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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1a/AD/3R	.	Floor: C
03/09/2012 07:52 PM	.	03/10/2012 12:02 AM
	.	

Senator Garcia moved the following:

1 **Senate Amendment to Amendment (109490) (with title**
2 **amendment)**

3
4 Between lines 4 and 5
5 insert:

6 Section 1. Subsection (30) of section 395.002, Florida
7 Statutes, is amended to read:

8 395.002 Definitions.—As used in this chapter:

9 (30) "Urgent care center" means a facility or clinic that
10 provides immediate but not emergent ambulatory medical care to
11 patients ~~with or without an appointment.~~ The term includes an
12 offsite ~~It does not include the~~ emergency department of a
13 hospital that is presented to the general public in any manner



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14 as a department where immediate and not only emergent medical
15 care is provided. The term also includes:

16 (a) An offsite facility of a facility licensed under
17 chapter 395, or a joint venture between a facility licensed
18 under chapter 395 and a provider licensed under chapter 458 or
19 chapter 459, that does not require a patient to make an
20 appointment and is presented to the general public in any manner
21 as a facility where immediate but not emergent medical care is
22 provided.

23 (b) A clinic organization that is licensed under part X of
24 chapter 400, maintains three or more locations using the same or
25 a similar name, does not require a patient to make an
26 appointment, and holds itself out to the general public in any
27 manner as a facility or clinic where immediate but not emergent
28 medical care is provided.

29 Section 2. Section 395.107, Florida Statutes, is amended to
30 read:

31 395.107 Urgent care centers; publishing and posting
32 schedule of charges; penalties.-

33 (1) An urgent care center must publish and post a schedule
34 of charges for the medical services offered to patients.

35 (2) The schedule of charges must describe the medical
36 services in language comprehensible to a layperson. The schedule
37 must include the prices charged to an uninsured person paying
38 for such services by cash, check, credit card, or debit card.
39 The schedule must be posted in a conspicuous place in the
40 reception area ~~of the urgent care center~~ and must include, but
41 is not limited to, the 50 services most frequently provided ~~by~~
42 ~~the urgent care center.~~ The schedule may group services by three



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43 price levels, listing services in each price level. The posting
44 may be a sign, which must be at least 15 square feet in size, or
45 may be through an electronic messaging board. If an urgent care
46 center is affiliated with a facility licensed under this
47 chapter, the schedule must include text that notifies the
48 insured patients whether the charges for medical services
49 received at the center will be the same as, or more than,
50 charges for medical services received at the affiliated
51 hospital. The text notifying the patient of the schedule of
52 charges shall be in a font size equal to or greater than the
53 font size used for prices and must be in a contrasting color.
54 The text that notifies the insured patients whether the charges
55 for medical services received at the center will be the same as,
56 or more than, charges for medical services received at the
57 affiliated hospital shall be included in all media and Internet
58 advertisements for the center and in language comprehensible to
59 a layperson.

60 (3) The posted text describing the medical services must
61 fill at least 12 square feet of the posting. A center may use an
62 electronic device or messaging board to post the schedule of
63 charges. Such a device must be at least 3 square feet and
64 patients must be able to access the schedule during all hours of
65 operation of the urgent care center.

66 (4) An urgent care center that is operated and used
67 exclusively for employees and the dependents of employees of the
68 business that owns or contracts for the urgent care center is
69 exempt from this section.

70 (5) The failure of an urgent care center to publish and
71 post a schedule of charges as required by this section shall



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72 result in a fine of not more than \$1,000, per day, until the
73 schedule is published and posted.

74 Section 3. Paragraph (i) of subsection (1) of section
75 400.9935, Florida Statutes, is amended to read:

76 400.9935 Clinic responsibilities.-

77 (1) Each clinic shall appoint a medical director or clinic
78 director who shall agree in writing to accept legal
79 responsibility for the following activities on behalf of the
80 clinic. The medical director or the clinic director shall:

81 (i) Ensure that the clinic publishes a schedule of charges
82 for the medical services offered to patients. The schedule must
83 include the prices charged to an uninsured person paying for
84 such services by cash, check, credit card, or debit card. The
85 schedule must be posted in a conspicuous place in the reception
86 area of the urgent care center and must include, but is not
87 limited to, the 50 services most frequently provided by the
88 clinic. The schedule may group services by three price levels,
89 listing services in each price level. The posting may be a sign
90 that must be at least 15 square feet in size or through an
91 electronic messaging board that is at least 3 square feet in
92 size. The failure of a clinic to publish and post a schedule of
93 charges as required by this section shall result in a fine of
94 not more than \$1,000, per day, until the schedule is published
95 and posted.

96
97 ===== T I T L E A M E N D M E N T =====

98 And the title is amended as follows:

99 Delete line 1149

100 and insert:



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101 An act relating to health care facilities; amending s.
102 395.002, F.S.; revising a definition of the term
103 "urgent care" as it relates to the regulation of
104 hospitals and other licensed facilities; amending s.
105 395.107, F.S.; requiring that a urgent care center
106 publish a post a schedule of charges; providing
107 requirements for the schedule; amending s. 400.9935,
108 F.S.; adding additional responsibilities of medical
109 and clinic directors with respect to the posting of a
110 schedule of charges for services; amending s.