

1 A bill to be entitled
2 An act relating to health care price transparency;
3 amending s. 381.026, F.S.; providing a definition;
4 authorizing a primary care provider to publish and post a
5 schedule of certain charges for medical services offered
6 to patients; providing a minimum size for the posting;
7 requiring a schedule of charges to include certain
8 information regarding medical services offered; providing
9 that the schedule may group the provider's services by
10 price levels and list the services in each price level;
11 providing an exemption from license fee and continuing
12 education requirements for a provider who publishes and
13 maintains a schedule of charges; requiring a primary care
14 provider's estimates of charges for medical services to be
15 consistent with the posted schedule; requiring a provider
16 to post the schedule of charges for a certain time period;
17 providing for repayment of license fees and compliance
18 with continuing education requirements previously waived
19 if the schedule of charges was not posted for a certain
20 time period; amending s. 395.002, F.S.; providing a
21 definition; creating s. 395.107, F.S.; requiring urgent
22 care centers to publish and post a schedule of certain
23 charges for medical services offered to patients;
24 providing a minimum size for the posting; requiring a
25 schedule of charges to include certain information
26 regarding medical services offered; providing that the
27 schedule may group the urgent care center's services by
28 price levels and list the services in each price level;

29 providing a fine for failure to publish and post a
 30 schedule of medical services; providing an effective date.
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32 Be It Enacted by the Legislature of the State of Florida:
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34 Section 1. Subsection (2) and paragraph (c) of subsection
 35 (4) of section 381.026, Florida Statutes, are amended to read:

36 381.026 Florida Patient's Bill of Rights and
 37 Responsibilities.—

38 (2) DEFINITIONS.—As used in this section and s. 381.0261,
 39 the term:

40 (a) "Department" means the Department of Health.

41 (b) "Health care facility" means a facility licensed under
 42 chapter 395.

43 (c) "Health care provider" means a physician licensed
 44 under chapter 458, an osteopathic physician licensed under
 45 chapter 459, or a podiatric physician licensed under chapter
 46 461.

47 (d) "Primary care provider" means a health care provider
 48 licensed under chapter 458, chapter 459, or chapter 464 who
 49 provides medical services to patients which are commonly
 50 provided without referral from another health care provider,
 51 including family and general practice, general pediatrics, and
 52 general internal medicine.

53 (e)~~(d)~~ "Responsible provider" means a health care provider
 54 who is primarily responsible for patient care in a health care
 55 facility or provider's office.

56 (4) RIGHTS OF PATIENTS.—Each health care facility or

57 provider shall observe the following standards:

58 (c) Financial information and disclosure.—

59 1. A patient has the right to be given, upon request, by
60 the responsible provider, his or her designee, or a
61 representative of the health care facility full information and
62 necessary counseling on the availability of known financial
63 resources for the patient's health care.

64 2. A health care provider or a health care facility shall,
65 upon request, disclose to each patient who is eligible for
66 Medicare, before ~~in advance of~~ treatment, whether the health
67 care provider or the health care facility in which the patient
68 is receiving medical services accepts assignment under Medicare
69 reimbursement as payment in full for medical services and
70 treatment rendered in the health care provider's office or
71 health care facility.

72 3. A primary care provider may publish a schedule of
73 charges for the medical services that the provider offers to
74 patients. The schedule must include the prices charged to an
75 uninsured person paying for such services by cash, check, credit
76 card, or debit card. The schedule must be posted in a
77 conspicuous place in the reception area of the provider's office
78 and must include, but is not limited to, the 50 services most
79 frequently provided by the primary care provider. The schedule
80 may group services by three price levels, listing services in
81 each price level. The posting must be at least 15 square feet in
82 size. A primary care provider who publishes and maintains a
83 schedule of charges for medical services is exempt from the
84 license fee requirements for a single period of renewal of a

85 professional license under chapter 456 for that licensure term
86 and is exempt from the continuing education requirements of
87 chapter 456 and the rules implementing those requirements for a
88 single 2-year period.

89 4. If a primary care provider publishes a schedule of
90 charges pursuant to subparagraph 3., he or she must continually
91 post it at all times for the duration of active licensure in
92 this state when primary care services are provided to patients.
93 If a primary care provider fails to post the schedule of charges
94 in accordance with this subparagraph, the provider shall be
95 required to pay any license fee and comply with any continuing
96 education requirements for which an exemption was received.

97 5.3. A health care provider or a health care facility
98 shall, upon request, furnish a person, before ~~prior to~~
99 provision of medical services, a reasonable estimate of charges
100 for such services. The health care provider of the health care
101 facility shall provide an uninsured person, before ~~prior to~~ the
102 provision of a planned nonemergency medical service, a
103 reasonable estimate of charges for such service and information
104 regarding the provider's or facility's discount or charity
105 policies for which the uninsured person may be eligible. Such
106 estimates by a primary care provider must be consistent with the
107 schedule posted under subparagraph 3. Estimates shall, to the
108 extent possible, be written in a language comprehensible to an
109 ordinary layperson. Such reasonable estimate does ~~shall~~ not
110 preclude the health care provider or health care facility from
111 exceeding the estimate or making additional charges based on
112 changes in the patient's condition or treatment needs.

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113 ~~6.4.~~ Each licensed facility not operated by the state
114 shall make available to the public on its Internet website or by
115 other electronic means a description of and a link to the
116 performance outcome and financial data that is published by the
117 agency pursuant to s. 408.05(3)(k). The facility shall place a
118 notice in the reception area that such information is available
119 electronically and the website address. The licensed facility
120 may indicate that the pricing information is based on a
121 compilation of charges for the average patient and that each
122 patient's bill may vary from the average depending upon the
123 severity of illness and individual resources consumed. The
124 licensed facility may also indicate that the price of service is
125 negotiable for eligible patients based upon the patient's
126 ability to pay.

127 ~~7.5.~~ A patient has the right to receive a copy of an
128 itemized bill upon request. A patient has a right to be given an
129 explanation of charges upon request.

130 Section 2. Subsections (30) through (32) of section
131 395.002, Florida Statutes, are renumbered as subsections (31)
132 through (33), respectively, and a new subsection (30) is added
133 to that section to read:

134 395.002 Definitions.—As used in this chapter:

135 (30) "Urgent care center" means a facility or clinic,
136 owned by a hospital, that provides immediate but not emergent
137 ambulatory medical care to patients with or without an
138 appointment. It does not include the emergency department of a
139 hospital.

140 Section 3. Section 395.107, Florida Statutes, is created

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141 to read:

142 395.107 Urgent care centers; publishing and posting
143 schedule of charges.—An urgent care center must publish a
144 schedule of charges for the medical services offered to
145 patients. The schedule must include the prices charged to an
146 uninsured person paying for such services by cash, check, credit
147 card, or debit card. The schedule must be posted in a
148 conspicuous place in the reception area of the urgent care
149 center and must include, but is not limited to, the 50 services
150 most frequently provided by the urgent care center. The schedule
151 may group services by three price levels, listing services in
152 each price level. The posting must be at least 15 square feet in
153 size. The failure of an urgent care center to publish and post a
154 schedule of charges as required by this section shall result in
155 a fine of not more than \$1,000, per day, until the schedule is
156 published and posted.

157 Section 4. This act shall take effect July 1, 2011.