

By Representatives Harrell, Melvin, Romeo, Sobel,  
Littlefield, Negron, Kallinger, Fiorentino and Murman

1                                   A bill to be entitled  
2           An act relating to insurance; amending s.  
3           627.736, F.S.; modifying time period for  
4           providers of certain medical services under  
5           personal injury protection coverage to provide  
6           an insurer with a statement of charges;  
7           providing an effective date.

8

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

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11           Section 1. Paragraph (b) of subsection (5) of section  
12 627.736, Florida Statutes, is amended to read:

13           627.736 Required personal injury protection benefits;  
14 exclusions; priority; claims.--

15           (5) CHARGES FOR TREATMENT OF INJURED PERSONS.--

16           (b) With respect to any treatment or service, other  
17 than medical services billed by a hospital for services  
18 rendered at a hospital-owned facility, the statement of  
19 charges must be furnished to the insurer by the provider and  
20 may not include, and the insurer is not required to pay,  
21 charges for treatment or services submitted ~~rendered~~ more than  
22 60 ~~30~~ days after the provider first becomes aware that the  
23 patient has personal injury protection coverage or files for  
24 personal injury protection as secondary coverage to other  
25 insurance ~~before the postmark date of the statement~~, except  
26 for past due amounts previously billed on a timely basis under  
27 this paragraph, ~~and except that, if the provider submits to~~  
28 ~~the insurer a notice of initiation of treatment within 21 days~~  
29 ~~after its first examination or treatment of the claimant, the~~  
30 ~~statement may include charges for treatment or services~~  
31 ~~rendered up to, but not more than, 60 days before the postmark~~

1 ~~date of the statement.~~ The injured party is not liable for,  
2 and the provider shall not bill the injured party for, charges  
3 that are unpaid because of the provider's failure to comply  
4 with this paragraph. Any agreement requiring the injured  
5 person or insured to pay for such charges is unenforceable.  
6 For emergency services and care as defined in s. 395.002  
7 rendered in a hospital emergency department or for transport  
8 and treatment rendered by an ambulance provider licensed  
9 pursuant to part III of chapter 401, the provider is not  
10 required to furnish the statement of charges within the time  
11 periods established by this paragraph; and the insurer shall  
12 not be considered to have been furnished with notice of the  
13 amount of covered loss for purposes of paragraph (4)(b) until  
14 it receives a statement complying with paragraph (5)(d), or  
15 copy thereof, which specifically identifies the place of  
16 service to be a hospital emergency department or an ambulance  
17 in accordance with billing standards recognized by the Health  
18 Care Finance Administration. Each notice of insured's rights  
19 under s. 627.7401 must include the following statement in type  
20 no smaller than 12 points:

21 BILLING REQUIREMENTS.--Florida Statutes provide  
22 that with respect to any treatment or services,  
23 other than certain hospital and emergency  
24 services, the statement of charges furnished to  
25 the insurer by the provider may not include,  
26 and the insurer and the injured party are not  
27 required to pay, charges for treatment or  
28 services submitted ~~rendered~~ more than 60 ~~30~~  
29 days after the provider first becomes aware  
30 that the patient has personal injury protection  
31 coverage or files for personal injury

