



Rep. Amy Briel

**Filed: 4/8/2026**

10400HB4461ham002

LRB104 16887 BAB 36205 a

1 AMENDMENT TO HOUSE BILL 4461

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4461 by replacing  
3 everything after the enacting clause with the following:

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:

1 (A) assess the accuracy of the bill;

2 (B) apply for financial assistance under the  
3 hospital's financial assistance policy; and

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

5 (3) If the uninsured patient has indicated an  
6 inability to pay the full amount of the debt in one  
7 payment, the hospital has offered the patient a reasonable  
8 payment plan. The hospital may require the uninsured  
9 patient to provide reasonable verification of his or her  
10 inability to pay the full amount of the debt in one  
11 payment.

12 (4) To the extent the hospital provides financial  
13 assistance and the circumstances of the uninsured patient  
14 suggest the potential for eligibility for charity care,  
15 the uninsured patient has been given at least 90 days  
16 following the date of discharge or receipt of outpatient  
17 care to submit an application for financial assistance and  
18 shall be provided assistance with the application in  
19 compliance with subsection (a) of Section 16 and Section  
20 27.

21 (5) If the uninsured patient has agreed to a  
22 reasonable payment plan with the hospital, and the patient  
23 has failed to make payments in accordance with that  
24 reasonable payment plan.

25 (6) If the uninsured patient informs the hospital that  
26 he or she has applied for health care coverage under a

1 public health insurance program (and there is a reasonable  
2 basis to believe that the patient will qualify for such  
3 program) but the patient's application is denied.

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

7 (b) A hospital may not refer a bill, or portion thereof, to  
8 a collection agency or attorney for collection action against  
9 the insured patient, without first ensuring compliance with  
10 Section 16 and offering the patient the opportunity to request  
11 a reasonable payment plan for the amount personally owed by  
12 the patient. Such an opportunity shall be made available for  
13 the 90 days following the date of the initial bill. If the  
14 insured patient requests a reasonable payment plan, but fails  
15 to agree to a plan within 90 days of the request, the hospital  
16 may proceed with collection action against the patient.

17 (c) No collection agency, law firm, or individual may  
18 initiate legal action for non-payment of a hospital bill  
19 against a patient without the written approval of an  
20 authorized hospital employee who reasonably believes that the  
21 conditions for pursuing collection action under this Section  
22 have been met.

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

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

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

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

10 (735 ILCS 5/12-101) (from Ch. 110, par. 12-101)

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

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

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

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

23 As to real estate included within class two, a judgment is  
24 a lien on the real estate of the person against whom it is

1 entered in any county in this State, including the county in  
2 which it is entered, only from the time a transcript,  
3 certified copy or memorandum of the judgment is filed in the  
4 office of the recorder in the county in which the real estate  
5 is located. The lien may be foreclosed by an action brought in  
6 the name of the judgment creditor or its assignee of record  
7 under Article XV in the same manner as a mortgage of real  
8 property, except that the redemption period shall be 6 months  
9 from the date of sale and the real estate homestead exemption  
10 under Section 12-901 shall apply. A judgment resulting from  
11 the entry of an order requiring child support payments shall  
12 be a lien upon the real estate of the person obligated to make  
13 the child support payments, but shall not be enforceable in  
14 any county of this State until a transcript, certified copy,  
15 or memorandum of the lien is filed in the office of the  
16 recorder in the county in which the real estate is located. Any  
17 lien hereunder arising out of an order for support shall be a  
18 lien only as to and from the time that an installment or  
19 payment is due under the terms of the order. Further, the order  
20 for support shall not be a lien on real estate to the extent of  
21 payments made as evidenced by the records of the Clerk of the  
22 Circuit Court or State agency receiving payments pursuant to  
23 the order. In the event payments made pursuant to that order  
24 are not paid to the Clerk of the Circuit Court or a State  
25 agency, then each lien imposed by this Section may be released  
26 in the following manner:

1 (a) A Notice of Filing and an affidavit stating that  
2 all installments of child support required to be paid  
3 pursuant to the order under which the lien or liens were  
4 imposed have been paid shall be filed with the office of  
5 recorder in each county in which each such lien appears of  
6 record, together with proof of service of such notice and  
7 affidavit upon the recipient of such payments.

8 (b) Service of such affidavit shall be by any means  
9 authorized under Sections 2-203 and 2-208 of the Code of  
10 Civil Procedure or under Supreme Court Rules 11 or 105(b).

11 (c) The Notice of Filing shall set forth the name and  
12 address of the judgment debtor and the judgment creditor,  
13 the court file number of the order giving rise to the  
14 judgment and, in capital letters, the following statement:

15 YOU ARE HEREBY NOTIFIED THAT ON (insert date) THE  
16 ATTACHED AFFIDAVIT WAS FILED IN THE OFFICE OF THE RECORDER  
17 OF .... COUNTY, ILLINOIS, WHOSE ADDRESS IS .....,  
18 ILLINOIS. IF, WITHIN 28 DAYS OF THE DATE OF THIS NOTICE,  
19 YOU FAIL TO FILE AN AFFIDAVIT OBJECTING TO THE RELEASE OF  
20 THE STATED JUDGMENT LIEN OR LIENS, IN THE ABOVE OFFICE,  
21 SUCH JUDGMENT LIEN WILL BE DEEMED TO BE RELEASED AND NO  
22 LONGER SUBJECT TO FORECLOSURE. THIS RELEASE OF LIEN WILL  
23 NOT ACT AS A SATISFACTION OF SUCH JUDGMENT.

24 (d) If no affidavit objecting to the release of the  
25 lien or liens is filed within 28 days of the Notice  
26 described in paragraph (c) of this Section such lien or

1           liens shall be deemed to be released and no longer subject  
2           to foreclosure.

3           A judgment is not a lien on real estate for longer than 7  
4           years from the time it is entered or revived, unless the  
5           judgment is revived within 7 years after its entry or last  
6           revival and a new memorandum of judgment is recorded prior to  
7           the judgment and its recorded memorandum of judgment becoming  
8           dormant.

9           When a judgment is revived it is a lien on the real estate  
10          of the person against whom it was entered in any county in this  
11          State from the time a transcript, certified copy or memorandum  
12          of the order of revival is filed in the office of the recorder  
13          in the county in which the real estate is located.

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

1           The release of any transcript, certified copy or  
2 memorandum of judgment or order of revival which has been  
3 recorded shall be filed by the person receiving the release in  
4 the office of the recorder in which such judgment or order has  
5 been recorded.

6           Such release shall contain in legible letters a statement  
7 as follows:

8                   FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE  
9 FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES IN  
10 WHOSE OFFICE THE LIEN WAS FILED.

11           The term "memorandum" as used in this Section means a  
12 memorandum or copy of the judgment signed by a judge or a copy  
13 attested by the clerk of the court entering it and showing the  
14 court in which entered, date, amount, number of the case in  
15 which it was entered, name of the party in whose favor and name  
16 and last known address of the party against whom entered. If  
17 the address of the party against whom the judgment was entered  
18 is not known, the memorandum or copy of judgment shall so  
19 state.

20           The term "memorandum" as used in this Section also means a  
21 memorandum or copy of a child support order signed by a judge  
22 or a copy attested by the clerk of the court entering it or a  
23 copy attested by the administrative body entering it.

24           This Section shall not be construed as showing an  
25 intention of the legislature to create a new classification of  
26 real estate, but shall be construed as showing an intention of

1 the legislature to continue a classification already existing.

2 No judgment relating to unpaid medical debt may create a  
3 lien on real property owned by the patient against whom the  
4 judgment is entered that is the primary residence of the  
5 patient.

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

7 Section 99. Effective date. This Act takes effect on  
8 January 1, 2027."