

CS/HB 1527

2022

1                   A bill to be entitled  
2           An act relating to health care expenses; creating s.  
3           222.26, F.S.; providing additional personal property  
4           exemptions from legal process for medical debts  
5           resulting from services provided in certain licensed  
6           facilities; amending s. 395.301, F.S.; requiring a  
7           licensed facility to post on its website a consumer-  
8           friendly list of standard charges for a minimum number  
9           of shoppable health care services; providing  
10          definitions; requiring a licensed facility to  
11          establish an internal grievance process for patients  
12          to dispute charges, to make available information  
13          necessary for initiating a grievance, and to respond  
14          to a grievance within a specified timeframe; creating  
15          s. 395.3011, F.S.; providing a definition; prohibiting  
16          certain collection activities by a licensed facility;  
17          providing an effective date.

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

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21          Section 1. Section 222.26, Florida Statutes, is created to  
22          read:

23          222.26 Additional exemptions from legal process concerning  
24          medical debt.—If a debt is owed for medical services provided by  
25          a facility licensed under chapter 395, the following property is

26 exempt from attachment, garnishment, or other legal process in  
 27 an action on such debt:

28 (1) A debtor's interest, not to exceed \$10,000 in value,  
 29 in a single motor vehicle as defined in s. 320.01(1).

30 (2) A debtor's interest in personal property, not to  
 31 exceed \$10,000 in value, if the debtor does not claim or receive  
 32 the benefits of a homestead exemption under s. 4, Art. X of the  
 33 State Constitution.

34 Section 2. Paragraphs (b) through (d) of subsection (1) of  
 35 section 395.301, Florida Statutes, are redesignated as  
 36 paragraphs (c) through (e), respectively, subsection (6) is  
 37 renumbered as subsection (7), and a new paragraph (b) is added  
 38 to subsection (1) and a new subsection (6) is added to that  
 39 section, to read:

40 395.301 Price transparency; itemized patient statement or  
 41 bill; patient admission status notification.—

42 (1) A facility licensed under this chapter shall provide  
 43 timely and accurate financial information and quality of service  
 44 measures to patients and prospective patients of the facility,  
 45 or to patients' survivors or legal guardians, as appropriate.  
 46 Such information shall be provided in accordance with this  
 47 section and rules adopted by the agency pursuant to this chapter  
 48 and s. 408.05. Licensed facilities operating exclusively as  
 49 state facilities are exempt from this subsection.

50        (b) Each licensed facility shall post on its website a  
51 consumer-friendly list of standard charges for at least 300  
52 shoppable health care services. If a facility provides fewer  
53 than 300 distinct shoppable health care services, it shall make  
54 available on its website the standard charges for each service  
55 it provides. As used in this paragraph, the term:

56        1. "Shoppable health care service" means a service that  
57 can be scheduled by a healthcare consumer in advance. The term  
58 includes, but is not limited to, the services described in s.  
59 627.6387(2)(e) and any services defined in regulations or  
60 guidance issued by the United States Department of Health and  
61 Human Services.

62        2. "Standard charge" has the same meaning as that term is  
63 defined in regulations or guidance issued by the United States  
64 Department of Health and Human Services for purposes of hospital  
65 price transparency.

66        (6) Each facility shall establish an internal process for  
67 reviewing and responding to grievances from patients. Such  
68 process must allow patients to dispute charges that appear on  
69 the patient's itemized statement or bill. The facility shall  
70 prominently post on its website and indicate in bold print on  
71 each itemized statement or bill the instructions for initiating  
72 a grievance and the direct contact information required to  
73 initiate the grievance process. The facility must provide an  
74 initial response to a patient grievance within 7 business days

75 after the patient formally files a grievance disputing all or a  
76 portion of an itemized statement or bill.

77 Section 3. Section 395.3011, Florida Statutes, is created  
78 to read:

79 395.3011 Billing and collection activities.—

80 (1) As used in this section, the term "extraordinary  
81 collection action" means any of the following actions taken by a  
82 licensed facility against an individual in relation to obtaining  
83 payment of a bill for care covered under the facility's  
84 financial assistance policy:

85 (a) Selling the individual's debt to another party.

86 (b) Reporting adverse information about the individual to  
87 consumer credit reporting agencies or credit bureaus.

88 (c) Deferring, denying, or requiring a payment before  
89 providing medically necessary care because of the individual's  
90 nonpayment of one or more bills for previously provided care  
91 covered under the facility's financial assistance policy.

92 (d) Actions that require a legal or judicial process,  
93 including, but not limited to:

94 1. Placing a lien on the individual's property;

95 2. Foreclosing on the individual's real property;

96 3. Attaching or seizing the individual's bank account or  
97 any other personal property;

98 4. Commencing a civil action against the individual;

99 5. Causing the individual's arrest; or

100       6. Garnishing the individual's wages.  
 101       (2) A facility may not engage in an extraordinary  
 102 collection action against an individual to obtain payment for  
 103 services:  
 104       (a) Before the facility has made reasonable efforts to  
 105 determine whether the individual is eligible for assistance  
 106 under its financial assistance policy for the care provided.  
 107       (b) Before the facility has provided the individual with  
 108 an itemized statement or bill.  
 109       (c) During an ongoing grievance process as described in s.  
 110 395.301(6).  
 111       (d) Before billing any applicable insurer and allowing the  
 112 insurer to adjudicate a claim.  
 113       (e) For 30 days after notifying the patient in writing, by  
 114 certified mail or other traceable delivery method, that a  
 115 collection action will commence absent additional action by the  
 116 patient.  
 117       Section 4. This act shall take effect July 1, 2022.