

By Senator Dawson

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1 A bill to be entitled
2 An act relating to medically essential electric
3 utility service; amending s. 366.15, F.S.;
4 requiring municipalities that provide electric
5 utility service to provide medically essential
6 service in the same manner and according to the
7 same procedures as nonmunicipal public
8 utilities; authorizing municipalities to
9 disconnect service under certain circumstances;
10 providing for notice to customers; providing
11 for payment for service; providing for
12 monitoring of customers; providing
13 responsibilities of customers; providing for
14 identification of funding sources; requiring
15 municipal and nonmunicipal utilities to set up
16 payment schedules with customers who require
17 such service; forbidding disconnection unless a
18 payment schedule is not adhered to; providing
19 an effective date.

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

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23 Section 1. Section 366.15, Florida Statutes, is
24 amended to read:

25 366.15 Medically essential electric ~~public~~ utility
26 service.--

27 (1) As used in this section, the term:

28 (a) "Medically essential" means the medical dependence
29 on electric-powered equipment that must be operated
30 continuously or as circumstances require as specified by a
31 physician to avoid the loss of life or immediate

1 hospitalization of the customer or another permanent resident
2 at the residential service address.

3 (b) "Municipality" means a municipality that provides
4 electric utility service.

5 (2) Each public utility and each municipality shall
6 designate employees who are authorized to direct an ordered
7 continuation or restoration of medically essential electric
8 service. A public utility or municipality may ~~shall~~ not impose
9 upon any customer any additional deposit to continue or
10 restore medically essential electric service.

11 (3)(a) Each public utility and each municipality shall
12 annually provide a written explanation of the certification
13 process for medically essential electric service to each
14 utility customer. Certification of a customer's electricity
15 needs as medically essential requires the customer to complete
16 forms supplied by the public utility or municipality and to
17 submit a form completed by a physician licensed in this state
18 pursuant to chapter 458 or chapter 459 which states in medical
19 and nonmedical terms why the electric service is medically
20 essential. False certification of medically essential service
21 by a physician is a violation of s. 458.331(1)(h) or s.
22 459.015(1)(i).

23 (b) Medically essential service shall be recertified
24 once every 12 months. The public utility or municipality shall
25 send the certified customer by regular mail a package of
26 recertification materials, including recertification forms, at
27 least 30 days prior to the expiration of the customer's
28 certification. The materials shall advise the certified
29 customer that he or she must complete and submit the
30 recertification forms within 30 days after the expiration of
31 customer's existing certification. If the recertification

1 forms are not received within this 30-day period, the public
2 utility or municipality may terminate the customer's
3 certification.

4 (4) Each public utility and each municipality shall
5 certify a customer's electric service as medically essential
6 if the customer completes the requirements of subsection (3).

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

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

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1 (7) A Each public utility or municipality shall set up
2 a reasonable payment schedule with any customer who requires
3 medically essential service and may not disconnect the
4 customer's electric service unless the payment schedule is not
5 adhered to is responsible for making satisfactory arrangements
6 with the public utility to ensure payment for such service,
7 and such arrangements must be consistent with the requirements
8 of the utility's tariff.

9 (8) Each public utility customer of a public utility
10 or municipality who requires medically essential service is
11 solely responsible for any backup equipment or power supply
12 and a planned course of action in the event of a power outage
13 or interruption of service.

14 (9) Each public utility and each municipality that
15 provides electric service to any customer who requires
16 medically essential service shall call, contact, or otherwise
17 advise such customer of scheduled service interruptions.

18 (10)(a) Each public utility and each municipality
19 shall provide information on sources of state or local agency
20 funding which may provide financial assistance to its the
21 public utility's customers who require medically essential
22 service and who notify the public utility or municipality of
23 their need for financial assistance.

24 (b)1. Each public utility and each municipality that
25 operates a program to receive voluntary financial
26 contributions from its the public utility's customers to
27 provide assistance to persons who are unable to pay for its
28 electric the public utility's services shall maintain a list
29 of all agencies to which it the public utility distributes
30 such funds for such purposes and shall make the list available
31 to any such person who requests the list.

1 2. Each public utility and each municipality that
2 operates such a program shall:

3 a. Maintain a system of accounting for the specific
4 amounts distributed to each such agency, and the public
5 utility or municipality and such agencies shall maintain a
6 system of accounting for the specific amounts distributed to
7 persons under such respective programs.

8 b. Train its customer service representatives to
9 assist any person who possesses a medically essential
10 certification as provided in this section in identifying such
11 agencies and programs.

12 (11) Nothing in this act shall form the basis for any
13 cause of action against a public utility or municipality.
14 Failure to comply with any obligation created by this act does
15 not constitute evidence of negligence on the part of the
16 public utility or municipality.

17 Section 2. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Requires municipalities that provide electric utility
23 service to furnish medically essential service to their
24 customers in the same manner and according to the same
25 guidelines as do public utilities. Requires municipal and
nonmunicipal utilities to set up payment schedules with
customers. Forbids disconnection of electricity unless
the schedule is not adhered to.