

By the Committee on Health Policy; and Senator Burton

588-02568-25

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1 A bill to be entitled  
2 An act relating to refund of overpayments made by  
3 patients; creating s. 408.12, F.S.; requiring health  
4 care facility licensees to refund to the patient any  
5 overpayment within a specified timeframe; defining the  
6 term "tenders charges for reimbursement"; providing  
7 applicability; specifying that health care facility  
8 licensees who violate certain provisions are subject  
9 to administrative fines; amending s. 408.813, F.S.;  
10 revising administrative fines for health care  
11 practitioners; amending s. 456.0625, F.S.; requiring  
12 health care practitioners to refund to the patient any  
13 overpayment within a specified timeframe; defining the  
14 term "tenders charges for reimbursement"; providing  
15 applicability; specifying that health care  
16 practitioners who violate certain provisions are  
17 subject to disciplinary actions; amending s. 456.072,  
18 F.S.; revising the acts that constitute grounds for  
19 disciplinary actions for health care practitioners;  
20 providing an effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24 Section 1. Section 408.12, Florida Statutes, is created to  
25 read:

26 408.12 Patient overpayments; refunds.-

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

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30 that the licensee determines that such overpayment was made. For  
31 purposes of this section, the term "tenders charges for  
32 reimbursement" means the licensee files a claim for  
33 reimbursement with any government-sponsored program or private  
34 health insurer or health maintenance organization for services  
35 rendered to the patient.

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

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

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

42 408.813 Administrative fines; violations.—As a penalty for  
43 any violation of this part, authorizing statutes, or applicable  
44 rules, the agency may impose an administrative fine.

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

50 (g) Failing to refund a patient overpayment pursuant to s.  
51 408.12.

52 Section 3. Section 456.0625, Florida Statutes, is created  
53 to read:

54 456.0625 Patient overpayments; refunds.—

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

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59 of any overpayment made by the patient no later than 30 days  
60 after the date that it was determined that an overpayment was  
61 made. For purposes of this section, the term "tenders charges  
62 for reimbursement" means that the health care practitioner,  
63 department, company, or practice files a claim for reimbursement  
64 with any government-sponsored program or private health insurer  
65 or health maintenance organization for services rendered by the  
66 health care practitioner to the patient.

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

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

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

73 456.072 Grounds for discipline; penalties; enforcement.—

74 (1) The following acts shall constitute grounds for which  
75 the disciplinary actions specified in subsection (2) may be  
76 taken:

77 (tt) Failure to comply with s. 456.0625, relating to  
78 refunding overpayments to patients.

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