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CS/HB 1253

2017 Legislature

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 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; providing an
 8 exception; requiring health care facilities and
 9 providers to include such authorization as an
 10 additional patient standard in the statement of rights
 11 and responsibilities made available to patients by
 12 health care providers; 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
 24 at all times and upon all occasions.

25 2. Every patient who is provided health care services

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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
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

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

59 (6) SUMMARY OF RIGHTS AND RESPONSIBILITIES.—Any health
 60 care provider who treats a patient in an office or any health
 61 care 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

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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.

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.

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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
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,

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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
 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

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151 | rules and regulations affecting patient care and conduct.
152 | Section 2. This act shall take effect July 1, 2017.
153 |