

By the Committee on Health Policy; and Senator Burton

588-02850-25

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A bill to be entitled
An act relating to out-of-network providers; amending
s. 456.0575, F.S.; requiring a health care
practitioner or his or her employee to confirm whether
a referral provider participates in the provider
network of the patient's health insurer or health
maintenance organization under certain circumstances;
authorizing the practitioner or his or her employee to
confirm the referral provider's participation in a
specified manner; providing applicability; requiring a
health care practitioner to notify a patient in
writing that certain services are not covered services
under the patient's health coverage; requiring that
such notice be documented; providing for health care
practitioner disciplinary action under certain
conditions; authorizing the Department of Health to
adopt rules; providing an effective date.

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

Section 1. Present subsection (2) of section 456.0575,
Florida Statutes, is redesignated as subsection (3), and a new
subsection (2) is added to that section, to read:

456.0575 Duty to notify patients.—

(2) (a) When providing nonemergency services, as defined in
s. 627.64194, to a patient, and referring the patient to a
provider for nonemergency services, a health care practitioner
or his or her employee must, at the point of service, confirm
whether the referral provider participates in the provider

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30 network of the patient's health insurer or health maintenance
31 organization. The practitioner or his or her employee may
32 confirm the referral provider's participation by contacting the
33 referral provider or the patient's health insurer or health
34 maintenance organization, as necessary.

35 (b) The requirements of paragraph (a) do not apply if the
36 patient declines the practitioner's offer to make the
37 confirmation or declines to share with the referral provider the
38 name and identification number associated with his or her health
39 insurance policy or health maintenance organization contract.

40 (c) When making any referral, the practitioner must notify
41 a patient in writing that services provided by an out-of-network
42 provider or that are not covered services under the patient's
43 health coverage may result in additional cost-sharing
44 responsibilities for the patient, and such notice must be
45 documented in the patient's medical record.

46 (d) Failure to comply with this subsection, without good
47 cause, shall result in disciplinary action against the health
48 care practitioner.

49 (e) The department may adopt rules to implement this
50 subsection.

51 Section 2. This act shall take effect July 1, 2025.