

By Senator Saunders

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A bill to be entitled

An act relating to the Florida Patient's Bill of Rights and Responsibilities; amending s. 381.026, F.S.; replacing references to the term "physical handicap" with the term "handicap"; providing an effective date.

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

Section 1. Paragraph (d) of subsection (4) and subsection (6) of section 381.026, Florida Statutes, are amended to read:

381.026 Florida Patient's Bill of Rights and Responsibilities.--

(4) RIGHTS OF PATIENTS.--Each health care facility or provider shall observe the following standards:

(d) Access to health care.--

1. A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, ~~physical~~ handicap, or source of payment.

2. A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide such treatment.

(6) SUMMARY OF RIGHTS AND RESPONSIBILITIES.--Any health care provider who treats a patient in an office or any health care facility licensed under chapter 395 that provides emergency services and care or outpatient services and care to a patient, or admits and treats a patient, shall adopt and make available to the patient, in writing, a statement of the

1 rights and responsibilities of patients, including the
2 following:

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4 SUMMARY OF THE FLORIDA PATIENT'S BILL
5 OF RIGHTS AND RESPONSIBILITIES
6

7 Florida law requires that your health care provider or
8 health care facility recognize your rights while you are
9 receiving medical care and that you respect the health care
10 provider's or health care facility's right to expect certain
11 behavior on the part of patients. You may request a copy of
12 the full text of this law from your health care provider or
13 health care facility. A summary of your rights and
14 responsibilities follows:

15 A patient has the right to be treated with courtesy and
16 respect, with appreciation of his or her individual dignity,
17 and with protection of his or her need for privacy.

18 A patient has the right to a prompt and reasonable
19 response to questions and requests.

20 A patient has the right to know who is providing
21 medical services and who is responsible for his or her care.

22 A patient has the right to know what patient support
23 services are available, including whether an interpreter is
24 available if he or she does not speak English.

25 A patient has the right to know what rules and
26 regulations apply to his or her conduct.

27 A patient has the right to be given by the health care
28 provider information concerning diagnosis, planned course of
29 treatment, alternatives, risks, and prognosis.

30 A patient has the right to refuse any treatment, except
31 as otherwise provided by law.

1 A patient has the right to be given, upon request, full
2 information and necessary counseling on the availability of
3 known financial resources for his or her care.

4 A patient who is eligible for Medicare has the right to
5 know, upon request and in advance of treatment, whether the
6 health care provider or health care facility accepts the
7 Medicare assignment rate.

8 A patient has the right to receive, upon request, prior
9 to treatment, a reasonable estimate of charges for medical
10 care.

11 A patient has the right to receive a copy of a
12 reasonably clear and understandable, itemized bill and, upon
13 request, to have the charges explained.

14 A patient has the right to impartial access to medical
15 treatment or accommodations, regardless of race, national
16 origin, religion, ~~physical~~ handicap, or source of payment.

17 A patient has the right to treatment for any emergency
18 medical condition that will deteriorate from failure to
19 provide treatment.

20 A patient has the right to know if medical treatment is
21 for purposes of experimental research and to give his or her
22 consent or refusal to participate in such experimental
23 research.

24 A patient has the right to express grievances regarding
25 any violation of his or her rights, as stated in Florida law,
26 through the grievance procedure of the health care provider or
27 health care facility which served him or her and to the
28 appropriate state licensing agency.

29 A patient is responsible for providing to the health
30 care provider, to the best of his or her knowledge, accurate
31 and complete information about present complaints, past

1 illnesses, hospitalizations, medications, and other matters
2 relating to his or her health.

3 A patient is responsible for reporting unexpected
4 changes in his or her condition to the health care provider.

5 A patient is responsible for reporting to the health
6 care provider whether he or she comprehends a contemplated
7 course of action and what is expected of him or her.

8 A patient is responsible for following the treatment
9 plan recommended by the health care provider.

10 A patient is responsible for keeping appointments and,
11 when he or she is unable to do so for any reason, for
12 notifying the health care provider or health care facility.

13 A patient is responsible for his or her actions if he
14 or she refuses treatment or does not follow the health care
15 provider's instructions.

16 A patient is responsible for assuring that the
17 financial obligations of his or her health care are fulfilled
18 as promptly as possible.

19 A patient is responsible for following health care
20 facility rules and regulations affecting patient care and
21 conduct.

22 Section 2. This act shall take effect July 1, 2001.

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25 SENATE SUMMARY

26 Replaces references to the term "physical handicap" in
27 the Florida Patient's Bill of Rights and Responsibilities
with the term "handicap."

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