

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.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
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 residential 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 or  
12 chapter 459 which states in medical and nonmedical terms why  
13 the electric service is medically essential. False  
14 certification of medically essential service by a physician is  
15 a violation of s. 458.331(1)(h) or s. 459.015(1)(i).

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.

31

1           Section 3. This act shall take effect upon becoming a  
2 law.  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31