



# North Dakota Collectors Association

an association of collection specialists

**TESTIMONY IN SUPPORT OF  
HOUSE BILL NO. 1319  
HOUSE HUMAN SERVICES COMMITTEE  
January 18, 2021**

Chairman Weisz and members of the House Human Services Committee, I am Kim Granfor and I am representing the ND Collectors Association, which is an association that includes several ND owned collections agencies who assist with the recovery of debts owed to a creditor. Each of the agencies within our Association, assist medical providers in the recovery of their bad debt accounts.

There is no mistake that a husband and wife are mutually and individually liable for each other's items of necessity such as food, clothing, fuel, medical care and shelter. But there is an issue of defining when that responsibility ends. Section 14-07-08 limits this responsibility during the time a couple is living together; but does not define what exactly that means. Does it mean while living together 7 days a week, 365 days a year? I am aware of a case that was tried in Bismarck under Judge Romanick, where the spousal responsibility ended the minute the husband moved out of the marital home, claiming that he was living in his car.

These three words "while living together" have caused problems in the recovery of monies owed to businesses and medical facilities. We have seen a husband deny responsibility for a medical debt of his wife because she lived in Fargo and he lived in Watford City for the sole purpose of employment. What was not admitted was that he was working in the oil field for a period of ten (10) days on and then went back to Fargo for his six (6) days off.

Section 14-07-08 could be abused by spouses who are working for long periods of time away from the marital home – such as long-haul truckers, salesman who travel extensively, construction workers, oil field workers and so on.

These three words "while living together" encourage a spouse to move out temporarily to avoid being responsible for a marital obligation such as a large medical bill. These three words "while living together" can eliminate a spouse from being responsible in paying the nursing home bill of the spouse.

The removal of "while living together" will eliminate the potential for spouses to negate their financial responsibility for each other.

We ask that you give a favorable **DO PASS** recommendation to HB 1319. I would be happy to try to answer any questions.