

By Senator Broxson

1-01744A-20

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1                   A bill to be entitled  
2           An act relating to the duty to notify patients;  
3           amending s. 456.0575, F.S.; requiring a health care  
4           practitioner to notify a patient in writing upon  
5           referring the patient to certain providers and  
6           hospitals under certain circumstances; providing  
7           requirements for such notice; defining the term  
8           "investment interest"; 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 (2) of section 456.0575, Florida  
13           Statutes, is redesignated as subsection (3), and a new  
14           subsection (2) and subsection (4) are added to that section, to  
15           read:

16           456.0575 Duty to notify patients.—

17           (2) A health care practitioner shall notify a patient in  
18           writing upon referring the patient to a nonparticipating  
19           provider for nonemergency services, as those terms are defined  
20           in s. 627.64194(1), or to a provider, as defined in s. 641.47,  
21           which is not under contract with the patient's health  
22           maintenance organization. Such notice must state that the  
23           services will be provided on an out-of-network basis, which may  
24           result in additional cost-sharing responsibilities for the  
25           patient, and must be documented in the patient's medical record.  
26           Failure to comply with this subsection, without good cause,  
27           shall result in disciplinary action against the health care  
28           practitioner.

29           (4) If a health care practitioner has an investment

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30 interest in a hospital or an entity that owns or leases and that  
31 operates a hospital, the health care practitioner must notify a  
32 patient, in writing, of the investment interest upon referring  
33 the patient for nonemergency services to such hospital. For  
34 purposes of this subsection, the term "investment interest"  
35 means an equity or debt security issued by an entity, including,  
36 without limitation, shares of stock in a corporation, units or  
37 other interests in a partnership, bonds, debentures, notes, or  
38 other equity interests or debt instruments.

39 Section 2. This act shall take effect January 1, 2021.