



736708

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Health Policy (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 408.12, Florida Statutes, is created to
read:

408.12 Patient overpayments; refunds.-

(1) A licensee who tenders charges for reimbursement shall
refund to the patient the amount of any overpayment made by the
patient to the licensee no later than 30 days after the date



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11 that the licensee determines that such overpayment was made. For
12 purposes of this section, the term "tenders charges for
13 reimbursement" means the licensee files a claim for
14 reimbursement with any government-sponsored program or private
15 health insurer or health maintenance organization for services
16 rendered to the patient.

17 (2) This section does not apply to an overpayment subject
18 to s. 627.6131 or s. 641.3155.

19 (3) A licensee who violates this section is subject to an
20 administrative fine under s. 408.813.

21 Section 2. Paragraph (g) is added to subsection (3) of
22 section 408.813, Florida Statutes, to read:

23 408.813 Administrative fines; violations.—As a penalty for
24 any violation of this part, authorizing statutes, or applicable
25 rules, the agency may impose an administrative fine.

26 (3) The agency may impose an administrative fine for a
27 violation that is not designated as a class I, class II, class
28 III, or class IV violation. Unless otherwise specified by law,
29 the amount of the fine may not exceed \$500 for each violation.
30 Unclassified violations include:

31 (g) Failing to refund a patient overpayment pursuant to s.
32 408.12.

33 Section 3. Section 456.0625, Florida Statutes, is created
34 to read:

35 456.0625 Patient overpayments; refunds.—

36 (1) A health care practitioner who tenders charges for
37 reimbursement, or any billing department, management company, or
38 group practice that accepts payment for services rendered by the
39 health care practitioner, shall refund to the patient the amount



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40 of any overpayment made by the patient no later than 30 days
41 after the date that it was determined that an overpayment was
42 made. For purposes of this section, the term "tenders charges
43 for reimbursement" means that the health care practitioner,
44 department, company, or practice files a claim for reimbursement
45 with any government-sponsored program or private health insurer
46 or health maintenance organization for services rendered by the
47 health care practitioner to the patient.

48 (2) This section does not apply to an overpayment subject
49 to s. 627.6131 or s. 641.3155.

50 (3) A health care practitioner's violation of this section
51 constitutes grounds for disciplinary action under s. 456.072.

52 Section 4. Paragraph (tt) is added to subsection (1) of
53 section 456.072, Florida Statutes, to read:

54 456.072 Grounds for discipline; penalties; enforcement.—

55 (1) The following acts shall constitute grounds for which
56 the disciplinary actions specified in subsection (2) may be
57 taken:

58 (tt) Failure to comply with s. 456.0625, relating to
59 refunding overpayments to patients.

60 Section 5. This act shall take effect January 1, 2026.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete everything before the enacting clause
65 and insert:

66 A bill to be entitled
67 An act relating to refund of overpayments made by
68 patients; creating s. 408.12, F.S.; requiring health



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69 care facility licensees to refund to the patient any
70 overpayment within a specified timeframe; defining the
71 term "tenders charges for reimbursement"; providing
72 applicability; specifying that health care facility
73 licensees who violate certain provisions are subject
74 to administrative fines; amending s. 408.813, F.S.;
75 revising administrative fines for health care
76 practitioners; amending s. 456.0625, F.S.; requiring
77 health care practitioners to refund to the patient any
78 overpayment within a specified timeframe; defining the
79 term "tenders charges for reimbursement"; providing
80 applicability; specifying that health care
81 practitioners who violate certain provisions are
82 subject to disciplinary actions; amending s. 456.072,
83 F.S.; revising the acts that constitute grounds for
84 disciplinary actions for health care practitioners;
85 providing an effective date.