

By Representatives Romeo, Gannon, Bucher, Sobel, Lerner,
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Betancourt

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) Electric utility service is "medically essential"
25 when the utility customer or another permanent resident at the
26 service address is medically dependent on electric-powered
27 equipment that must be operated continuously or as
28 circumstances require as specified by a physician to avoid the
29 loss of life or immediate hospitalization of the customer or
30 other resident. The term also includes service that is
31 necessary for the use of feeding tubes or the operation of

1 medical equipment used in performing kidney dialysis in the
2 home.

3 (2) Each public utility that supplies electricity
4 shall designate employees who are authorized to direct an
5 ordered continuation or restoration of medically essential
6 electric service. A public utility may not impose upon any
7 customer any additional deposit to continue or restore
8 medically essential electric service.

9 (3)(a) Each public utility that supplies electricity
10 shall annually provide a written explanation of the
11 certification process for medically essential electric service
12 to each utility customer. Certification of a customer's
13 electricity needs as medically essential requires the customer
14 to complete forms supplied by the public utility and to submit
15 a form completed by a physician licensed in this state
16 pursuant to chapter 458 which states in medical and nonmedical
17 terms why the electric service is medically essential. False
18 certification of medically essential service by a physician is
19 a violation of s. 458.331(1)(h).

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

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

4 (5) Notwithstanding any other provision of this
5 section, a public utility may disconnect service to a
6 residence whenever an emergency may threaten the health or
7 safety of a person, the surrounding area, or the public
8 utility's distribution system. The public utility shall act
9 promptly to restore service as soon as feasible.

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

26 (7) Each public utility customer who requires
27 medically essential electric service is responsible for making
28 satisfactory arrangements with the public utility to ensure
29 payment for such service, and such arrangements must be
30 consistent with the requirements of the utility's tariff.

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1 (8) Each public utility customer who requires
2 medically essential electric service is solely responsible for
3 any backup equipment or power supply and a planned course of
4 action in the event of a power outage or interruption of
5 service.

6 (9) Each public utility that supplies electric service
7 to any customers who require medically essential service shall
8 call, contact, or otherwise advise such customer of scheduled
9 service interruptions.

10 (10)(a) Each public utility shall provide information
11 on sources of state or local agency funding that may provide
12 financial assistance to the public utility's customers who
13 require medically essential electric service and who notify
14 the public utility of their need for financial assistance.

15 (b)1. Each public utility that operates a program to
16 receive voluntary financial contributions from the public
17 utility's customers to provide assistance to persons who are
18 unable to pay for the public utility's services shall maintain
19 a list of all agencies to which the public utility distributes
20 such funds for such purposes and shall make the list available
21 to any such person who requests the list.

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

24 a. Maintain a system of accounting for the specific
25 amounts distributed to each such agency, and the public
26 utility and such agencies shall maintain a system of
27 accounting for the specific amounts distributed to persons
28 under such respective programs.

29 b. Train its customer service representatives to
30 assist any person who possesses a certification of medically
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