

New York State Amends Statue of Limitations Related to the Collection of Medical Debt

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Amidst the COVID-19 Pandemic New York State lawmakers are still at work and on April 3, 2020, Gov. Andrew M. Cuomo signed the State's 2021 Executive Budget into law. Buried in [Senate Bill S7506B](#) is a provision that amended the New York Civil Practice Law and Rules (CPLR) and significantly shortened the statute of limitations for actions related to the collection of medical debt.

Prior to [Senate Bill S7506B](#) becoming law, medical debt was generally covered by CPLR §213, which provides a six-year statute of limitations. Section 606(4) of the new law, however, has added a new Section 213-D to the CPLR shortening the statute of limitations to just three-years:

Actions to be commenced within three years; medical debt. An action on a medical debt by a hospital licensed under Article Twenty-Eight of the Public Health law of a health care professional authorized under title eight of the education law shall be commenced within three years of treatment. (emphasis added).

While the amendment takes effect immediately (i.e., April 3, 2020), the bill is silent as to whether the law will have retroactive effect. Under New York common law, a statute will generally not be applied retroactively unless the amended statute expressly provides for retroactive treatment. Accordingly, the new three-year statute of limitations for medical debt will cover debts resulting from treatment occurring on or after April 3, 2020.