

# TINY CHATS

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*This resource is a companion reference to the Consumer Financial Protection Bureau's (CFPB) guidance regarding Nursing Home Debt.*

***Access the CFPB's [Nursing Home Debt Collection Fact Sheet \(en Español\)](#)***

## Nursing Home Admissions

- When considering a motion for default in a nursing home debt collection case, compare the name of the defendant to the name of the resident in the underlying admissions contract. *Is the defendant a third party?* If someone other than the nursing home resident has been sued, then ask questions to determine whether the plaintiff is alleging that a third party is liable based on terms in the nursing home's admissions contract.
- Be aware that the Nursing Home Reform Act allows nursing homes to require a resident's representative with legal access to a resident's income or resources to agree to provide payment from the resident's resources - but the contract *cannot* hold the resident's representative personally liable to pay the resident's debt.

## Uphold the Law

1. Explain that under the federal Nursing Home Reform Act, nursing homes can't ask or require someone to use their own money to pay a loved one's nursing home bill as a condition of the loved one's admission to or continued stay in the facility.
2. Determine whether any waiver of substantive rights is knowing and voluntary.

## Take Action

1. Share [Know Your Rights: Caregivers and Nursing Home Debt](#).
2. [Refer a defendant to talk with a lawyer](#) at your local legal aid agency or contact your local bar association.
3. Defendants can [report Nursing Home Reform Act violations to your State Nursing Home Survey Agency](#) and [file a complaint with your State Attorney General](#).
4. If a defendant is having a problem with a debt collector, they can [submit a complaint with the CFPB online](#) or by calling (855) 411-CFPB (2372).

