paid shall be filed with the office of  
23 recorder in each county in which each such lien appears of  
24 record, together with proof of service of such notice and  
25 affidavit upon the recipient of such payments.

26 (b) Service of such affidavit shall be by any means

1 authorized under Sections 2-203 and 2-208 of the Code of  
2 Civil Procedure or under Supreme Court Rules 11 or 105(b).

3 (c) The Notice of Filing shall set forth the name and  
4 address of the judgment debtor and the judgment creditor,  
5 the court file number of the order giving rise to the  
6 judgment and, in capital letters, the following statement:

7 YOU ARE HEREBY NOTIFIED THAT ON (insert date) THE  
8 ATTACHED AFFIDAVIT WAS FILED IN THE OFFICE OF THE RECORDER  
9 OF .... COUNTY, ILLINOIS, WHOSE ADDRESS IS .....,  
10 ILLINOIS. IF, WITHIN 28 DAYS OF THE DATE OF THIS NOTICE,  
11 YOU FAIL TO FILE AN AFFIDAVIT OBJECTING TO THE RELEASE OF  
12 THE STATED JUDGMENT LIEN OR LIENS, IN THE ABOVE OFFICE,  
13 SUCH JUDGMENT LIEN WILL BE DEEMED TO BE RELEASED AND NO  
14 LONGER SUBJECT TO FORECLOSURE. THIS RELEASE OF LIEN WILL  
15 NOT ACT AS A SATISFACTION OF SUCH JUDGMENT.

16 (d) If no affidavit objecting to the release of the  
17 lien or liens is filed within 28 days of the Notice  
18 described in paragraph (c) of this Section such lien or  
19 liens shall be deemed to be released and no longer subject  
20 to foreclosure.

21 A judgment is not a lien on real estate for longer than 7  
22 years from the time it is entered or revived, unless the  
23 judgment is revived within 7 years after its entry or last  
24 revival and a new memorandum of judgment is recorded prior to  
25 the judgment and its recorded memorandum of judgment becoming  
26 dormant.

1           When a judgment is revived it is a lien on the real estate  
2 of the person against whom it was entered in any county in this  
3 State from the time a transcript, certified copy or memorandum  
4 of the order of revival is filed in the office of the recorder  
5 in the county in which the real estate is located.

6           A foreign judgment registered or filed pursuant to  
7 Sections 12-630 through 12-672 of this Act is a lien upon the  
8 real estate of the person against whom it was entered only from  
9 the time (1) a copy of the affidavit required by Section 12-653  
10 with a copy of the foreign judgment attached showing the  
11 filing in a court of this State or (2) a transcript, certified  
12 copy or memorandum of a final judgment of the court of this  
13 State entered on an action to enforce a foreign judgment is  
14 filed in the office of the recorder in the county in which the  
15 real estate is located. However, no such judgment shall be a  
16 lien on any real estate registered under "An Act concerning  
17 land titles", as amended, until Section 85 of that Act has been  
18 complied with.

19           The release of any transcript, certified copy or  
20 memorandum of judgment or order of revival which has been  
21 recorded shall be filed by the person receiving the release in  
22 the office of the recorder in which such judgment or order has  
23 been recorded.

24           Such release shall contain in legible letters a statement  
25 as follows:

26                       FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE

1 FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES IN  
2 WHOSE OFFICE THE LIEN WAS FILED.

3 The term "memorandum" as used in this Section means a  
4 memorandum or copy of the judgment signed by a judge or a copy  
5 attested by the clerk of the court entering it and showing the  
6 court in which entered, date, amount, number of the case in  
7 which it was entered, name of the party in whose favor and name  
8 and last known address of the party against whom entered. If  
9 the address of the party against whom the judgment was entered  
10 is not known, the memorandum or copy of judgment shall so  
11 state.

12 The term "memorandum" as used in this Section also means a  
13 memorandum or copy of a child support order signed by a judge  
14 or a copy attested by the clerk of the court entering it or a  
15 copy attested by the administrative body entering it.

16 This Section shall not be construed as showing an  
17 intention of the legislature to create a new classification of  
18 real estate, but shall be construed as showing an intention of  
19 the legislature to continue a classification already existing.

20 No judgment relating to unpaid medical debt may create a  
21 lien on real property owned by the patient against whom the  
22 judgment is entered that is the primary residence of the  
23 patient.

24 (Source: P.A. 97-350, eff. 1-1-12; 98-557, eff. 1-1-14.)

25 Section 99. Effective date. This Act takes effect on  
26 January 1, 2027.