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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2021	.	
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Appropriations Subcommittee on Health and Human Services
(Brodeur) recommended the following:

Senate Amendment (with title amendment)

Delete lines 95 - 138
and insert:
itself out to the public as an urgent care center, unless that
site is operating in accordance with s. 395.107 and provides
urgent care services that are not billed at emergency department
rates, and must clearly identify itself as a hospital emergency
department using, at a minimum, prominent lighted external
signage that includes the word "EMERGENCY" in conjunction with



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11 the name of the hospital.

12 2. A freestanding emergency department shall conspicuously
13 post signs at locations that are readily accessible to and
14 visible by patients outside the entrance to the facility and in
15 patient waiting areas which state the following: "THIS IS A
16 HOSPITAL EMERGENCY DEPARTMENT." Unless the freestanding
17 emergency department shares a location and a public entrance
18 with an urgent care center, the signs must also state the
19 following: "THIS IS NOT AN URGENT CARE CENTER. HOSPITAL
20 EMERGENCY DEPARTMENT RATES ARE BILLED FOR OUR SERVICES." The
21 signs must also specify the facility's average facility fee, if
22 any, and notify the public that the facility or a physician
23 providing medical care at the facility may be an out-of-network
24 provider. The signs must be at least 2 square feet in size and
25 the text must be in at least 36-point type. A freestanding
26 emergency department that shares a location and public entrance
27 with an urgent care center that operates in accordance with s.
28 395.107 and does not bill patients at emergency department rates
29 may also state "AND URGENT CARE SERVICES" in addition to any
30 signage requirements required by this paragraph.

31 3. Except as provided in this paragraph, any advertisement
32 for a freestanding emergency department that does not provide
33 and bill for urgent care services in accordance with s. 395.107
34 must include the following statement: "This emergency department
35 is not an urgent care center. It is part of (insert hospital
36 name) and its services and care are billed at hospital emergency
37 department rates." Any billboard advertising a freestanding
38 emergency department that does not provide and bill for urgent
39 care services in accordance with s. 395.107 which measures at



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40 least 200 square feet must include the following statement in
41 clearly legible contrasting color text at least 15 inches high:
42 “(INSERT NAME OF HOSPITAL) EMERGENCY DEPARTMENT. THIS IS NOT AN
43 URGENT CARE CENTER.”

44 4.a. The agency shall post information on its website which
45 provides a description of the differences between a freestanding
46 emergency department and an urgent care center. Such description
47 must include:

48 (I) At least two examples illustrating the impact on both
49 insured and insurer paid amounts from the inappropriate use of
50 nonemergent services and care in a hospital emergency department
51 setting compared to the use of nonemergent services and care in
52 an urgent care center;

53 (II) An interactive tool to locate local urgent care
54 centers; and

55 (III) What to do in the event of a true emergency.

56 b. The agency shall update the information required in sub-
57 subparagraph a. at least annually. Each hospital shall post a
58 link to such information in a prominent location on its website.

59 5. A freestanding emergency department that provides and
60 bills for urgent care services in accordance with s. 395.107
61 shall provide an emergency room billing acknowledgement form to
62 a patient receiving emergency medical treatment from the
63 emergency department after a medical screening examination is
64 conducted and stabilizing care is provided to the patient. The
65 form must have a heading that reads, “Your visit today will be
66 billed as an emergency room visit” and must contain the
67 following statement: “I, (insert patient’s name), understand
68 that today’s visit will be BILLED AS AN EMERGENCY ROOM VISIT. I



69 certify that the (insert hospital name) has not withheld,
70 delayed, or conditioned a medical screening examination or
71 stabilizing care based upon me signing or refusing to sign this
72 form or based upon any payment related concerns. I understand
73 that I may qualify for financial assistance if I am unable to
74 pay for my care today."

75
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Delete lines 9 - 23

79 and insert:

80 out to the public as an urgent care center; providing
81 an exception; requiring a freestanding emergency
82 department to clearly identify itself as a hospital
83 emergency department using certain signage; requiring
84 a freestanding emergency department to post signs in
85 certain locations which contain specified statements;
86 providing requirements for such signs; providing
87 requirements for the advertisement of freestanding
88 emergency departments; requiring the Agency for Health
89 Care Administration to post information on its website
90 describing the differences between a freestanding
91 emergency department and an urgent care center;
92 requiring the agency to update such information on its
93 website at least annually; requiring hospitals to post
94 a link to such information on their websites;
95 requiring certain freestanding emergency departments
96 to provide an emergency room billing acknowledgement
97 form to patients under certain circumstances;



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requiring that the form contain a specified heading
and statement; amending