

By Senator Hill

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

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

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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
17 days following the patient's discharge or release from a
18 licensed facility not operated by the state, the licensed
19 facility providing the service shall, upon request, submit to
20 the patient, or to the patient's survivor or legal guardian as
21 may be 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
24 initial billing shall contain a statement of specific services
25 received and expenses incurred for such items of service,
26 enumerating in detail the constituent components of the services
27 received within each department of the licensed facility and
28 including unit price data on rates charged by the licensed
29 facility, as prescribed by the agency.

1-01024-09

20091256__

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

1-01024-09

20091256__

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

63 (6) A ~~No~~ physician, dentist, podiatric physician, or
64 licensed facility may not add to the price charged by any third
65 party except for a service or handling charge representing a
66 cost actually incurred as an item of expense; however, the
67 physician, dentist, podiatric physician, or licensed facility is
68 entitled to fair compensation for all professional services
69 rendered. The amount of the service or handling charge, if any,
70 shall be set forth 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
73 services, a written good faith estimate of reasonably
74 anticipated charges for the facility to treat the patient's
75 condition upon written request of a prospective patient. The
76 estimate shall be provided to the prospective patient within 7
77 business days after the receipt of the request. The estimate may
78 be the average charges for that diagnosis related group or the
79 average charges for that procedure. Upon request, the facility
80 shall notify the patient of any revision to the good faith
81 estimate. Such estimate does ~~shall~~ not preclude the actual
82 charges from exceeding the estimate. The facility shall place a
83 notice in the reception area that such information is available.
84 Failure to provide the estimate within the provisions
85 established pursuant to this section shall result in a fine of
86 \$500 for each instance of the facility's failure to provide the
87 requested information.

1-01024-09

20091256__

88 (8) Each licensed facility that is not operated by the
89 state shall provide any uninsured person seeking planned
90 nonemergency elective admission a written good faith estimate of
91 reasonably anticipated charges for the facility to treat such
92 person. The estimate must be provided to the uninsured person
93 within 7 business days after the person notifies the facility
94 and the facility confirms that the person is uninsured. The
95 estimate may be the average charges for that diagnosis-related
96 group or the average charges for that procedure. Upon request,
97 the facility shall notify the person of any revision to the good
98 faith estimate. Such estimate does not preclude the actual
99 charges from exceeding the estimate. The facility shall also
100 provide to the uninsured person a copy of any facility discount
101 and charity care discount policies for which the uninsured
102 person may be eligible. The facility shall place a notice in the
103 reception area where such information is available. Failure to
104 provide the estimate as required by this subsection shall result
105 in a fine of \$500 for each instance of the facility's failure to
106 provide the requested information.

107 (9) A licensed facility shall make available to a patient
108 all records necessary for verification of the accuracy of the
109 patient's bill within 30 business days after the request for
110 such records. The verification information must be made
111 available in the facility's offices. Such records shall be
112 available to the patient prior to and after payment of the bill
113 or claim. The facility may not charge the patient for making
114 such verification records available; however, the facility may
115 charge its usual fee for providing copies of records as
116 specified in s. 395.3025.

1-01024-09

20091256__

117 (10) Each facility shall establish a method for reviewing
118 and responding to questions from patients concerning the
119 patient's itemized bill. Such response shall be provided within
120 30 days after the date a question is received. If the patient is
121 not satisfied with the response, the facility must provide the
122 patient with the address of the agency to which the issue may be
123 sent for review.

124 (11) Each licensed facility shall make available on its
125 Internet website a link to the performance outcome and financial
126 data that is published by the Agency for Health Care
127 Administration pursuant to s. 408.05(3)(k). The facility shall
128 place a notice in the reception area that the information is
129 available electronically and the facility's Internet website
130 address.

131 (12) An acute care hospital shall provide to any person,
132 within 48 hours after receiving a written request, a report of
133 the daily staffing level of the direct care nursing staff,
134 registered nurses, licensed practical nurses, and certified
135 nursing assistants in each patient care unit for each shift and
136 each day of the month preceding the request, the daily census by
137 patient care unit for each shift and each day of the month
138 preceding the request, and the projected schedule and
139 anticipated average daily census by patient care unit of the
140 hospital for a minimum period of 30 days following the date of
141 the request.

142 Section 2. This act shall take effect July 1, 2009.