

By Representative Sublette

1 A bill to be entitled
2 An act relating to medically essential electric
3 utility service; creating s. 366.15, F.S.;
4 providing definitions; requiring continuation
5 or restoration of medically essential electric
6 service for certain customers under certain
7 circumstances; providing requirements;
8 requiring utilities to explain a medically
9 essential certification process to customers;
10 requiring annual recertification; requiring
11 utilities to adopt certain policies and
12 procedures; authorizing utilities to disconnect
13 electric service under certain circumstances;
14 requiring notice; providing procedures;
15 requiring payment for medically essential
16 service; providing responsibilities for
17 customers requiring medically essential
18 electric service; requiring utilities to
19 monitor medically essential customers and
20 notify such customers of scheduled service
21 interruptions; requiring utilities to establish
22 programs monitor annual renewal of
23 certifications and to assist customers
24 requiring medically essential utility service
25 in obtaining funding for such service;
26 providing requirements; providing an effective
27 date.

28
29 Be It Enacted by the Legislature of the State of Florida:
30
31

1 Section 1. Section 366.15, Florida Statutes, is
2 created to read:

3 366.15 Medically essential electric utility service.--

4 (1) For purposes of this section:

5 (a) "Medically essential" means required to sustain a
6 person's life, or avoid serious medical injuries or
7 complications requiring a person's immediate hospitalization
8 which is likely to result from termination of service, and the
9 person is unable, because of mental or physical problems, to
10 manage his or her own resources or to protect himself or
11 herself from neglect or hazardous situations without the
12 assistance of others.

13 (b) "Utility" means a public utility which supplies
14 electricity or an electric utility, as defined in this
15 chapter.

16 (2) Each utility shall continue, safeguard from
17 termination, or restore discontinued or terminated electric
18 service to a person's residence whenever such service is
19 medically essential as determined pursuant to this section by
20 a physician licensed under chapter 458. Each utility shall
21 designate employees who are authorized to direct an ordered
22 continuation or restoration of medically essential service.
23 Doubts shall be resolved in favor of continued or restored
24 service. A utility shall not impose upon any customer any
25 deposit or other charge to continue or restore medically
26 essential service.

27 (3)(a) Each utility shall provide an explanation of
28 the certification process annually to each utility customer.
29 Certification of a customer as medically essential requires
30 completion of a form by a physician licensed in this state
31

1 stating in medical and nonmedical terms why the electric
2 service is medically essential.

3 (b) Medically essential service shall be recertified
4 each year in writing by obtaining a recertification form
5 completed by a physician licensed in this state in order to
6 continure medically essential service.

7 (4)(a) Each utility shall adopt policies and
8 procedures to ensure that electric service is provided to any
9 customer who provides to the utility a certificate from a
10 doctor licensed under chapter 458 that such electric service
11 is medically essential.

12 (b) The continued provision of such service shall be
13 consistent with the requirements of the utility's residential
14 rates.

15 (5) Notwithstanding any other provision of this
16 section, a utility may disconnect service to a residence
17 whenever an emergency may threaten the health or safety of a
18 person, the surrounding area, or the utility's distribution
19 system. The utility shall act promptly to restore service as
20 soon as feasible.

21 (6) No later than 24 hours prior to any scheduled
22 disconnection of service for nonpayment of bills to a customer
23 who requires such service as medically essential, a utility
24 shall attempt to contact the customer by telephone in order to
25 provide notice of the scheduled disconnection. If the customer
26 does not have a telephone number listed on the account, or if
27 the utility cannot reach such customer or other adult resident
28 of the premises by telephone by the specified time, the
29 utility shall send a representative to the customer's
30 residence to attempt to contact the customer, no later than 4
31 p.m. of the day prior to scheduled disconnection. If contact

1 is not made, however, the utility may leave written
2 notification at the residence advising the customer of the
3 scheduled disconnection. Thereafter, the utility may
4 disconnect service on the specified date.

5 (7) Each utility customer who requires medically
6 essential service is responsible for making satisfactory
7 arrangements with the utility to ensure payment for such
8 service.

9 (8) Each utility customer who requires medically
10 essential service is solely responsible for any backup
11 equipment or power supply and a planned course of action in
12 the event of a power outage.

13 (9)(a) Each utility which provides electric service to
14 any of the utility's customers who require medically essential
15 service shall monitor, by writing or telephoning once each
16 year, the health or condition of such customer to ensure
17 continuous service, and to call, contact, or otherwise advise
18 such customer of scheduled service interruptions.

19 (b) Each utility shall establish a program to monitor
20 the annual renewal of certificates. The customer shall be
21 sent by regular mail the current package of information and
22 advised that a new certificate must be on file within 30 days
23 after the expiration of the existing certificate for medically
24 essential service to continue. If no certificate is received
25 within such 30-day period, the utility shall remove all
26 indications and procedures relating to the management of
27 medically essential service from the customer's records.

28 (10)(a) Each utility shall provide information on
29 sources of state or local agency funding which may provide
30 financial assistance to the utility's customers who require
31 medically essential service.

1 (b)1. Each utility which operates a program to receive
2 voluntary financial contributions from the utility's customers
3 to provide assistance to persons who are unable to pay for the
4 utility's services shall maintain a list of all agencies to
5 which the utility distributes such funds for such purposes and
6 shall make the list available to any such person who requests
7 the list.

8 2. Each utility which operates such a program shall:

9 a. Maintain a system of accounting for the specific
10 amounts distributed to each such agency, and the utility and
11 such agencies shall maintain a system of accounting for the
12 specific amounts distributed to persons under such respective
13 programs.

14 b. Train its customer service representatives to
15 assist any person who possesses a medically essential
16 certification as provided in this section in identifying such
17 agencies and programs.

18 Section 2. This act shall take effect upon becoming a
19 law.

20
21 *****

22 HOUSE SUMMARY

23 Provides for continuation or restoration of electric
24 service which is medically essential. Provides for a
25 physician's certification of the necessity for medically
26 essential electric service. Requires utilities to
27 establish programs to assist customers requiring
28 medically essential electric service in obtaining funding
29 for such service. See bill for details.
30
31