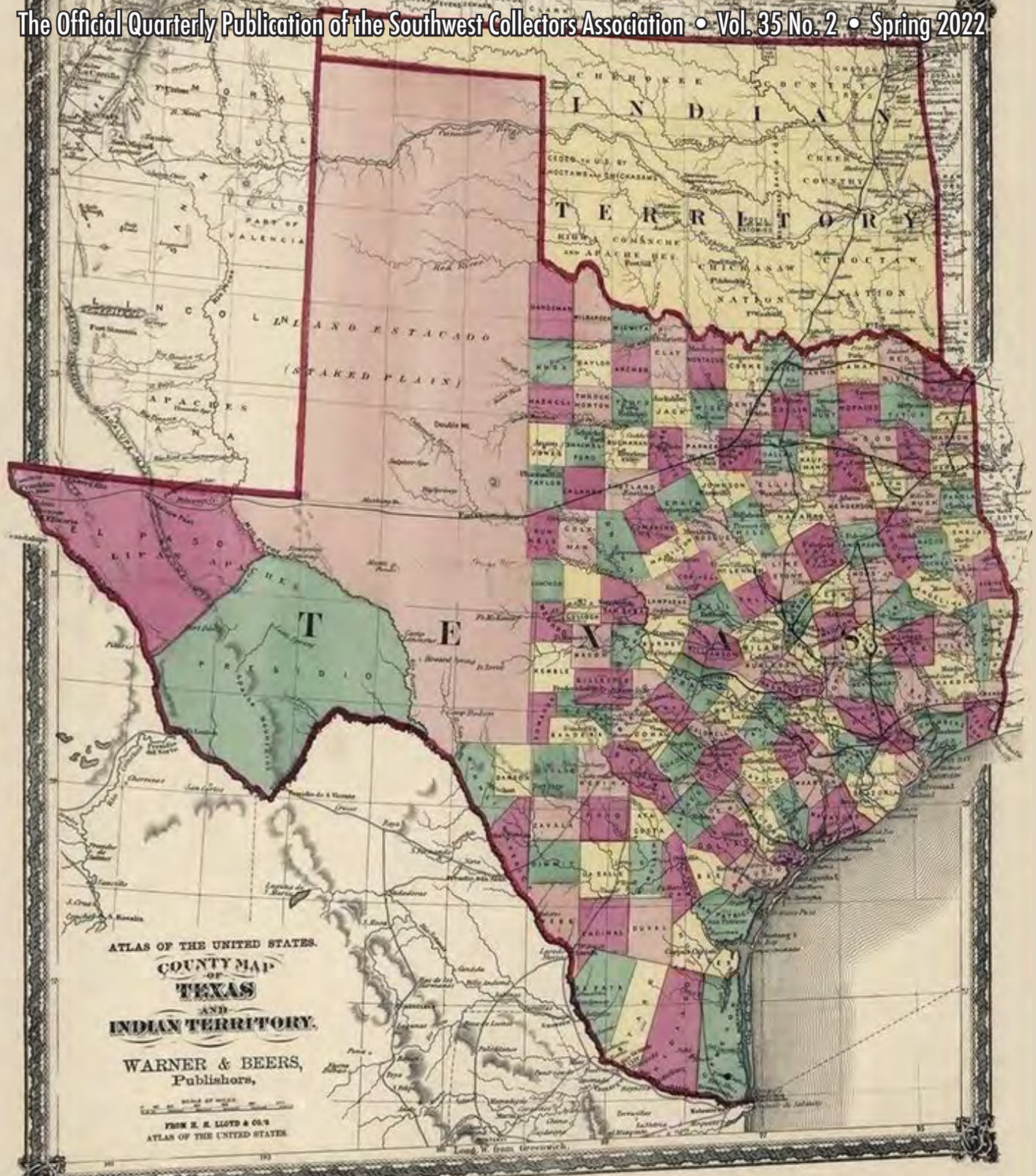


*Southwest*

# ACA Collector Connector

The Official Quarterly Publication of the Southwest Collectors Association • Vol. 35 No. 2 • Spring 2022



**2022 Conference Inside - Together Again!**



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# INSIDE THIS ISSUE

## SUMMER 2022

### features

<b>Collection Sales: "The Times they are a Changing"</b> .....	9
<i>Marc Trezza</i>	
<b>How "Stay Interviews" Keep the Talent on the Team</b> .....	11
<i>Alisha Thrasher</i>	
<b>Medical Debt's New Regulatory Landscape</b> .....	13
<i>Shannon Miller, Esq.</i>	
<b>Legislative Update</b> .....	15
<i>Paul Nagy</i>	
<b>2022 Annual Conference &amp; Expo Information</b> .....	19
Page 20 – Conference Announcement & Hotel Reservation Link	
Page 21 – the Conference Schedule as of now and will be updated	
Page 22 – Roster of Conference Exhibitors and Sponsors (as of 8/17)	
Page 23 – Notices Regarding Two Important Meetings	
<b>Report on the 2022 Annual ACA International Convention</b> .....	29

### departments

<b>President's Letter: "Learning from the Past – But Looking Forward"</b> .....	5
<b>Executive Director's Comments: "Finally, Together Again"</b> .....	7
<b>Professional Education and Development PLUS Conference Program</b> .....	26
<b>CollectPAC – "Yes, We still need your help"</b> .....	28
<b>Collection Marketplace</b> .....	30
<b>Index to Advertisers</b> .....	35

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*Cover Photo:* Map of Texas and Oklahoma showing counties, first published circa 1863. 19th and early 20th century

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# SOLUTIONS *for* YOUR SUCCESS

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*"48 years ago, in 1973 my family started a collection firm when I was 12 and I have worked in the ARM industry since. 31 years ago, in 1990 I became an ACA Certified Instructor and have trained thousands of ARM industry owners and collectors. 17 years ago, in 2004-2005, I served as your President of ACA International. 2 years ago, in 2020 I joined the team at Applied Innovation Inc.*

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## LEARNING FROM THE PAST – BUT LOOKING FORWARD



The days turn into weeks, weeks turn into months, and before you realize it, the 3<sup>rd</sup> Quarter of 2022 will be ending; 2022 seems to be passing much quicker than the past several years.

As the time passes, we like to look at what has happened in the recent past just as much as we like to look forward at what

is ahead of us. As I look in the rearview mirror, I can say with confidence that the worst of Covid is behind us and as I look forward, what appears to be the horizon could unfortunately turn out to be a mirage if we are not prepared for the challenges we will face along the way.

In previous communications I Encouraged you to STAY THE COURSE, and if we weather the storms we encounter, we could find opportunities and use them to FLOURISH. While that sounds great, most Captains would tell you there are storms you can navigate through without concern and there are storms you should alter your course to avoid. When facing storms, a good way to determine your course forward is to utilize your previous experience, but the best way is to utilize the experience of someone that may have recently weathered the storm you are currently approaching.

Attending the 2022 Southwest Collectors Association Conference and Expo will give you an opportunity to share your experience and learn from others as we are all facing difficulties.

We are experiencing challenges acquiring talent, competing with higher salary expectations, and rising costs of doing business. You may feel like you are the only one experiencing these issues, I can assure you that all companies in the ARM industry are facing the same challenges.

The 2022 Southwest Collectors Association Conference and Expo is a great environment to brainstorm with your peers who are experiencing the same challenges. Not mention also our Exhibitors (Subject Matter Experts) and our speakers such as John Bedard, Harry Strausser, Debra Ciskey, the Malone Law firm and others. As a special treat, Mike Gibb will be our Keynote Speaker! So, mark your calendars and save the dates, October 10-12 at the Sheraton DFW Airport Hotel in Irving, TX.

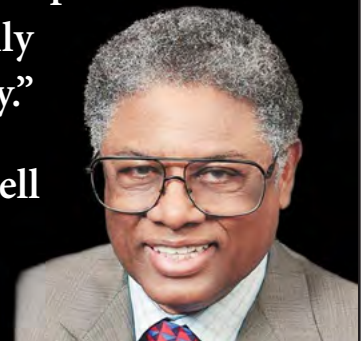
Although we continue to experience difficulties, the tenacity and determination of our membership base shows that successfully navigating these difficulties is the only acceptable outcome.

*Scott Hearn*

Scott Hearn, President  
Southwest Collectors Association

**“The fact that so many successful politicians are such shameless liars is not only a reflection on them, it is also a reflection on us. When the people want the impossible, only liars can satisfy.”**

**- Thomas Sowell**



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### Together Again!.....Finally!



Looking back today, it has been a difficult two years (and three years since our last face-to-face conference). We (TX and OK) merged in 2020 creating the Southwest Collectors Association (SWCA), a d/b/a of the American Collectors Association of Texas (the parent). Having a FTF conference in 2020 was definitely out of the question. We

did attempt a Virtual conference that had some benefits for the members and exhibitors, but it was not what we had hoped for.

In 2021 we were extremely optimistic and were well along in the planning for a 2021 FTF conference when, suddenly, the Covid cases exploded and Dallas County re-imposed mandates that had the effect of negatively impacting our conference plans. At that point, the SWCA Board of Directors met in early September and, in an abundance of caution, decided to cancel the face-to-face conference scheduled in early October. That decision proved to be the correct decision as the Covid cases continued to rise and did not begin to start to decline until the latter part of October.

**So much for our history!** This brings us to today and I am pleased to announce that our 2022 Annual SWCA Conference & Expo is scheduled to be held in Irving, TX at the Sheraton DFW Airport Hotel on October 10-12. **All ACA member companies (not just SWCA) are invited to attend.**

**The Conference Program Committee has been hard at work in creating a conference program that will cover the high-profile issues facing all ACA members.** Our speakers include; Mike Gibb, John Bedard (Bedard Law Group), Kelli Van Cleave Krueger (ACA) and Dennis Barton (Barton Law), Loraine Lyons (Malone Law), Roger Weiss, Debra Ciskey, Harry Strausser III, and others, **including the FBI (anybody want to get hacked?).** I will just leave that as a teaser! Keith Wier and Shannon Miller from the Wutscher Law Firm will try to cover “Medical Debt” issues which seem to be changing almost hourly.

We are truly honored that David Williams (ACA President Elect) and Scott Pursell (ACA CEO) will also be in attendance.

They will be sharing both current events and legislative/legal endeavors as well as ACA initiatives planned for the future of the association.

Plus, let me call all SWCA members attention regarding **two important meetings**. **The first meeting is for the SWCA Board of Directors.** They will be having a working dinner meeting on Sunday, October 9 at 5p at the conference hotel. SWCA members are welcome to attend this meeting. Any member wishing to attend must notify the Executive Director no later than Monday, October 3<sup>rd</sup> so proper arrangements with the hotel can be made.

**The second (and really important) meeting is the Annual Unit Business Meeting of the membership.** This meeting will occur during the Conference on Tuesday, October 11<sup>th</sup> at 5:30p and will held in the Hotel Ballroom/Exhibit Hall.

At the conference, in addition to our (almost regular) schedule, **we will have two very special events.** On Monday evening following our Opening Reception in the Exhibit Hall at 5pm, we will host a **Networking “Casino Night”** generously sponsored by Payment Savvy. On Tuesday evening (following our SWCA Unit Business Meeting) **at 6:30pm we will have our “Tuesday Evening Extravaganza! a celebration of our 2020 merger** to include a time of recognizing and honoring our Past Presidents (both TX and OK) whose efforts over the years led up to the merger. BillingTree is our Diamond and lead Sponsor for the conference and the Tuesday Celebration.

**This is a good time to also thank all of our exhibitors and sponsors** whose support helps us to bring in nationally known speakers and to (very importantly) allow us to keep the cost for members to attend at a very reasonable amount. If any of these Exhibitors or Sponsors provide goods or services to your company, please give them a big “Thank You” for their support. If you have a vendor that is not on the list, and they should be at the conference, send their contact information to our Executive Director. More details about the conference can be found beginning on Page 19 and Exhibitor and Sponsor information is on Page 22.

Once again, we are pleased to bring to our readers some very interesting articles. The first of which is the Sales column (page

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# The Times they are a Changing!

By Marc Trezza, President, Search Net Corp.

Many agencies were dissatisfied with anemic sales prior to COVID. Then the pandemic changed B2B sales forever. Even when in-person meetings and events return, virtual selling will remain. Agencies that fail to adapt will pay a heavy price in terms of future growth.

Virtual sales success is just one of the elements that requires new ways of thinking. Collection sales managers and sales reps across all vertical markets (healthcare, education, government, etc.) must adjust to how selling collection services successfully has changed. For example:

What are the 6 Deadly Sins that cause dissatisfaction with an agency, and therefore present opportunities for agencies who understand how to use the sales process to develop solutions that sell (and benefit both the client and the agency)? They are:

- Recovery Rate
- Patient Relations (or Student Relations, Public Relations, etc.)
- Communications between agency and client
- Reporting
- Compliance (Regulatory and Contractual)
- Administrative Burden (Does the agency make more work for the client or less?)

Five of the six are Client Service related – yet most agency sales people talk only about recovery rate (which cannot be controlled or pre-determined) and not the 80% that an agency can control. Statements about out-collecting someone's current agency (even when they don't know who the agency is) destroys credibility. These kinds of unsupported claims are why it is so difficult to get a creditor to take a salesperson's call. It's been going on way too long and creditors say they are simply not going to engage in those kinds of one-sided conversations that they deem to be a complete waste of their time. We can do better.

What is the body of knowledge necessary for a collection salesperson to be successful? In order to engage a prospect in a productive, professional, business discussion about process improvement, better client service, and ultimately increased

revenue – a salesperson has to have complete command of the subject matter. If they are not subject matter experts, why would we expect a creditor to waste time talking to them? What specific things do creditors expect from a collection salesperson in terms of knowledge and behavior?

What negotiation skills are necessary to compete in today's markets? How does solution selling differ from what is essentially telemarketer-canned-sales-pitches? Why one succeeds where the other fails?

Every agency's financial future depends on building and sustaining profitable growth. Attrition happens. Clients get merged or acquired and often go away. Consolidation in healthcare is reducing the number of prospects while costing agencies clients. That is a double-hit that, without a sustainable plan to offset these changes, can be as devastating as it is sometimes unexpected. How does an agency defend itself?

To help you lead your team into this new normal, I will be giving a seminar at the 2022 Southwest Collectors Association Annual Conference & Expo. on Collection Sales Management: "Today's Keys to Collection Sales Success" this seminar is chock-full of tactics and solutions. This seminar will give you ~~those~~ very specific answers to the questions raised above and a way to test your salespeople to see how they stack up against the industry's sales leaders.

These sales strategies and tactics have been proven to work, helping collection agencies resolve the challenges of sales management as well as sales performance. The seminar will reveal ways to overcome virtual selling obstacles and help your reps master true consultative selling skills that I call "Insight Selling."

Can you afford to lose even one sale because your sales efforts were less than the best? This seminar will help you define a plan to do just that. I look forward to seeing you in October!

*Considered the collection industry's leading expert on sales, Marc Trezza has been providing sales management solutions to collection agencies since 1991. He can be contacted at either [snctrezza@mindspring.com](mailto:snctrezza@mindspring.com) or (844) 465-3300.*

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# How “Stay Interviews” Keep the Talent on Your Team

By Alicia Thrasher

In my job, I talk to HR leaders every week. Lately, I’ve noticed that they seem more frustrated than usual—and more tired.

With employees quitting in droves, it’s not hard to see why. A tight labor market translates to a very real (and very expensive) issue for HR: turnover. According to McKinsey, [up to a third](#) of job-quitters put in notice without even having a new job secured.

Every time an employee leaves, it costs their former employer a lot to replace them. The Society for Human Resource Management (SHRM) and Gallup both estimate that cost at between six months and two years of an employee’s salary. If voluntary turnover across a company is mounting into 20, 30, 40, or even 50 percent a year, that comes with a gigantic price tag.

Given this, I’m surprised that more companies aren’t tightly focused on *keeping* the talent they have. That’s a much easier thing to do than to find new talent once they’re gone.

A good retention strategy is multifaceted, but one simple, low-cost tactic can be particularly useful: “stay interviews.” What is a stay interview? Put simply, it’s a discussion between manager and employee designed to surface why the employee might want to leave the company—before they actually do.

Here is a five-step process to follow if you want to hold stay interviews with your team:

First, **schedule 30 to 45 minutes one-on-one with each of your direct reports**. Do include everyone. There are probably one or two people on the team who are the most important to retain—the A-players, the irreplaceable talent—but you can gain “stay insights” from anyone. You also don’t want it getting around that you left certain people out of the exercise.

Second, **explain the purpose to the employee**. You can pitch it like this: *“I’d like to chat with you informally about what’s keeping you at [our company] and how I can help keep you satisfied here.”* It’s helpful to emphasize that this conversation is important but informal. You don’t want the employee to feel like you’re twisting their arm to stay or like you know something and want to squeeze it out of them.

Third, **pick your questions**. I’m a big advocate of going into any one-on-one meeting armed with power questions. Stay interviews are no exception. Below are some examples, and you might customize for each employee based on their personality, responsibilities, and situation.

What is the most fulfilling part of your job here?

What is the most annoying or frustrating part of your job here?

What would make you think about leaving the company?

Do you get enough feedback from me and others?

What’s one thing you wish I did differently as a manager?

Are there any new skills you want to learn?

Are there any new responsibilities you’d like to take on?

As you choose your questions, remember what motivates employees most. It’s not money but instead things like [achievement, recognition, responsibility, and growth](#). Your task is to understand how you—specifically and tangibly—can enhance these motivators for the employee while sweeping away the things that aggravate them. It’s also wise to keep in mind that you, the boss, are probably *the* deciding factor in whether the employee stays or goes. As we often repeat at Manager360, people don’t leave companies; they leave managers.

Fourth, **hold the interviews**. My best advice here is to listen actively. Good listening is something far too few managers do. Repeat back what you hear in your own words.

Now to the final—and most critical—step: **Act on what you heard in the stay interviews**. What needs to change? What will you do? When will you do it? If employees feel the stay interview was just an exercise, there’s no point in taking the time to do them in the first place.

Stay interviews can feel a little awkward for both the employee and the boss, but I encourage you to approach them with excitement and enthusiasm about what you might learn. Once a great employee has a foot out the door, it’s almost impossible to get them back (much less re-engage them). The beauty of the stay interview is that you patch the drip-drip-drip of employee resignations before the problem sets in too deep for remedy.

Alicia Thrasher is the cofounder and CEO of Manager360—a leadership development and software company based in Austin, Texas—and coauthor of [The Manager’s Playbook](#). Manager360 offers dynamic in-person training, a manager-focused app for Microsoft Teams, and one-on-one coaching and other tools, with the goal of making great managers a company’s competitive advantage. If you’re ready to upskill your managers and retain more talent, visit [manager360.com](https://manager360.com) or email [info@manager360.com](mailto:info@manager360.com).



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# Medical Debt's New Regulatory Landscape Requires Industry to Retool Compliance Efforts

By Shannon Miller, Esq

As we move past the halfway point of the 2022 calendar year, medical debt -- an already complicated and tricky receivable -- continues to create new and evolving compliance concerns for the receivables management industry. As an industry, we are forced to adapt. Let's review the events that brought us here:

- **The Jan. 1, 2022, effective date for the federal No Surprises Act ("NSA")**
- **The Consumer Financial Protection Bureau's coinciding bulletins regarding compliance with the Fair Debt Collection Practices Act and the Fair Credit Reporting Act in relation to the NSA as well as the collection and credit reporting of medical debt generally**
- **The big three nationwide consumer reporting agencies' responses as to how medical debt will be reported moving forward.**

Most impactful, the NSA has banned certain billing practices for medical service providers to address the financial impact that "surprise" bills have on consumers. Specifically, the NSA targets billing practices related to emergency treatment and limits what a provider can charge a patient for services which may be out-of-network and also requires that medical providers administer notice to consumers regarding their rights under the NSA as well as provide the consumer with a "good faith" estimate for the costs of treatment. While a provider may ask a consumer to waive their NSA rights under certain circumstances, there are several articulated and specific requirements for same to be effective.

Coinciding with the effective date of the NSA, the CFPB issued a January 2022 bulletin making specific mention of the NSA and reminding the industry of its obligations to comply with the FDCPA and FCRA when servicing medical debt with a stated intention to "closely review the practices of those engaged in the collection or reporting of medical debt." The CFPB also issued a February 2022 report highlighting what it identified as the complicated and burdensome nature of the medical billing system in the United States. The CFPB

reported an estimated \$88 billion in medical debt reflected on consumer credit reports as of June 2021, the majority of which are debts under \$500.

In what was no doubt a reflexive response to the CFPB's particular interest in medical debt, and specifically the perceived negative impact it can have on a consumer's credit, the three nationwide consumer reporting agencies ("NCRAs") issued a statement in March of 2022 identifying several significant policy changes regarding how medical debt will be reported.

Specifically, as of July 1, 2022, defaulted medical debt placed for collections and subsequently paid will no longer be included in a consumer credit report issued by the NCRAs, diverging from what is permitted under the FCRA, which allows for delinquent accounts to be reported for up to seven years, whether it has been paid or not. Unpaid medical debt also will not be reflected in an individual's credit report for one year after becoming delinquent and placed for collections, a significant change from the NCRAs' prior policy of reporting such debt six months after being placed for collections. Further down the road, starting in March of 2023, the NCRAs will also stop including medical debt in consumer credit reports where the amount of the debt being furnished is below \$500.

In a clear warning to the industry, an articulated focus of the CFPB in its February 2022 report is to hold the NCRAs and other reporting companies accountable for the accurate reporting of medical debt and to act against abusive furnishers who routinely report inaccurate information regarding medical debt.

This was fleshed out by the CFPB's March 2022 bulletin which highlighted the most common complaints received regarding medical debt and the bureau's "commitment" to "hold bad actors in the consumer financial services marketplace accountable." Particularly, the most common complaints received were regarding the accuracy of the balance sought for collection and being reported by the NCRAs. In this regard,





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# LEGISLATIVE UPDATE



## Legislative News and Notes

### 2022 Election Key Dates:

Last day to register to vote is October 14th in Oklahoma and October 11th in Texas.

Last day to request an absentee/mail ballot is October 24th in Oklahoma and October 28th in Texas.

Early Voting is from November 2nd to 5th in Oklahoma and October 24th to November 4th in Texas.

### Election Day is November 8th!

### Election Information:

Texas Elections: [www.sos.state.tx.us/elections/index.shtml](http://www.sos.state.tx.us/elections/index.shtml) or [www.ballotpedia.org/Texas\\_elections\\_2022](http://www.ballotpedia.org/Texas_elections_2022)

Oklahoma Elections: [www.ok.gov/elections](http://www.ok.gov/elections) or [www.ballotpedia.org/Oklahoma\\_elections\\_2022](http://www.ballotpedia.org/Oklahoma_elections_2022)

National Election and Legislative Information: [www.ballotpedia.org](http://www.ballotpedia.org).

### Information Sources:

Oklahoma Statewide News: The Oklahoman at: <https://oklahoman.com/>

Texas Statewide News: Texas Tribune at: [www.texastribune.org](http://www.texastribune.org)

National Political News and Opinion: Real Clear Politics at: [www.realclearpolitics.com](http://www.realclearpolitics.com)

### What's Ahead After the Elections?

The Texas Legislature convenes on January 10th for 140 days. Oklahoma runs from February 6th to May 26th. Watch for information on attending the Texas Legislative Day in late February or early March in Austin.

### Be Involved:

First and foremost, vote! Encourage others to vote. Volunteer to help elect candidates you support and provide them with financial support as well. Invite them to your office. They probably don't know what you do; so, show them and educate them on the importance of what you do (returning money to your clients).

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# **SOUTHWEST COLLECTORS ASSOCIATION**

## **2022 ANNUAL CONFERENCE & EXPO**



**OCTOBER 10-12, 2022**  
**THE SHERATON DFW AIRPORT HOTEL**  
**IRVING, TEXAS**

**CONFERENCE INFORMATION**  
**<https://southwestcollectors.org>**

# ***MAKE YOUR PLANS TO ATTEND THE*** **2022 Annual Southwest ACA Conference & Expo**

**Join us as we return to Irving for a Face-to-Face conference at the  
Sheraton DFW Airport Hotel, October 10-12, 2022**



Situated near Dallas-Fort Worth International Airport, the extensively renovated Sheraton DFW Airport Hotel offers travelers to the area convenience, style and substance. After a stress-free arrival via our complimentary 24/7 airport shuttle, attendees will settle into our well-designed, modern accommodations and benefit from an array of excellent onsite amenities you would more likely expect from a destination hotel. The hotel features self-parking at no cost.

**Our Room Block is now open and available. The conference room rate is \$129/night (single or double). The room block is limited to a certain number of rooms that are available so make your reservation soon. You will find the information for your online reservation link below.**

## **Southwest Collectors Association 2022 Conference & Expo**

**Start Date: Saturday, October 8, 2022**

**End Date: Thursday, October 13, 2022**

**Last Day to Book: Tuesday, September 27, 2022**

**[Book your group rate for Southwest Collectors Association 2022 Conference](#)**

**Program and Speaker information will be available in Summer, 2022.**

**As we did previously, our Exhibit Hall will feature 29 outstanding companies who will share with you the latest in products and services designed for our industry.**

**Mark the dates on your calendar.**

**If you are looking for quality education with nationally recognized instructors  
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# 2022 Southwest ACA Conference & Expo as of 8/26/22

## PRE-CONFERENCE EDUCATION - draft

### Monday, October 11

8:00 am	Registration Opens for Special Educational Sessions .....	SWCA Staff
9:00 am	Collection Sales Management, "Keys to Success" with Marc Trezza .....	Galleria 1
NOON	Session Concludes – Lunch is available seminar attendees attending the Conference .....	The Social

## CONFERENCE SESSIONS (Tentative)

### Monday, October 11

1:00 pm	Opening Session, Welcome and Recognitions.....	SWCA President Hearn
1:30 pm	Keynote .....Sponsored by AccountsRecovery.Net .....	Mike Gibb
2:15 pm	Session – 1 .....	TBD
3:00 pm	Session – 2 .....	TBD
3:45 pm	Session – 3 .....	TBD
4:30 pm	Break as Hotel Staff Prepares for the Opening Reception.....	Ballroom/Exhibit Hall
5:00 pm	Opening Reception in the Exhibit Hall.....	SWCA President/Board
5:30 pm	Bottle (Silent) Auction begins.....	Auctioneer TBD
7:00 pm	Opening Reception end.....	Special Event Begins
7:00 pm	Casino Night with food and drink + Prizes.....Sponsored by Payment Savvy .....	Ends at 10:00 pm

### Tuesday, October 12

7:30 am	Breakfast with the Exhibitors.....	Exhibit Hall
8:30 am	First Morning session .....	TBD
9:15 am	Second Morning session – Cybersecurity – “Hacking ARM Agencies” .....	DKBInnovative and the FBI
10:15 am	Break in the Exhibit Hall	
10:30 am	Third Morning session – “AI in Collections – Really .....	John Bedard
11:15 am	Fourth Morning session – “Payment Processing – Not what it used to be .....	John Bedard
Noon	Lunch in the Exhibit Hall with the Exhibitors Sponsored by EFT Network	
1:00 pm	First Afternoon Session – “Analytics – Things You Don’t Know Can Help You .....	John Bedard
1:45 pm	Second Afternoon Session – “Electronic Communications – Are you Listening?” .....	John Bedard
2:30 pm	<b>Women in Collections meet &amp; greet.Galleria 1</b>	
2:30 pm	Break in the Exhibit Hall with the Exhibitors	
3:15 pm	Third Afternoon Session .....	TBD
4:00 pm	Fourth Afternoon Session .....	TBD
4:45 pm	ACA CEO and President Elect .....	Scott Purcell/David Williams
5:30 pm	Annual Unit Business Meeting.....	President Hearn
6:30 pm	Tuesday Evening Extravaganza! And Recognitions.....Sponsored by BillingTree .....	Galleria 3 & 4

### Wednesday, October 13

8:00 am	Breakfast with the Exhibitors in the Exhibit Hall Plus New Officer/Director Installation.....	David Williams
9:00 am	First Morning Session – “Hidden in Plain Sight .....	Kelli Krueger/Dennis Barton
10:00 am	Second Morning Session .....	TBD
11:00 am	Morning Break in the Exhibit Hall <b>with Exhibitor prize drawings</b>	
11:45 am	Conference Wrap-up/Q&A Session with Speakers/ <b>Stay-to-the-end Prize Drawing .....</b>	<b>Exhibit Hall</b>
12:30 pm	Conference concludes – Thank you for attending .....	President Willis

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CompuMail – Associate Member

Connect International, LLC – Associate Member (Not exhibiting)  
Bronze Sponsor-Conference Totes

EFT Network – Associate Member a Gold Sponsor  
And Tuesday Lunch Sponsor

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Finvi – Associate Member

Focus 1 Data – Associate Member

Intelligent Contacts - Exhibitor

Matrix Imaging – Associate Member

NobelBiz – Associate Member

Nuvei – New Exhibitor

Pathfinder – Associate Member (Not exhibiting)

Payment Savvy – Associate Member our Platinum Sponsor  
and Casino Night Sponsor

Pay N Seconds – New Exhibitor

Renkim – Associate Member

RevSpring – Associate Member

SearchNet Corp – Associate Member (Not Exhibiting)

Solutions by Text – Associate Member and Bronze Sponsor  
Texting and Technology Sponsor

TCN, Inc. – Associate Member

TEC Services Group - Exhibitor

Web Recon - Exhibitor

This listing is current as of August 25, 2022.  
For up-to-date information or to register as an exhibitor or sponsor,  
go here: <https://www.southwestcollectors.org>

## **IMPORTANT NOTICE**

### **Regarding an Upcoming Meeting of the Board of Directors to be Held in Conjunction with the 2022 Southwest ACA Conference & Expo**

President Scott Hearn has called for a meeting of the Southwest Collectors Association Board of Directors to convene at 5:00 pm on Sunday, October 9, 2022 at the Sheraton DFW Airport Hotel, 4440 W. John Carpenter Fwy., Irving, Texas. The Board of Directors meeting is open to all Southwest Collectors Association members. If you plan on attending, please notify us by email no later than Monday, October 3, 2022.

SWCA invites all of its members to consider how you can help your Association through volunteering to serve as an officer, director or committee member. For further information, please contact our Executive Director, Tom Morgan. He can be reached at either (903) 530-4040 or email at [tmorgan@texascollectors.com](mailto:tmorgan@texascollectors.com).

## **IMPORTANT NOTICE**

### **Regarding the Annual Unit Business Meeting to be Held in Conjunction with the 2022 Southwest ACA Conference & Expo**

The Annual Membership Meeting for the Southwest Collectors Association will be held at 5:30 pm on Tuesday, October 11th in the Grand Ballroom/Exhibit Hall at the Sheraton DFW Airport Hotel in Irving, Texas. The agenda will include all business submitted for the membership's consideration including the election of officers and directors.

*All SWCA Members are encouraged to attend.*

Your Association needs and welcomes the active participation of all of its members. Please consider how you can help your Association through volunteering to serve as an officer, director or committee member. For further information, please contact our Executive Director, Tom Morgan. He can be reached at either (903) 530-4040 or email at [tmorgan@texascollectors.com](mailto:tmorgan@texascollectors.com).



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Providing Educational Opportunities is a Key Component of the Mission of a Trade Association. We are committed to assisting members with training issues, as well as coordinating professional skills development and training programs sponsored by ACA International. It is our goal to ensure that our Annual Conference brings together nationally recognized speakers and subject matter experts to present the most up-to-date information regarding the issues facing our members.

If you would like local area training, we can assist with that as well. We are here to assist our members in accessing the finest training available. We look forward to serving you.

Campus ACA is the umbrella organization for ACA International's diverse professional and educational certification programs for collectors and agencies. Some upcoming educational opportunities (partial list):

<u>Date</u>	<u>Event</u>	<u>Location/Type</u>
8/25	In the Alphabet Soup	Online
8/30	Medical Collections	Online
9/8	WIC – Water Cooler Chat	Online
9/12 - 14	Trainer Specialist Designation Workshop	Online
9/20	Collecting More Payments Online	Online
9/28	Authentic Persuasion – Part 1	Online
9/29	Exceptional Leadership	Online
10/10 - 12/22	SWCA Annual Conference & Expo	Irving, TX
10/18	Will They Stay...or Go?	Online
10/20	Authentic Persuasion – Part 2	Online
11/2 - 4	Fall Forum	Chicago
11/18	Documentation Must Haves	Online
Wednesdays	Don't Miss the Weekly "HUDDLE" With ACA Staff and invited guests	11a CT

For more information and a complete listing of these educational opportunities, visit [www.acainternational.org](http://www.acainternational.org) or contact the Education Department at 800-269-1607.

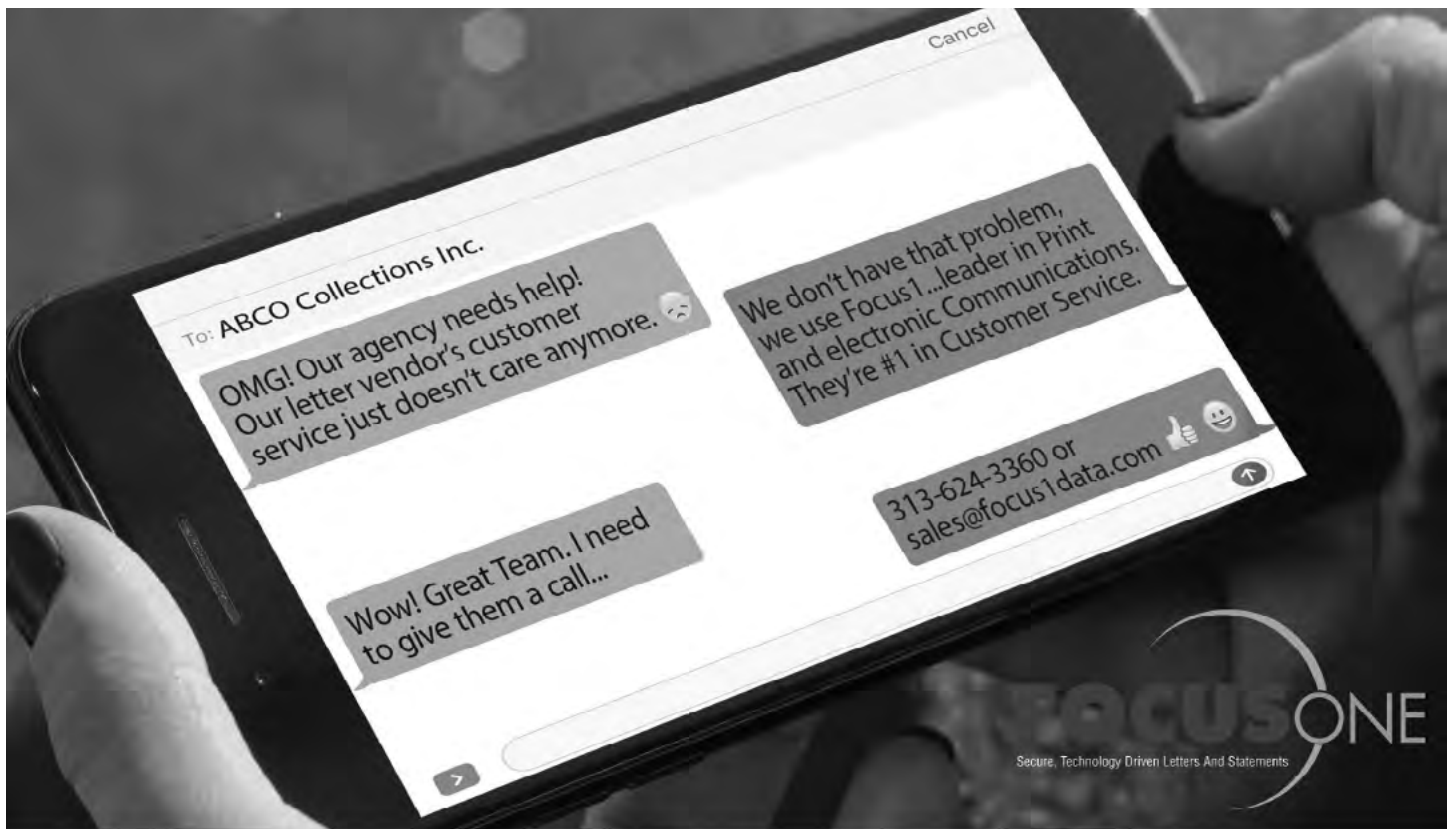
**Please let us know how we can better serve your education and training needs!**

**Southwest Collectors Association (SWCA) Urges all members to seriously consider attending our Annual Conference and Expo:**

**The Educational Content includes; Reg F, Compliance, Medical Debt, Payment Processing, New Technologies, Debtor Communication, Collector Improvement, Communication Strategies, Litigation Updates and Best Ideas Roundtables with Harry Strausser! There is something for everyone and not to be missed!**

**ACA will continue to hold online meetings and the weekly Huddle to cover member issues. Watch for those opportunities! They will be helpful!**





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# CollectPAC NEWS

This industry is certainly not for the faint of heart or anyone who is not open to adaptation. But if there is one thing that remains a constant, it is that legislators are continually trying to regulate, and often constrict our ability to operate our businesses. Reg F and Nevada's certified mail requirement are a few of the newest challenges we are facing. And then add the continual attacks from predatory plaintiff attorneys and we find ourselves constantly pivoting to dodge the attacks.

As we all have made varying degrees of a pivot in our business operations, we must also make a pivot regarding our PAC and our legislative efforts, both as an industry and as an association. This is not intended to be a political statement in favor of, or against either Democrats or Republicans. However, the control over the White House and both houses of Congress does give a strong foothold for those who have our industry in their legislative sights. And for this reason, we must pivot our legislative efforts to become more offensive, as opposed to defensive. Such a plan requires more financial contributions to the PAC and more communications to all legislators, not just our industry-friendly legislators. **It is critical that we all contribute to the PAC and then also voice our concerns to legislators.** If we don't, they most likely will not realize the potentially damaging effects of a bill's unintended consequences. **An important election is coming in November, KNOW YOUR CANDIDATES and VOTE WISELY!**

We desperately need everyone to consider giving, or to consider giving more if you've already made a contribution. For many of us, cash flow has been impaired due to COVID-19, but the likelihood of potentially-damaging legislation being introduced in the upcoming legislative session has increased.

The members noted below have already made a generous contribution to our CollectPAC fund. **But our fund is virtually out of money, so PLEASE HELP us further our industry efforts by contributing to the PAC today!**

## 2021 - 2022 MEMBER HONOR ROLL

\$1,000+ <b>Diamond</b>	\$500+ <b>Platinum</b>	\$250+ <b>Gold</b>	\$100+ <b>Silver</b>	\$100+ <b>Silver</b>	\$50+ <b>Bronze</b>
	Jessica & Scott Hearn Stephanie Rifenberg		Greg Mason	Paul Nagy Barbara Garner	Tom Morgan Laura Chapman

**To reach our goal, we need support from every member!** Please mail your personal check or credit card contribution to our Association office at 305 S Broadway, Suite 706, Tyler, Texas 75702. Even though it is not a secure transmission, you may also scan and email your credit card contributions to our association office at: [info@texascollectors.com](mailto:info@texascollectors.com). **Please remember that PAC contributions cannot be made using a company check or credit card.**

Thank you for helping in our efforts to promote and protect our industry!



Greg Mason  
Chair, CollectPAC Trustees



## American Collectors Association of Texas Political Action Committee CollectPAC Contribution & Pledge Card

### Member Contribution Levels

**Diamond-\$1,000**

**Platinum-\$500**

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**Bronze-\$50**

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For more information or to establish a monthly or quarterly payment schedule, contact Tom Morgan at 512-458-8666 or [tmorgan@texascollectors.com](mailto:tmorgan@texascollectors.com) **State law prohibits corporate checks.** Mail your check and this pledge card to: ACA of Texas CollectPAC, 305 South Broadway, Suite 706, Tyler, TX 75702

## REPORT ON THE 2022 ACA INTERNATIONAL CONVENTION

The first event at the Convention was the Wednesday morning meeting of the Council of Delegates. Southwest Collectors Association was represented by our Delegates; Stephanie Rifenberg and Carrie Finney. Greg Mason was unable to attend due to some personal business conflicts. Our thanks go out to Darlene Mead who volunteered to serve as our Alternate Delegate. Council of Delegates members have three primary duties at the convention; first is to hear and approve (as necessary) reports from the ACA Staff and from the Treasurer, the President and the CEO.

The Delegates second duty is to elect the new Board of Directors members. Re-elected for another 3-year term were incumbents; Christian Lehr, Greg Swersky, and Tim Haig. Harry Strausser III was elected to a 3-year term and Stephen Laws was elected to a 2-year term.



**Front Row L-R:** Dennis Barton, Christian Lehr, Brian Watkins, David Williams, Courtney Reynaud, Jennifer Whipple, Harry Strausser III, Anita Manghisi **Back Row L-R:** Scott Purcell, Stephen Laws, Jacob Corlyon, Ronna Denny, Tim Haig, Greg Swersky, LaDonna Bohling, Michael Klutho, Kevin Baich

Finally, the Delegates also approved some very important changes to the ACA International Bylaws. The changes address; Chapters and Council of Delegates Representation, Board of Directors Size Change, they approved a new Leadership Development Committee, Bylaw Amendment Authority, and they voted to allow Outside Directors to possibly join the Board. These are very significant changes and we would urge our members to read them. The details can be found here: <https://www.acainternational.org/member-alert/acas-council-of-delegates-approves-bylaw-amendments/>.



**Left to Right:** Michael Klutho, Treasurer; David Williams, President Elect; Courtney Reynaud, President and Scott Purcell, CEO

After the Council of Delegates meeting ended, the newly elected Directors joined with the other Directors and held a quick meeting along with a 'photo op' of the new Board. The board also elected one of their members to be the new Treasurer (Michael Klutho) and the next President Elect (David Williams).

There was good representative representation at the Convention by almost 50 folks from Texas and Oklahoma. And, as usual, our Executive Director was able to once again 'prospect' for potential exhibitors at our October conference. Next year's Annual Convention will be in July in Chicago.



9) by Marc Trezza. We are also happy to announce that Marc will be joining us at the conference and he is presenting a not-to-be-missed sales management seminar on Monday, October 10 from 9a to Noon with registration beginning at 8am. Want to encourage and motivate your sales staff (or yourself), then make plans to attend this valuable training seminar. More details will be forthcoming in the near future.

Nope, I did not forget the other articles. Tired of losing talented employees? Read Alisha Thrasher's article on "Stay Interviews" on page 11. On page 13 you will find a great summary of some medical debt issues in Shannon Miller's article discussing the "Regulators and Medical Debt."

**For ACA member readers, see page 29 for a summary "Report on the 2022 ACA International Convention."** During the Council of Delegates meeting on Wednesday morning, the Delegates elected five Directors to the ACA Board of Directors and they approved some very significant changes to the ACA International Bylaws. The Bylaws changes are summarized in this article and there is a link to more detailed information on the ACA International website.

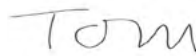
**GOOD, No, GREAT NEWS!** We are hopeful that by the end of this week our NEW SWCA website will be fully operational! Go here to see it: <https://southwestcollectors.org>.

Got comments, questions or concerns regarding this issue, the articles or other material included? Feel free to send me an email. We welcome **"Letters to the Editor"** especially regarding a topic you would like to see addressed.

As always, thank you for allowing me the privilege to serve as your Executive Director. If I can assist you in any way, please do not hesitate to give me a call or send me an email.

I look forward to seeing each of you (face-to-face) sometime in 2022, like at our Conference in October, if not before

Sincerely,



Tom Morgan,  
Executive Director

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the CFPB's impression of the complaints received is that they "strongly suggest that many medical bills reported on credit reports are disputed, inaccurate, or not owed."

The fallout for the industry is enhanced scrutiny regarding the accuracy of account information, in particular the balances being collected and reported, which will undoubtedly become more troublesome due to the application of the NSA. Medical debt can already be a complex receivable, especially with the instability of account balances due to many factors that are in most instances out of the hands of the members of the industry who service medical debt and are instead a direct result of the providers' (your clients') billing and compliance practices. From the perspective of compliant collections and data furnishing, all these elements create the potential for uncertainty in the accuracy of your account data.

Specifically, the NSA outlines new provider requirements which will create more avenues by which a consumer may challenge the accuracy of an account balance. Were they billed properly? Were they provided notice of their NSA rights? Did they waive their rights? Was any waiver in compliance with the NSA? Did they receive a "good faith" estimate of the likely costs of services? Already a potentially unstable receivable from this perspective, the NSA's requirements may very well make accurate medical debt account information a moving target. In this regard, too, the NCRAs' policy changes regarding the reporting of medical debt certainly have the potential to create unintended compliance consequences by providing consumers additional bases to dispute and challenge that which you furnish as well as that which is ultimately reported.

For self-preservation, it is important to not only understand the requirements of the NSA but also to discuss with the providers on whose behalf you collect what steps they are taking to ensure their compliance with the NSA, including the consistency with which their policies will be applied as well as how they plan to document and record-keep their compliance efforts.

Your policies should reflect the steps you take in light of the NSA to ensure that the data you receive and the receivables you collect upon are as accurate as possible. So, too, should your policies reflect the changes announced by the NCRAs

so that your furnishing habits are consistent with how the NCRAs anticipate medical debts will be reported. It will be important in this regard to identify on what basis a consumer may now dispute either a debt balance or the information regarding the balance that you are furnishing and update your staff training consistent therewith, with specific focus on notices/prompts/communications/comments/etc. that should trigger a dispute flag and/or an investigation as to the veracity of your data.

Given the strong stance the CFPB has taken regarding medical debt, the failure to update your operations will not only subject you to consumer suits but also put you potentially in the crosshairs of regulatory action. While the NSA and the changes to the NCRAs' reporting policies create new difficulties for the industry, with the correct focus, understanding and policy development, the industry can continue to maintain compliant medical debt collection practices. The attorneys at Maurice Wutscher LLP will continue to monitor the spotlighted issue of medical debt and will be prepared to provide guidance as the landscape changes regarding how medical debt is being regulated.

*Shannon Miller is based in Maurice Wutscher's Pennsylvania office, where he focuses his practice on various aspects of financial services law, with an emphasis on consumer financial services litigation. He has successfully represented financial institutions and law firms throughout the country for claims filed under the Fair Debt Collection Practices Act, Fair Credit Reporting Act, and various state consumer protection statutes. Shannon has first-chaired more than 100 trials. He is a former prosecutor for the Delaware County Office of the District Attorney, where he investigated and prosecuted white-collar crimes, and other felonies. For more information, see <https://mauricewutscher.com/attorneys/shannon-p-miller/>*

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### Index to Advertisers

ACA .....	32
Applied Innovation .....	4
ArtJam Productions, Inc .....	30
Billing Tree .....	8
CompuMail .....	18
Connect International .....	25
EFT Network.....	16
Finexus.....	35
Finvi.....	14
Focus 1 Data.....	27
Matrix Printing Solutions .....	12
NobelBiz .....	17
Pathfinder .....	33
Payment Savvy .....	6
Renkim.....	24
RevSpring .....	2
Search Net.....	10
TCN, INC.....	36



### Membership Event Postings

The SWCA Southwest Collector Connector will post member announcements for anniversaries, birthdays, graduations, weddings or other significant events that occur in the lives of our members. Since this is a quarterly publication, the announcements can be in the recent past or in the future.

Please send all announcements to [tmorgan@texascollectors.com](mailto:tmorgan@texascollectors.com) and, if possible, they will be published in the next issue to be published. Include your name and a contact phone number.

### Letters to the Editor

Letters [or emails] to the Editor are welcome but must be signed, please include full name and address. Not all letters can be published. Letters that are published may be edited for space, brevity, clarity and other editorial considerations.

We look forward to your constructive criticism; let us know if there is anything in particular you would like to see us address. We appreciate the opportunity to hear from our readers.

*Unfortunately, there are no letters this quarter.*



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