

## **Mapping the Medical Debt Collections Experience**

This assignment is designed to expose you to the reality of the justice gap and help you gain an understanding of the current civil legal ecosystem as a baseline to inspire your thinking about where innovation can effect change. You have two days to navigate the hypothetical below from the perspective of a self-represented litigant experiencing medical debt. Along the way, you will be recording your process in an empathy map that can be shared with your classmates and members of the Utah community.

For this assignment, you are limited to online research. **Please do not actually call service providers or courts.** If you attempt to submit any online forms please clearly indicate "test" in the form field rather than providing your actual contact information or fictional contact information.

You will work individually on this assignment, but you may talk to friends and family as you think the person represented in this fact pattern would. You should not spend more than 4-5 hours on this assignment.

On **Wednesday August 19, please attend [virtual debt collection court](#)** in the Utah District Court, Third District, from 12-1pm MST. **You should join as observers with your sound and video off.**

As you complete this assignment, please be respectful. **This is not poverty tourism.** You are representatives of the law school in this assignment and you should identify yourselves as students working on an assignment to anyone who asks.

### **Your Hypothetical for your Empathy Map:**

There are 3 fact patterns for this assignment - please review the one assigned to you below.

#### **Group 1:**

You are a 33 year-old divorced Latinx woman with three minor children (ages 6, 8 and 12). When COVID struck, you lost your minimum wage job. After a lot of searching, you have a job interview scheduled for Wednesday, August 19, 2020 at 12:00 p.m.

Last August, you were working a minimum wage job that provided sparse health insurance coverage. On May 14, 2019, you came home from work and had a terrible stomachache. You did not want to go to the hospital because you were worried about the cost -- when your daughter was hospitalized for an asthma attack a few

months earlier, your co-pay for the hospital visit was \$475. You decided to try to sleep it off. In the middle of the night, you woke up in a lot of pain and you told your son to call an ambulance. The ambulance took you to the hospital where you received care.

A couple months later, you started receiving medical bills in the mail. You opened one but assumed insurance was handling it. You didn't have any money to pay the bill anyway.

Earlier this year, you started receiving phone calls from someone saying you owed money for an unpaid medical bill. The people making the calls were sometimes aggressive; you were told that if you didn't pay your employer would be notified and the unpaid amount would be taken from your wages. One time, your 12-year-old daughter answered the phone and the debt collector talked to her about your hospital visit and asked her several questions including where you lived and worked. After that call, you stopped answering the phone and told your kids not to answer either.

On August 17, 2020, you opened your door to a process server who handed you the attached [Ten Day Summons and Complaint](#).

You're not sure what this document means. Your friend has indicated she can lend you \$350. You know this isn't going to be enough. You don't know what you're supposed to do next.

Issues:

- What do you do about this debt collection lawsuit?
- Where can you find information or assistance about what happens now that a court is involved?
- What will the court process look like?
- Will you have to go to court?
- If you try to pay the amount claimed in this lawsuit, you won't be able to cover your other expenses - what can you do? Are resources available to you?
- What could happen if you don't do anything?

### **Group 2:**

You are a 33 year-old divorced Latinx woman with three minor children (ages 6, 8 and 12). When COVID struck, you lost your minimum wage job. After a lot of searching, you have a job interview scheduled for Wednesday, August 19, 2020 at 12 p.m. MST.

Last May, you were between jobs and looking for work. On May 14, 2019, you left a job interview with a terrible stomachache. You did not want to go to the hospital because you were worried about the cost -- when your daughter was hospitalized for an asthma attack a few months earlier, your co-pay for the hospital visit was \$475. You decided to try to sleep it off. In the middle of the night, you woke up in a lot of pain and you told your son to call an ambulance. The ambulance took you to the hospital where someone asked you if you had insurance. You told them you were between jobs and someone helped you fill out a form for medicaid. You assumed your care expenses would be covered by Medicaid because you filled out the form and you were admitted for care.

Earlier this year, you started receiving medical bills. You opened the first one, but assumed Medicaid was covering it. You thought the hospital must have made a mistake. You remember someone at the hospital saying it might take a while for Medicaid to kick in. You didn't have any extra money anyway.

More recently, you started receiving phone calls from someone saying you owed money for an unpaid medical bill. The people making the calls were sometimes aggressive, you were told that if you didn't pay your employer would be notified and the unpaid amount would be taken from your wages. One time, your 12-year-old daughter answered the phone and the debt collector talked to her about your hospital visit and asked her several questions including where you lived and worked. After that call, you stopped answering the phone and told your kids not to answer either.

A year later, on May 5, 2020, a process server delivered you the attached debt collection [Ten Day Summons, and Complaint](#). Your summons said that you must answer the complaint. With help from a friend, you found an online form called "answer" and you completed it and filed it with the court.

You thought you were going to be okay until you started to receive documents from an attorney called [Requests for Admission](#). There are so many requests and you are overwhelmed. You are not sure what to do next. Now you have received a [notice of hearing](#), telling you to come to court on August 19, 2020 at 12pm- 1pm MST, the same time as your job interview.

Issues:

- What do you do about this debt collection lawsuit?
- Where can you find information or assistance about what happens now that a court is involved?
- What will the court process look like?
- Will you have to go to court?
- If you try to pay the amount claimed in this lawsuit, you won't be able to cover your other expenses - what can you do? Are resources available to you?

- What could happen if you don't do anything?

### **Group 3**

You are a 33 year-old divorced Latinx woman with three minor children (ages 6, 8 and 12). You work a minimum wage job at a restaurant.

On May 14, 2019, you left work with a terrible stomachache. You did not want to go to the hospital because you were worried about the cost -- when your daughter was hospitalized for an asthma attack a few months earlier, your co-pay for the hospital visit was \$475. You decided to try to sleep it off. In the middle of the night, you woke up in a lot of pain and you told your son to call an ambulance. The ambulance took you to the hospital where someone asked you if you had insurance. You told them you did not have insurance and that you were recently denied Medicaid. Someone helped you fill out some forms. They said that you did not have to pay.

A few weeks later you moved in with your sister to save money.

A few months ago, you started receiving phone calls from someone saying you owed money for an unpaid medical bill. The people making the calls were sometimes aggressive, you were told that if you didn't pay your employer would be notified and the unpaid amount would be taken from your wages. One time, your 12-year-old daughter answered the phone and the debt collector talked to her about your hospital visit and asked her several questions including where you lived and worked. After that call, you stopped answering the phone and told your kids not to answer either.

A year later, on May 5, 2020, a process server showed up at the restaurant where you work and delivered you the attached [Ten Day Summons and Complaint](#). You were unsure what to do - you don't have any money to pay the amount requested, and you thought your medical care was covered. Confused and defeated, you throw it away.

Last week, you received another letter from the court containing two documents: one titled "Notice of Garnishment and Exemptions" and another titled "[Writ of Continuing Wage Garnishment](#)." These documents said that your wages were going to be garnished and that you could request a hearing. You called the court and someone helped you request a virtual hearing, set for August 19, 2020 at noon. You don't know what you're supposed to do next.

Issues:

- What do you do about this debt collection lawsuit?
- Where can you find information or assistance about what happens now that a court is involved?

- What will the court process look like?
- Will you have to go to court?
- If you try to pay the amount claimed in this lawsuit, you won't be able to cover your other expenses - what can you do? Are resources available to you?
- What could happen if you don't do anything?