

March 26, 2015

TO: House Committee on Consumer Protection and Government Effectiveness
RE: **House Bill 3101**

I'm here today in support of House Bill 3101. I'd like to thank Representative Post and Senator Thatcher for sponsoring House Bill 3101, which would prevent a health care providers from prematurely attempting to collect outstanding balances or turning debt over to a collection agency.

On November 12, 2013, I received a voicemail from the chaplain at Salem Hospital, that my step-daughter, McKenna, had been involved in a serious accident.

While crossing Portland Road, in the crosswalk with the light, a vehicle ran a red light and hit her, launching her 25 feet through the air.

She was transported to the hospital with a traumatic brain injury and a severely shattered leg and a bad case of road rash.

The driver of the vehicle was cited at the scene for failure to obey a traffic control device and legal proceedings are currently underway.

McKenna spent the next 9 months going through physical and psychological therapy to recover from her injuries. Given the significance of the incident, it is truly a miracle she is alive today.

McKenna was covered by multiple health and auto insurance policies. We knew without a doubt there would be sufficient settlement funds to cover all of the medical costs incurred for her treatment.

During the months after the incident, McKenna's mother and I worked tirelessly to assure the medical providers they would be paid for their costs, but settlements do not happen overnight.

Regardless, several providers sent outstanding balances to collection agencies, leaving a damaging mark on McKenna's credit rating for something that was never her fault.

All we asked was that the providers wait for the settlement funds, which were finally distributed in October 2014, 11 months after the incident, and the bills were paid.

I've spoken to others who have the same story to tell. John McKennon was on his way to play golf when a delivery truck ran a red light and hit his car. John had a spinal fusion last April. They anticipate a settlement by August of this year, but in the meantime medical bills have been sent to collections.

Members of the committee, thank you very much for your time and I ask your assistance in protecting the innocent victims of accidents and crime from additional financial injury. I'd be happy to answer any questions.

Brandon Smith
1716 Brian Ct NE
Keizer, OR
971.218.7102
brasmi@gmail.com