

By the Committee on Health Policy; and Senator Montford

588-02951-17

20171206c1

1 A bill to be entitled
2 An act relating to the rights and responsibilities of
3 patients; amending s. 381.026, F.S.; requiring health
4 care facilities and providers to authorize patients to
5 bring in any person of the patients' choosing to
6 specified areas of the facilities or providers'
7 offices under certain circumstances; requiring health
8 care facilities and providers to include such
9 authorization as an additional patient standard in the
10 statement of rights and responsibilities made
11 available to patients by health care providers;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (a) of subsection (4) and subsection
17 (6) of section 381.026, Florida Statutes, are amended to read:
18 381.026 Florida Patient's Bill of Rights and
19 Responsibilities.—

20 (4) RIGHTS OF PATIENTS.—Each health care facility or
21 provider shall observe the following standards:

22 (a) *Individual dignity*.—

23 1. The individual dignity of a patient must be respected at
24 all times and upon all occasions.

25 2. Every patient who is provided health care services
26 retains certain rights to privacy, which must be respected
27 without regard to the patient's economic status or source of
28 payment for his or her care. The patient's rights to privacy
29 must be respected to the extent consistent with providing

588-02951-17

20171206c1

30 adequate medical care to the patient and with the efficient
31 administration of the health care facility or provider's office.
32 However, this subparagraph does not preclude necessary and
33 discreet discussion of a patient's case or examination by
34 appropriate medical personnel.

35 3. A patient has the right to a prompt and reasonable
36 response to a question or request. A health care facility shall
37 respond in a reasonable manner to the request of a patient's
38 health care provider for medical services to the patient. The
39 health care facility shall also respond in a reasonable manner
40 to the patient's request for other services customarily rendered
41 by the health care facility to the extent such services do not
42 require the approval of the patient's health care provider or
43 are not inconsistent with the patient's treatment.

44 4. A patient in a health care facility has the right to
45 retain and use personal clothing or possessions as space
46 permits, unless for him or her to do so would infringe upon the
47 right of another patient or is medically or programmatically
48 contraindicated for documented medical, safety, or programmatic
49 reasons.

50 5. A patient receiving care in a health care facility or in
51 a provider's office has the right to bring any person of his or
52 her choosing to the patient-accessible areas of the health care
53 facility or provider's office to accompany the patient while the
54 patient is receiving inpatient or outpatient treatment or is
55 consulting with his or her health care provider, unless doing so
56 would risk the safety or health of the patient, other patients,
57 or staff of the facility or office or cannot be reasonably
58 accommodated by the facility or provider.

588-02951-17

20171206c1

59 (6) SUMMARY OF RIGHTS AND RESPONSIBILITIES.—Any health care
60 provider who treats a patient in an office or any health care
61 facility licensed under chapter 395 that provides emergency
62 services and care or outpatient services and care to a patient,
63 or admits and treats a patient, shall adopt and make available
64 to the patient, in writing, a statement of the rights and
65 responsibilities of patients, including the following:

66

67 SUMMARY OF THE FLORIDA PATIENT'S BILL
68 OF RIGHTS AND RESPONSIBILITIES

69

70 Florida law requires that your health care provider or
71 health care facility recognize your rights while you are
72 receiving medical care and that you respect the health care
73 provider's or health care facility's right to expect certain
74 behavior on the part of patients. You may request a copy of the
75 full text of this law from your health care provider or health
76 care facility. A summary of your rights and responsibilities
77 follows:

78 A patient has the right to be treated with courtesy and
79 respect, with appreciation of his or her individual dignity, and
80 with protection of his or her need for privacy.

81 A patient has the right to a prompt and reasonable response
82 to questions and requests.

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

85 A patient has the right to know what patient support
86 services are available, including whether an interpreter is
87 available if he or she does not speak English.

588-02951-17

20171206c1

88 A patient has the right to bring any person of his or her
89 choosing to the patient-accessible areas of the health care
90 facility or provider's office to accompany the patient while the
91 patient is receiving inpatient or outpatient treatment or is
92 consulting with his or her health care provider, unless doing so
93 would risk the safety or health of the patient, other patients,
94 or staff of the facility or office or cannot be reasonably
95 accommodated by the facility or provider.

96 A patient has the right to know what rules and regulations
97 apply to his or her conduct.

98 A patient has the right to be given by the health care
99 provider information concerning diagnosis, planned course of
100 treatment, alternatives, risks, and prognosis.

101 A patient has the right to refuse any treatment, except as
102 otherwise provided by law.

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

106 A patient who is eligible for Medicare has the right to
107 know, upon request and in advance of treatment, whether the
108 health care provider or health care facility accepts the
109 Medicare assignment rate.

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

112 A patient has the right to receive a copy of a reasonably
113 clear and understandable, itemized bill and, upon request, to
114 have the charges explained.

115 A patient has the right to impartial access to medical
116 treatment or accommodations, regardless of race, national

588-02951-17

20171206c1

117 origin, religion, handicap, or source of payment.

118 A patient has the right to treatment for any emergency
119 medical condition that will deteriorate from failure to provide
120 treatment.

121 A patient has the right to know if medical treatment is for
122 purposes of experimental research and to give his or her consent
123 or refusal to participate in such experimental research.

124 A patient has the right to express grievances regarding any
125 violation of his or her rights, as stated in Florida law,
126 through the grievance procedure of the health care provider or
127 health care facility which served him or her and to the
128 appropriate state licensing agency.

129 A patient is responsible for providing to the health care
130 provider, to the best of his or her knowledge, accurate and
131 complete information about present complaints, past illnesses,
132 hospitalizations, medications, and other matters relating to his
133 or her health.

134 A patient is responsible for reporting unexpected changes
135 in his or her condition to the health care provider.

136 A patient is responsible for reporting to the health care
137 provider whether he or she comprehends a contemplated course of
138 action and what is expected of him or her.

139 A patient is responsible for following the treatment plan
140 recommended by the health care provider.

141 A patient is responsible for keeping appointments and, when
142 he or she is unable to do so for any reason, for notifying the
143 health care provider or health care facility.

144 A patient is responsible for his or her actions if he or
145 she refuses treatment or does not follow the health care

588-02951-17

20171206c1

146 provider's instructions.

147 A patient is responsible for assuring that the financial
148 obligations of his or her health care are fulfilled as promptly
149 as possible.

150 A patient is responsible for following health care facility
151 rules and regulations affecting patient care and conduct.

152 Section 2. This act shall take effect July 1, 2017.