

1                                   A bill to be entitled  
 2           An act relating to dentists and dental hygienists;  
 3           amending s. 766.1115, F.S.; revising the definition of  
 4           the term "contract"; requiring that a contract with a  
 5           governmental contractor for health care services  
 6           include a provision allowing a voluntary contribution  
 7           toward certain dental laboratory work; providing that  
 8           the contribution may not exceed the actual amount of  
 9           the dental laboratory charges; providing an effective  
 10          date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Paragraph (a) of subsection (3) of section  
 15   766.1115, Florida Statutes, is amended, and paragraph (g) is  
 16   added to subsection (4) of that section, to read:

17           766.1115 Health care providers; creation of agency  
 18   relationship with governmental contractors.—

19           (3) DEFINITIONS.—As used in this section, the term:

20           (a) "Contract" means an agreement executed in compliance  
 21   with this section between a health care provider and a  
 22   governmental contractor which allows. ~~This contract shall allow~~  
 23   the health care provider to deliver health care services to low-  
 24   income recipients as an agent of the governmental contractor.  
 25   The contract must be for volunteer, uncompensated services,  
 26   except as provided in paragraph (4) (g). For services to qualify  
 27   as volunteer, uncompensated services under this section, the  
 28   health care provider must receive no compensation from the

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29 governmental contractor for any services provided under the  
30 contract and must not bill or accept compensation from the  
31 recipient, or a any public or private third-party payor, for the  
32 specific services provided to the low-income recipients covered  
33 by the contract.

34 (4) CONTRACT REQUIREMENTS.—A health care provider that  
35 executes a contract with a governmental contractor to deliver  
36 health care services on or after April 17, 1992, as an agent of  
37 the governmental contractor is an agent for purposes of s.  
38 768.28(9), while acting within the scope of duties under the  
39 contract, if the contract complies with the requirements of this  
40 section and regardless of whether the individual treated is  
41 later found to be ineligible. A health care provider under  
42 contract with the state may not be named as a defendant in any  
43 action arising out of medical care or treatment provided on or  
44 after April 17, 1992, under contracts entered into under this  
45 section. The contract must provide that:

46 (g) As an agent of the governmental contractor for  
47 purposes of s. 768.28(9), while acting within the scope of  
48 duties under the contract, a health care provider licensed under  
49 chapter 466 may allow a patient or a parent or guardian of the  
50 patient to voluntarily contribute a monetary amount to cover  
51 costs of dental laboratory work related to the services provided  
52 to the patient. This contribution may not exceed the actual cost  
53 of the dental laboratory charges.

54  
55 A governmental contractor that is also a health care provider is  
56 not required to enter into a contract under this section with

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57 | respect to the health care services delivered by its employees.

58 |       Section 2. This act shall take effect July 1, 2014.