

26 physician assistant licensed under chapter 458 or chapter 459 or
27 an advanced registered nurse practitioner licensed under chapter
28 464.

29 (b) "Medically essential" means the medical dependence on
30 electric-powered equipment that must be operated continuously or
31 as circumstances require as specified by a health care
32 practitioner ~~physician~~ to avoid the loss of life or immediate
33 hospitalization of the customer or another permanent resident at
34 the residential service address.

35 (2) Each electric ~~public~~ utility shall designate employees
36 who are authorized to direct an ordered continuation or
37 restoration of medically essential electric service. An electric
38 ~~A public~~ utility shall not impose upon any customer any
39 additional deposit to continue or restore medically essential
40 electric service.

41 (3) (a) Each electric ~~public~~ utility shall post on its
42 website a written explanation of the certification process for
43 obtaining medically essential electric service. The website must
44 include the standard certification form adopted by rule of the
45 commission. Each electric utility shall ~~annually~~ provide a
46 written explanation of the certification process ~~for medically~~
47 ~~essential electric service~~ to each residential utility customer:

48 1. When the customer opens an account for electric service
49 with the electric utility; and

50 2. At least semiannually, either by means of a written

51 bill insert or, if the customer has provided contact information
 52 to receive electronic communications from the electric utility,
 53 by electronic means.

54 (b) Certification that ~~of~~ a customer's electricity needs
 55 are ~~as~~ medically essential requires the customer ~~to complete~~
 56 ~~forms supplied by the public utility and to submit to the~~
 57 utility a completed standard certification form adopted by rule
 58 of the commission, which includes medical certification form
 59 ~~completed by a health care practitioner that physician licensed~~
 60 ~~in this state pursuant to chapter 458 or chapter 459 which~~
 61 states in medical and nonmedical terms why the electric service
 62 is medically essential and specifies the time period for which
 63 the electric service is expected to remain medically essential.
 64 The certification may not extend beyond 60 months. Falsification
 65 of the ~~False~~ certification ~~of medically essential service by a~~
 66 ~~physician~~ is a violation of s. 458.331(1)(h), or s.
 67 459.015(1)(i), or s. 464.018(1)(f).

68 (c) ~~(b)~~ Medically essential service must ~~shall~~ be
 69 recertified at the expiration of the time period specified in
 70 the certification or once every 12 months after certification,
 71 whichever is later. The electric ~~public~~ utility shall send the
 72 certified customer by regular mail, or by e-mail if the customer
 73 has provided the utility his or her e-mail address, a package of
 74 recertification materials, including recertification forms, at
 75 least 60 ~~30~~ days prior to the expiration of the customer's

76 certification. The materials shall advise the ~~certified~~ customer
77 that he or she must complete and submit the recertification
78 forms within 30 days after the expiration of the customer's
79 existing certification. If the recertification forms are not
80 received within this 30-day period, the electric ~~public~~ utility
81 may terminate the customer's certification.

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

85 (5) Notwithstanding any other provision of this section,
86 an electric ~~a public~~ utility may disconnect service to a
87 residence whenever an emergency may threaten the health or
88 safety of a person, the surrounding area, or the electric ~~public~~
89 utility's distribution system. The electric ~~public~~ utility shall
90 act promptly to restore service as soon as feasible.

91 (6) A customer whose electric service is certified as
92 medically essential under this section is entitled, at a
93 minimum, to the same time period for payment of bills that
94 applies to all other residential customers served by the
95 electric utility but no fewer than 20 days after the date the
96 bill is mailed or delivered by the utility. If payment or a
97 satisfactory payment arrangement has not been made within the
98 specified time period, the electric utility may schedule
99 disconnection of service for nonpayment of the bill. Before a
100 scheduled disconnection of service for nonpayment of a bill, the

101 electric utility shall provide, in addition to any notice
102 provided in the utility's normal course of business, the
103 following notice to a customer whose electric service is
104 certified as medically essential under this section:

105 (a) No later than 15 days, and again no later than 7 days,
106 prior 24 hours before any scheduled disconnection of service for
107 nonpayment of bills to a customer who requires medically
108 essential service, the electric a public utility shall attempt
109 to contact the customer by telephone in order to provide notice
110 of the scheduled disconnection and shall provide such notice in
111 writing, including by electronic means if the customer has
112 provided contact information to receive electronic
113 communications from the utility.

114 (b) If the customer does not have a telephone number
115 listed on the account or if the electric public utility cannot
116 reach the customer or other adult resident of the premises by
117 telephone by the specified time, the electric public utility
118 shall send a representative to the customer's residence to
119 attempt to contact the customer, no later than 2 4 p.m. of the
120 business days day before the scheduled disconnection. If contact
121 is not made, however, the electric public utility must may leave
122 written notification at the residence advising the customer of
123 the scheduled disconnection and shall provide such notice by
124 electronic means if the customer has provided contact
125 information to receive electronic communications from the

126 utility.

127

128 Thereafter, the electric ~~public~~ utility may disconnect service
129 on the scheduled disconnection ~~specified~~ date if payment to the
130 electric utility or a satisfactory payment arrangement with the
131 electric utility has not been made.

132 (7) Each electric ~~public~~ utility customer who requires
133 medically essential service is responsible for making
134 satisfactory arrangements with the electric ~~public~~ utility to
135 ensure payment for such service, and such arrangements must be
136 consistent with the requirements of the utility's tariff.

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

141 (9) Each electric ~~public~~ utility that provides electric
142 service to any customer whose electric service is certified as
143 medically essential pursuant to this section ~~who requires~~
144 ~~medically essential service~~ shall call, contact, or otherwise
145 advise such customer of scheduled service interruptions.

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

151 (b)1. Each electric ~~public~~ utility that operates a program
 152 to receive voluntary financial contributions from the ~~public~~
 153 utility's customers to provide assistance to persons who are
 154 unable to pay for the ~~public~~ utility's services shall maintain a
 155 list of all agencies to which the ~~public~~ utility distributes
 156 such funds for such purposes and shall make the list available
 157 to any such person who requests the list.

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

159 a. Maintain a system of accounting for the specific
 160 amounts distributed to each such agency, and the ~~public~~ utility
 161 and such agencies shall maintain a system of accounting for the
 162 specific amounts distributed to persons under such respective
 163 programs.

164 b. Train its customer service representatives to assist
 165 any person who possesses a medically essential certification as
 166 provided in this section in identifying such agencies and
 167 programs.

168 (11) Nothing in this act shall form the basis for any
 169 cause of action against an electric ~~a public~~ utility. Failure to
 170 comply with any obligation created by this act does not
 171 constitute evidence of negligence on the part of the electric
 172 ~~public~~ utility.

173 Section 2. Section 456.45, Florida Statutes, is created to
 174 read:

175 456.45 Certification of medically essential electric

176 service.-

177 (1) As used in this section, the term "health care
178 practitioner" means a physician or physician assistant licensed
179 under chapter 458 or chapter 459 or an advanced registered nurse
180 practitioner licensed under chapter 464.

181 (2) A health care practitioner who determines that a
182 patient may be at risk of loss of life or immediate
183 hospitalization if the patient were to lose electric service at
184 the patient's residential service address shall inform the
185 patient of the right to obtain certification under the medically
186 essential electric service program provided by the patient's
187 electric utility pursuant to s. 366.15, and provide the patient
188 a written copy of the law.

189 (3) Upon the request of such a patient, the health care
190 practitioner must provide the patient a completed medical
191 certification using the form adopted by the Florida Public
192 Service Commission under s. 366.15(3) and document the
193 certification in the patient's record.

194 Section 3. This act shall take effect July 1, 2018.