

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Energy & Utilities
 2 Subcommittee

3 Representative Perez offered the following:

4

5 **Amendment**

6 Remove lines 44-182 and insert:

7 include the standard certification form adopted by rule of the
 8 commission. Each electric utility shall annually provide a
 9 written explanation of the certification process for medically
 10 essential electric service to each residential utility customer:

11 1. When the customer opens an account for electric service
 12 with the electric utility; and

13 2. At least semi annually, either by means of a written
 14 bill insert or, if the customer has provided contact information
 15 to receive electronic communications from the electric utility,
 16 by electronic means.

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17 (b) Certification ~~that~~ ~~of~~ a customer's electricity needs
18 ~~are~~ ~~as~~ medically essential requires the customer ~~to complete~~
19 ~~forms supplied by the public utility and~~ to submit to the
20 utility a completed certification in a standard form adopted by
21 rule of the commission, which includes medical certification
22 ~~form completed~~ by a health care practitioner ~~physician licensed~~
23 ~~in this state pursuant to chapter 458 or chapter 459~~ which
24 states in medical and nonmedical terms why the electric service
25 is medically essential and specifies the time period for which
26 the electric service is expected to remain medically essential.
27 The certification shall not extend beyond 60 months.

28 Falsification of such the ~~False~~ certification ~~of medically~~
29 ~~essential service by a physician~~ is a violation of s.
30 458.331(1)(h), ~~or~~ s. 459.015(1)(i), or s. 464.018(1)(f).

31 (c) ~~(b)~~ Medically essential service must ~~shall~~ be
32 recertified at the expiration of the time period specified in
33 the certification or once every 12 months after certification,
34 whichever is later. The electric ~~public~~ utility shall send the
35 ~~certified~~ customer by regular mail, or by e-mail if the customer
36 has provided the utility his or her e-mail address, a package of
37 recertification materials, including recertification forms, at
38 least 60 ~~30~~ days prior to the expiration of the customer's
39 certification. The materials shall advise the ~~certified~~ customer
40 that he or she must complete and submit the recertification
41 forms within 30 days after the expiration of the customer's

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42 existing certification. If the recertification forms are not
43 received within this 30-day period, the electric ~~public~~ utility
44 may terminate the customer's certification.

45 (4) Each electric ~~public~~ utility must ~~shall~~ certify a
46 customer's electric service as medically essential if the
47 customer completes the requirements of subsection (3).

48 (5) Notwithstanding any other provision of this section,
49 an electric ~~a public~~ utility may disconnect service to a
50 residence whenever an emergency may threaten the health or
51 safety of a person, the surrounding area, or the electric ~~public~~
52 utility's distribution system. The electric ~~public~~ utility shall
53 act promptly to restore service as soon as feasible.

54 (6) A customer whose electric service is certified as
55 medically essential under this section is entitled, at a
56 minimum, to the same time period for payment of bills that
57 applies to all other residential customers served by the
58 electric utility but no less than 20 days from the date the bill
59 is mailed or delivered by the utility. If payment or
60 satisfactory payment arrangements have not been made within the
61 specified time period, the electric utility may schedule
62 disconnection of service for nonpayment of bills. Prior to a
63 scheduled disconnection of service for nonpayment of bills, the
64 electric utility shall provide, in addition to any notice
65 provided in the utility's normal course of business, the
66 following notice to a customer whose electric service is

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67 certified as medically essential under this section:

68 (a) No later than 15 days prior, and again no later than 7
69 days prior, 24 hours before any scheduled disconnection of
70 service for nonpayment of bills to a customer who requires
71 medically essential service, the electric a public utility shall
72 attempt to contact the customer by telephone in order to provide
73 notice of the scheduled disconnection and shall provide such
74 notice in writing, including by electronic means if the customer
75 has provided contact information to receive electronic
76 communications from the utility.

77 (b) If the customer does not have a telephone number
78 listed on the account or if the electric public utility cannot
79 reach the customer or other adult resident of the premises by
80 telephone by the specified time, the electric public utility
81 shall send a representative to the customer's residence to
82 attempt to contact the customer, no later than 2 4 p.m. of the
83 business days day before the scheduled disconnection. If contact
84 is not made, however, the electric public utility must may leave
85 written notification at the residence advising the customer of
86 the scheduled disconnection and shall provide such notice by
87 electronic means if the customer has provided contact
88 information to receive electronic communications from the
89 utility.

90
91 Thereafter, the electric public utility may disconnect service

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92 on the scheduled disconnection ~~specified~~ date if payment to the
93 electric utility has not been made or satisfactory payment
94 arrangements with the electric utility have not been made.

95 (7) Each electric ~~public~~ utility customer who requires
96 medically essential service is responsible for making
97 satisfactory arrangements with the electric ~~public~~ utility to
98 ensure payment for such service, and such arrangements must be
99 consistent with the requirements of the utility's tariff.

100 (8) Each electric ~~public~~ utility customer who requires
101 medically essential service is solely responsible for any backup
102 equipment or power supply and a planned course of action in the
103 event of a power outage or interruption of service.

104 (9) Each electric ~~public~~ utility that provides electric
105 service to any customer whose electric service is certified as
106 medically essential pursuant to this section ~~who requires~~
107 ~~medically essential service~~ shall call, contact, or otherwise
108 advise such customer of scheduled service interruptions.

109 (10) (a) Each electric ~~public~~ utility shall provide
110 information on sources of state or local agency funding which
111 may provide financial assistance to the ~~public~~ utility's
112 customers who require medically essential service and who notify
113 the ~~public~~ utility of their need for financial assistance.

114 (b)1. Each electric ~~public~~ utility that operates a program
115 to receive voluntary financial contributions from the ~~public~~
116 utility's customers to provide assistance to persons who are

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117 unable to pay for the ~~public~~ utility's services shall maintain a
118 list of all agencies to which the ~~public~~ utility distributes
119 such funds for such purposes and shall make the list available
120 to any such person who requests the list.

121 2. Each public utility that operates such a program shall:

122 a. Maintain a system of accounting for the specific
123 amounts distributed to each such agency, and the public utility
124 and such agencies shall maintain a system of accounting for the
125 specific amounts distributed to persons under such respective
126 programs.

127 b. Train its customer service representatives to assist
128 any person who possesses a medically essential certification as
129 provided in this section in identifying such agencies and
130 programs.

131 (11) Nothing in this act shall form the basis for any
132 cause of action against an electric a ~~public~~ utility. Failure to
133 comply with any obligation created by this act does not
134 constitute evidence of negligence on the part of the electric
135 ~~public~~ utility.

136 Section 2. Section 456.45, Florida Statutes, is created to
137 read:

138 456.45 Certification of medically essential electric
139 service.-

140 (1) As used in this section, the term "health care
141 practitioner" means a physician or physician assistant licensed

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142 under chapters 458 or 459 or an advanced registered nurse
143 practitioner licensed under chapter 464.

144 (2) A health care practitioner who determines that a
145 patient may be at risk of loss of life or immediate
146 hospitalization if the patient were to lose electric service at
147 the patient's residential service address shall inform the
148 patient of the right to obtain certification under the medically
149 essential electric service program provided by the patient's
150 electric utility pursuant to s. 366.15, and provide the patient
151 a written copy of the law.

152 (3) Upon the request of such a patient, the health care
153 practitioner must provide the
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