

By the Committee on Health Policy; and Senator Hill

587-07628-08

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1 A bill to be entitled

2 An act relating to the staffing of health care facilities;
3 amending s. 395.301, F.S.; requiring acute care hospitals
4 to make information concerning staffing levels at the
5 hospital available to the public upon request; providing
6 an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

9
10 Section 1. Section 395.301, Florida Statutes, is amended to
11 read:

12 395.301 Itemized patient bill; form and content prescribed
13 by the agency; hospital staffing disclosure.--

14 (1) A licensed facility not operated by the state shall
15 notify each patient during admission and at discharge of his or
16 her right to receive an itemized bill upon request. Within 7 days
17 following the patient's discharge or release from a licensed
18 facility not operated by the state, the licensed facility
19 providing the service shall, upon request, submit to the patient,
20 or to the patient's survivor or legal guardian as may be
21 appropriate, an itemized statement detailing in language
22 comprehensible to an ordinary layperson the specific nature of
23 charges or expenses incurred by the patient, which in the initial
24 billing shall contain a statement of specific services received
25 and expenses incurred for such items of service, enumerating in
26 detail the constituent components of the services received within
27 each department of the licensed facility and including unit price
28 data on rates charged by the licensed facility, as prescribed by
29 the agency.

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30 (2) (a) Each such statement submitted pursuant to this
31 section:

32 1. May not include charges of hospital-based physicians if
33 billed separately.

34 2. May not include any generalized category of expenses
35 such as "other" or "miscellaneous" or similar categories.

36 3. Shall list drugs by brand or generic name and not refer
37 to drug code numbers when referring to drugs of any sort.

38 4. Shall specifically identify therapy treatment as to the
39 date, type, and length of treatment when therapy treatment is a
40 part of the statement.

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

44 (3) On each itemized statement submitted pursuant to
45 subsection (1) there shall appear the words "A FOR-PROFIT (or
46 NOT-FOR-PROFIT or PUBLIC) HOSPITAL (or AMBULATORY SURGICAL
47 CENTER) LICENSED BY THE STATE OF FLORIDA" or substantially
48 similar words sufficient to identify clearly and plainly the
49 ownership status of the licensed facility. Each itemized
50 statement must prominently display the phone number of the
51 medical facility's patient liaison who is responsible for
52 expediting the resolution of any billing dispute between the
53 patient, or his or her representative, and the billing
54 department.

55 (4) An itemized bill shall be provided once to the
56 patient's physician at the physician's request, at no charge.

57 (5) In any billing for services subsequent to the initial
58 billing for such services, the patient, or the patient's survivor

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59 | or legal guardian, may elect, at his or her option, to receive a
60 | copy of the detailed statement of specific services received and
61 | expenses incurred for each such item of service as provided in
62 | subsection (1).

63 | (6) No physician, dentist, podiatric physician, or licensed
64 | facility may add to the price charged by any third party except
65 | for a service or handling charge representing a cost actually
66 | incurred as an item of expense; however, the physician, dentist,
67 | podiatric physician, or licensed facility is entitled to fair
68 | compensation for all professional services rendered. The amount
69 | of the service or handling charge, if any, shall be set forth
70 | clearly in the bill to the patient.

71 | (7) Each licensed facility not operated by the state shall
72 | provide, prior to provision of any nonemergency medical services,
73 | a written good faith estimate of reasonably anticipated charges
74 | for the facility to treat the patient's condition upon written
75 | request of a prospective patient. The estimate shall be provided
76 | to the prospective patient within 7 business days after the
77 | receipt of the request. The estimate may be the average charges
78 | for that diagnosis related group or the average charges for that
79 | procedure. Upon request, the facility shall notify the patient of
80 | any revision to the good faith estimate. Such estimate shall not
81 | preclude the actual charges from exceeding the estimate. The
82 | facility shall place a notice in the reception area that such
83 | information is available. Failure to provide the estimate within
84 | the provisions established pursuant to this section shall result
85 | in a fine of \$500 for each instance of the facility's failure to
86 | provide the requested information.

87 | (8) A licensed facility shall make available to a patient

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88 all records necessary for verification of the accuracy of the
89 patient's bill within 30 business days after the request for such
90 records. The verification information must be made available in
91 the facility's offices. Such records shall be available to the
92 patient prior to and after payment of the bill or claim. The
93 facility may not charge the patient for making such verification
94 records available; however, the facility may charge its usual fee
95 for providing copies of records as specified in s. 395.3025.

96 (9) Each facility shall establish a method for reviewing
97 and responding to questions from patients concerning the
98 patient's itemized bill. Such response shall be provided within
99 30 days after the date a question is received. If the patient is
100 not satisfied with the response, the facility must provide the
101 patient with the address of the agency to which the issue may be
102 sent for review.

103 (10) Each licensed facility shall make available on its
104 Internet website a link to the performance outcome and financial
105 data that is published by the Agency for Health Care
106 Administration pursuant to s. 408.05(3)(k). The facility shall
107 place a notice in the reception area that the information is
108 available electronically and the facility's Internet website
109 address.

110 (11) An acute care hospital shall provide to any person,
111 within 48 hours after receiving a written request, a report of
112 the daily staffing level of the direct care nursing staff,
113 registered nurses, licensed practical nurses, and certified
114 nursing assistants in each patient care unit for each shift and
115 each day of the month preceding the request, the daily census by
116 patient care unit for each shift and each day of the month

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117 preceding the request, and the projected schedule and anticipated
118 average daily census by patient care unit of the hospital for a
119 minimum period of 30 days following the date of the request.

120 Section 2. This act shall take effect July 1, 2008.