

By the Committees on Rules; and Health Policy; and Senator
Burton

595-03672A-25

20251808c2

A bill to be entitled
An act relating to refund of overpayments made by
patients; creating s. 408.12, F.S.; requiring health
care facility licensees to refund to the patient any
overpayment within a specified timeframe; defining the
term "tenders charges for reimbursement"; providing
applicability; specifying that health care facility
licensees who violate certain provisions are subject
to administrative fines; amending s. 408.813, F.S.;
revising administrative fines for health care
practitioners; amending s. 456.0625, F.S.; requiring
health care practitioners to refund to the patient any
overpayment within a specified timeframe; defining the
term "tenders charges for reimbursement"; providing
applicability; specifying that health care
practitioners who violate certain provisions are
subject to disciplinary actions; amending s. 456.072,
F.S.; revising the list of acts that constitute
grounds for disciplinary actions for health care
practitioners; providing an effective date.

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

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

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

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

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

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

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

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

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

456.0625 Patient overpayments; refunds.—

(1) A health care practitioner who tenders charges for reimbursement, or any billing department, management company, or group practice that accepts payment for services rendered by the 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 the health care practitioner determines that an
61 overpayment was made. For purposes of this section, the term
62 "tenders charges for reimbursement" means that the health care
63 practitioner, department, company, or practice files a claim for
64 reimbursement with any government-sponsored program or private
65 health insurer or health maintenance organization for services
66 rendered by the 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.