

County in rural Kansas is jailing people over unpaid medical debt



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COFFEYVILLE, Kan. (CBS NEWS) -- Tres and Heather Biggs' son Lane was diagnosed with leukemia when he was five years old. At the same time, Heather suffered seizures from Lyme disease.

"We had so many – multiple health issues in our family at the same time, it put us in a bracket that made insurance unattainable," Heather Biggs said. "It would have made no sense. We would have had to have not eaten, not had a home."

Tres Biggs was working two jobs but they fell behind on their medical bills, then the unthinkable happened.

"You wouldn't think you'd go to jail over medical bills," Tres Biggs said.

Tres Biggs went to jail for failing to appear in court for unpaid medical bills. He described it as "scary."

"I was scared to death," Tres Biggs said. "I'm a country kid – I had to strip down, get hosed and put a jumpsuit on."

Bail was \$500. He said they had "maybe \$50 to \$100" at the time.

In rural Coffeyville, Kansas, where the poverty rate is twice the national average, attorneys like Michael Hassenplug have built successful law practices representing medical providers to collect debt owed by their neighbors.

"I'm just doing my job," Hassenplug said. "They want the money collected, and I'm trying to do my job as best I can by following the law."

That law was put in place at Hassenplug's own recommendation to the local judge. The attorney uses that law by asking the court to direct people with unpaid medical bills to appear in court every three months and state they are



too poor to pay in what is called a "debtors exam."

If two hearings are missed, the judge issues an arrest warrant for contempt of court. Bail is set at \$500.

Hassenplug said he gets "paid on what's collected." If the bail money is applied to the judgment, then he gets a portion of that, he said.

"We're sending them to jail for contempt of court for failure to appear," Hassenplug said.

In most courts, bail money is returned when defendants appear in court. But in almost every case in Coffeyville, that money goes to pay attorneys like Hassenplug and the medical debt his clients are owed.

"This raises serious constitutional concerns," said Nusrat Choudhury, the deputy director of the ACLU. "What's happening here is a jailhouse shake-down for cash that is the criminalization of private debt."

CBS News went to court on debt collection day. They wouldn't allow our cameras in, but we watched more than 60 people swear they didn't have enough money to pay, and only one of them had an attorney representing them.

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