

S 1624

Medical Bankruptcy Fairness Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Finance and Financial Sector

Introduced: Aug 6, 2009

Current Status: Committee on the Judiciary. Hearings held.

Latest Action: Committee on the Judiciary. Hearings held. (Oct 20, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/1624>

Sponsor

Name: Sen. Whitehouse, Sheldon [D-RI]

Party: Democratic • State: RI • Chamber: Senate

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Kerry, John F. [D-MA]	D · MA		Sep 10, 2009
Sen. Sanders, Bernard [I-VT]	I · VT		Sep 15, 2009
Sen. Franken, Al [D-MN]	D · MN		Sep 24, 2009
Sen. Feingold, Russell D. [D-WI]	D · WI		Oct 20, 2009
Sen. Durbin, Richard J. [D-IL]	D · IL		Oct 29, 2009
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jun 30, 2010

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (full committee)	Oct 20, 2009

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
111 HR 901	Related bill	Jul 15, 2010: Subcommittee Hearings Held.

Medical Bankruptcy Fairness Act of 2009 - Amends federal bankruptcy law to cite circumstances under which a medically distressed debtor may elect to exempt from the property of the estate in bankruptcy up to \$250,000 of the debtor's aggregate interest in specified real or personal property that the debtor (or debtor's dependent) uses as a residence, in a cooperative, or in a burial plot for the debtor or a dependent.

Revises requirements for dismissal or conversion of a Chapter 7 case to prohibit the court or specified parties in interest from filing a motion to dismiss or convert to Chapter 11 or 13 if the debtor is a medically distressed debtor.

Waives the credit counseling prerequisite for filing for relief from debt in the case of a medically distressed debtor.

Denies a discharge in bankruptcy from any debt incurred that relates to attorneys' fees generated as a result of the debtor's filing of a Chapter 7 petition.

Requires a debtor who seeks relief as a medically distressed debtor to attest in writing, and under penalty of perjury, that the medical expenses of the debtor are genuine, and not specifically incurred to bring the debtor within the coverage of the medical bankruptcy provisions of this Act.

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### **Actions Timeline**

- **Oct 20, 2009:** Committee on the Judiciary. Hearings held.
- **Aug 6, 2009:** Introduced in Senate
- **Aug 6, 2009:** Sponsor introductory remarks on measure. (CR S9022)
- **Aug 6, 2009:** Read twice and referred to the Committee on the Judiciary.