

By the Committee on Regulated Industries and Senators Dawson and Sanderson

315-1602-01

1 A bill to be entitled
2 An act relating to medically essential electric
3 public utility service; creating s. 366.15,
4 F.S.; defining the term "medically essential";
5 requiring electric public utilities to provide
6 medically essential service under specified
7 circumstances; providing procedures for
8 certification of medically essential utility
9 service; authorizing utilities to disconnect
10 service under certain circumstances; providing
11 for notice to customers; providing for payment
12 for service; providing for monitoring of
13 customers; providing responsibilities for
14 customers; providing for the identification of
15 sources for funding purposes; providing an
16 effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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

22 366.15 Medically essential electric public utility
23 service.--

24 (1) As used in this section, the term "medically
25 essential" means the medical dependence on electric-powered
26 equipment that must be operated continuously or as
27 circumstances require as specified by a physician to avoid the
28 loss of life or immediate hospitalization of the customer or
29 another permanent resident at the service address.

30 (2) Each public utility shall designate employees who
31 are authorized to direct an ordered continuation or

1 restoration of medically essential electric service. A public
2 utility shall not impose upon any customer any additional
3 deposit to continue or restore medically essential electric
4 service.

5 (3)(a) Each public utility shall annually provide a
6 written explanation of the certification process for medically
7 essential electric service to each utility customer.

8 Certification of a customer's electricity needs as medically
9 essential requires the customer to complete forms supplied by
10 the public utility and to submit a form completed by a
11 physician licensed in this state pursuant to chapter 458 which
12 states in medical and nonmedical terms why the electric
13 service is medically essential. False certification of
14 medically essential service by a physician is a violation of
15 s. 458.331(1)(h).

16 (b) Medically essential service shall be recertified
17 once every 12 months. The public utility shall send the
18 certified customer by regular mail a package of
19 recertification materials, including recertification forms, at
20 least 30 days prior to the expiration of the customer's
21 certification. The materials shall advise the certified
22 customer that he or she must complete and submit the
23 recertification forms within 30 days after the expiration of
24 customer's existing certification. If the recertification
25 forms are not received within this 30-day period, the public
26 utility may terminate the customer's certification.

27 (4) Each public utility shall certify a customer's
28 electric service as medically essential if the customer
29 completes the requirements of subsection (3).

30 (5) Notwithstanding any other provision of this
31 section, a public utility may disconnect service to a

1 residence whenever an emergency may threaten the health or
2 safety of a person, the surrounding area, or the public
3 utility's distribution system. The public utility shall act
4 promptly to restore service as soon as feasible.

5 (6) No later than 24 hours before any scheduled
6 disconnection of service for nonpayment of bills to a customer
7 who requires medically essential service, a public utility
8 shall attempt to contact the customer by telephone in order to
9 provide notice of the scheduled disconnection. If the customer
10 does not have a telephone number listed on the account or if
11 the public utility cannot reach the customer or other adult
12 resident of the premises by telephone by the specified time,
13 the public utility shall send a representative to the
14 customer's residence to attempt to contact the customer, no
15 later than 4 p.m. of the day before scheduled disconnection.
16 If contact is not made, however, the public utility may leave
17 written notification at the residence advising the customer of
18 the scheduled disconnection. Thereafter, the public utility
19 may disconnect service on the specified date.

20 (7) Each public utility customer who requires
21 medically essential service is responsible for making
22 satisfactory arrangements with the public utility to ensure
23 payment for such service and such arrangements must be
24 consistent with the requirements of the utility's tariff.

25 (8) Each public utility customer who requires
26 medically essential service is solely responsible for any
27 backup equipment or power supply and a planned course of
28 action in the event of a power outage or interruption of
29 service.

30 (9) Each public utility that provides electric service
31 to any customers who require medically essential service shall

1 call, contact, or otherwise advise such customer of scheduled
2 service interruptions.

3 (10)(a) Each public utility shall provide information
4 on sources of state or local agency funding which may provide
5 financial assistance to the public utility's customers who
6 require medically essential service and who notify the public
7 utility of their need for financial assistance.

8 (b)1. Each public utility that operates a program to
9 receive voluntary financial contributions from the public
10 utility's customers to provide assistance to persons who are
11 unable to pay for the public utility's services shall maintain
12 a list of all agencies to which the public utility distributes
13 such funds for such purposes and shall make the list available
14 to any such person who requests the list.

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

17 a. Maintain a system of accounting for the specific
18 amounts distributed to each such agency, and the public
19 utility and such agencies shall maintain a system of
20 accounting for the specific amounts distributed to persons
21 under such respective programs.

22 b. Train its customer service representatives to
23 assist any person who possesses a medically essential
24 certification as provided in this section in identifying such
25 agencies and programs.

26 Section 2. Nothing in this act shall form the basis
27 for any cause of action against a public utility. Failure to
28 comply with any obligation created by this act does not
29 constitute evidence of negligence on the part of the public
30 utility.

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1 Section 3. This act shall take effect upon becoming a
2 law.

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 SB 224

7 The Committee Substitute for Senate Bill 224 deletes from the
8 definition of "medically essential" a provision including
9 electric service that is necessary for use of feeding tubes or
10 operation of medical equipment used in kidney dialysis.

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