

1 A bill to be entitled
 2 An act relating to health care coverage; amending s.
 3 381.026, F.S.; revising patient responsibilities
 4 contained in the Florida Patient's Bill of Rights and
 5 Responsibilities; amending s. 395.301, F.S.; requiring
 6 a patient to be presented with and sign a form
 7 regarding charges for out-of-network services;
 8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (6) of section 381.026, Florida
 13 Statutes, is amended to read:

14 381.026 Florida Patient's Bill of Rights and
 15 Responsibilities.—

16 (6) SUMMARY OF RIGHTS AND RESPONSIBILITIES.—Any health
 17 care provider who treats a patient in an office or any health
 18 care facility licensed under chapter 395 that provides emergency
 19 services and care or outpatient services and care to a patient,
 20 or admits and treats a patient, shall adopt and make available
 21 to the patient, in writing, a statement of the rights and
 22 responsibilities of patients, including the following:

23 SUMMARY OF THE FLORIDA PATIENT'S BILL
 24 OF RIGHTS AND RESPONSIBILITIES

25 Florida law requires that your health care provider or
 26 health care facility recognize your rights while you are
 27 receiving medical care and that you respect the health care
 28 provider's or health care facility's right to expect certain

29 | behavior on the part of patients. You may request a copy of the
30 | full text of this law from your health care provider or health
31 | care facility. A summary of your rights and responsibilities
32 | follows:

33 | A patient has the right to be treated with courtesy and
34 | respect, with appreciation of his or her individual dignity, and
35 | with protection of his or her need for privacy.

36 | A patient has the right to a prompt and reasonable response
37 | to questions and requests.

38 | A patient has the right to know who is providing medical
39 | services and who is responsible for his or her care.

40 | A patient has the right to know what patient support
41 | services are available, including whether an interpreter is
42 | available if he or she does not speak English.

43 | A patient has the right to know what rules and regulations
44 | apply to his or her conduct.

45 | A patient has the right to be given by the health care
46 | provider information concerning diagnosis, planned course of
47 | treatment, alternatives, risks, and prognosis.

48 | A patient has the right to refuse any treatment, except as
49 | otherwise provided by law.

50 | A patient has the right to be given, upon request, full
51 | information and necessary counseling on the availability of
52 | known financial resources for his or her care.

53 | A patient who is eligible for Medicare has the right to
54 | know, upon request and in advance of treatment, whether the
55 | health care provider or health care facility accepts the
56 | Medicare assignment rate.

57 | A patient has the right to receive, upon request, prior to
58 | treatment, a reasonable estimate of charges for medical care.

59 | A patient has the right to receive a copy of a reasonably
60 | clear and understandable, itemized bill and, upon request, to
61 | have the charges explained.

62 | A patient has the right to impartial access to medical
63 | treatment or accommodations, regardless of race, national
64 | origin, religion, handicap, or source of payment.

65 | A patient has the right to treatment for any emergency
66 | medical condition that will deteriorate from failure to provide
67 | treatment.

68 | A patient has the right to know if medical treatment is for
69 | purposes of experimental research and to give his or her consent
70 | or refusal to participate in such experimental research.

71 | A patient has the right to express grievances regarding any
72 | violation of his or her rights, as stated in Florida law,
73 | through the grievance procedure of the health care provider or
74 | health care facility which served him or her and to the
75 | appropriate state licensing agency.

76 | A patient is responsible for providing to the health care
77 | provider, to the best of his or her knowledge, accurate and
78 | complete information about present complaints, past illnesses,
79 | hospitalizations, medications, and other matters relating to his
80 | or her health.

81 | A patient is responsible for reporting unexpected changes
82 | in his or her condition to the health care provider.

83 | A patient is responsible for reviewing a document presented
84 | upon admission for treatment indicating that the patient may be

85 | charged for out-of-network physician services.

86 | A patient is responsible for reporting to the health care
87 | provider whether he or she comprehends a contemplated course of
88 | action and what is expected of him or her.

89 | A patient is responsible for following the treatment plan
90 | recommended by the health care provider.

91 | A patient is responsible for keeping appointments and, when
92 | he or she is unable to do so for any reason, for notifying the
93 | health care provider or health care facility.

94 | A patient is responsible for his or her actions if he or
95 | she refuses treatment or does not follow the health care
96 | provider's instructions.

97 | A patient is responsible for assuring that the financial
98 | obligations of his or her health care are fulfilled as promptly
99 | as possible.

100 | A patient is responsible for following health care facility
101 | rules and regulations affecting patient care and conduct.

102 | Section 2. Subsection (5) of section 395.301, Florida
103 | Statutes, is amended to read:

104 | 395.301 Itemized patient bill; form and content prescribed
105 | by the agency.—

106 | (5) In any billing for services subsequent to the initial
107 | billing for such services, the patient, or the patient's
108 | survivor or legal guardian, may elect, at his or her option, to
109 | receive a copy of the detailed statement of specific services
110 | received and expenses incurred for each such item of service as
111 | provided in subsection (1). Before services are rendered, a
112 | patient must be presented with a document indicating that the

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113 | patient may be charged for out-of-network physician services.
114 | The patient may sign the document, thereby indicating that he or
115 | she has reviewed the information contained therein, or, if the
116 | patient declines to sign, the medical facility employee who
117 | presents the document to the patient may sign the document to
118 | verify that the patient was presented with that information.

119 | Section 3. This act shall take effect January 1, 2015.