

Bill No. CS for CS for CS for SB 2910

Amendment No. ____ Barcode 660498

CHAMBER ACTION

Senate

House

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Senator Peaden moved the following amendment:

Senate Amendment (with title amendment)

On page 17, line 3, through
page 21, line 20, delete those lines

and insert:

Section 5. Subsection (7) is added to section
395.1041, Florida Statutes, to read:

395.1041 Access to emergency services and care.--
(7) EMERGENCY ROOM DIVERSION PROGRAMS.--Hospitals may
develop emergency room diversion programs, including, but not
limited to, an "Emergency Hotline" which allows patients to
help determine if emergency department services are
appropriate or if other health care settings may be more
appropriate for care, and a "Fast Track" program allowing
nonemergency patients to be treated at an alternative site.
Alternative sites may include health care programs funded with
local tax revenue and federally funded community health
centers, county health departments, or other nonhospital
providers of health care services. The program may include

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1 provisions for followup care and case management.

2 Section 6. Paragraph (h) is added to subsection (1) of
3 section 395.1055, Florida Statutes, to read:

4 395.1055 Rules and enforcement.--

5 (1) The agency shall adopt rules pursuant to ss.
6 120.536(1) and 120.54 to implement the provisions of this
7 part, which shall include reasonable and fair minimum
8 standards for ensuring that:

9 (h) Licensed facilities make available on their
10 Internet websites, no later than October 1, 2004, and in a
11 hard-copy format upon request, a description of and a link to
12 the patient charge and performance outcome data collected from
13 licensed facilities pursuant to s. 408.061.

14 Section 7. Subsection (7) is added to section
15 395.1065, Florida Statutes, to read:

16 395.1065 Criminal and administrative penalties;
17 injunctions; emergency orders; moratorium.--

18 (7) The agency shall impose a fine of \$500 for each
19 instance of the facility's failure to provide the information
20 required by rules adopted pursuant to s. 395.1055(1)(h).

21 Section 8. Subsections (1), (2), and (3) of section
22 395.301, Florida Statutes, are amended, and subsections (7),
23 (8), (9), and (10) are added to said section, to read:

24 395.301 Itemized patient bill; form and content
25 prescribed by the agency.--

26 (1) A licensed facility not operated by the state
27 shall notify each patient during admission and at discharge of
28 his or her right to receive an itemized bill upon request.
29 Within 7 days following the patient's discharge or release
30 from a licensed facility not operated by the state, ~~or within~~
31 ~~7 days after the earliest date at which the loss or expense~~

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1 ~~from the service may be determined,~~ the licensed facility
2 providing the service shall, upon request, submit to the
3 patient, or to the patient's survivor or legal guardian as may
4 be appropriate, an itemized statement detailing in language
5 comprehensible to an ordinary layperson the specific nature of
6 charges or expenses incurred by the patient, which in the
7 initial billing shall contain a statement of specific services
8 received and expenses incurred for such items of service,
9 enumerating in detail the constituent components of the
10 services received within each department of the licensed
11 facility and including unit price data on rates charged by the
12 licensed facility, as prescribed by the agency.

13 (2)(a) Each such statement submitted pursuant to this
14 section:

15 1.(a) May not include charges of hospital-based
16 physicians if billed separately.

17 2.(b) May not include any generalized category of
18 expenses such as "other" or "miscellaneous" or similar
19 categories.

20 3.(c) Shall list drugs by brand or generic name and
21 not refer to drug code numbers when referring to drugs of any
22 sort.

23 4.(d) Shall specifically identify therapy treatment as
24 to the date, type, and length of treatment when therapy
25 treatment is a part of the statement.

26 (b) Any person receiving a statement pursuant to this
27 section shall be fully and accurately informed as to each
28 charge and service provided by the institution preparing the
29 statement.

30 (3) On each ~~such~~ itemized statement submitted pursuant
31 to subsection (1) there shall appear the words "A FOR-PROFIT

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1 (or NOT-FOR-PROFIT or PUBLIC) HOSPITAL (or AMBULATORY SURGICAL
2 CENTER) LICENSED BY THE STATE OF FLORIDA" or substantially
3 similar words sufficient to identify clearly and plainly the
4 ownership status of the licensed facility. Each itemized
5 statement must prominently display the phone number of the
6 medical facility's patient liaison who is responsible for
7 expediting the resolution of any billing dispute between the
8 patient, or his or her representative, and the billing
9 department.

10 (7) Each licensed facility not operated by the state
11 shall provide, prior to provision of any nonemergency medical
12 services, a written good-faith estimate of reasonably
13 anticipated charges for the facility to treat the patient's
14 condition upon written request of a prospective patient. The
15 estimate shall be provided to the prospective patient within 7
16 business days after the receipt of the request. The estimate
17 may be the average charges for that diagnosis related group or
18 the average charges for that procedure. Upon request, the
19 facility shall notify the patient of any revision to the
20 good-faith estimate. Such estimate shall not preclude the
21 actual charges from exceeding the estimate. The facility shall
22 place a notice in the reception area that such information is
23 available. Failure to provide the estimate within the
24 provisions established pursuant to this section shall result
25 in a fine of \$500 for each instance of the facility's failure
26 to provide the requested information.

27 (8) A licensed facility shall make available to a
28 patient all records necessary for verification of the accuracy
29 of the patient's bill within 30 business days after the
30 request for such records. The verification information must be
31 made available in the facility's offices. Such records shall

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1 be available to the patient prior to and after payment of the
2 bill or claim. The facility may not charge the patient for
3 making such verification records available; however, the
4 facility may charge its usual fee for providing copies of
5 records as specified in s. 395.3025.

6 (9) Each facility shall establish a method for
7 reviewing and responding to questions from patients concerning
8 the patient's itemized bill. Such response shall be provided
9 within 30 days after the date a question is received. If the
10 patient is not satisfied with the response, the facility must
11 provide the patient with the address of the agency to which
12 the issue may be sent for review.

13 (10) Each licensed facility shall make available on
14 its Internet website a link to the performance outcome and
15 financial data that is published by the Agency for Health Care
16 Administration pursuant to s. 408.05(3)(1). The facility shall
17 place a notice in the reception area that the information is
18 available electronically and the facility's Internet website
19 address.

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21 (Redesignate subsequent sections.)

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23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, line 18, through
27 page 2, line 10, delete those lines

28
29 and insert:

30 requiring a report; amending s. 395.1041, F.S. ;
31 authorizing hospitals to develop certain

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1 emergency room diversion programs; amending s.
2 395.1055, F.S.; requiring licensed facilities
3 to make certain patient charge and performance
4 outcome data available on Internet websites;
5 amending s. 395.1065, F.S.; authorizing the
6 Agency for Health Care Administration to charge
7 a fine for failure to provide such information;
8 amending s. 395.301, F.S.; requiring certain
9 licensed facilities to provide prospective
10 patients certain estimates of charges for
11 services; requiring such facilities to provide
12 patients with certain bill verification
13 information; providing for a fine for failure
14 to provide such information; providing charge
15 limitations; requiring such facilities to
16 establish a patient question review and
17 response methodology; providing requirements;
18 requiring certain licensed facilities to
19 provide public Internet access to certain
20 financial information; requiring posting of a
21 notice of the availability of such information;
22 amending

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