

1 A bill to be entitled
 2 An act relating to medical debt; amending s. 395.3011,
 3 F.S.; revising and providing definitions; providing
 4 that certain information relating to medical debt paid
 5 or settled by a consumer or the satisfactory
 6 performance of a consumer meeting the obligations of a
 7 payment plan may be furnished to a consumer reporting
 8 agency under certain circumstances; requiring certain
 9 agencies and providers to adopt reasonable procedures
 10 for positive consumer credit information from
 11 furnishers of medical debt information for certain
 12 purposes; providing an effective date.

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

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 16 **Section 1. Section 395.3011, Florida Statutes, is amended**
 17 **to read:**

18 395.3011 Billing and collection activities.—

19 (1) As used in this section, the term "extraordinary
 20 collection action" means any of the following actions taken by a
 21 licensed facility against an individual in relation to obtaining
 22 payment of a bill for care ~~covered under the facility's~~
 23 ~~financial assistance policy:~~

24 (a) Selling the individual's debt to another party, unless
 25 the debt will not be not subject to interest, fees, or actions

26 | that require a legal or judicial process under paragraph (d),
27 | and provided the debt is returned to the licensed facility if it
28 | is determined that the debt qualifies for charity care under the
29 | facility's financial assistance policy.

30 | (b) Reporting adverse information about the individual to
31 | consumer credit reporting agencies or credit bureaus.

32 | (c) Deferring, denying, or requiring a payment before
33 | providing medically necessary care because of the individual's
34 | nonpayment of one or more bills for previously provided care
35 | covered under the facility's financial assistance policy.

36 | (d) Actions that require a legal or judicial process,
37 | including, but not limited to:

- 38 | 1. Placing a lien on the individual's property;
- 39 | 2. Foreclosing on the individual's real property;
- 40 | 3. Attaching or seizing the individual's bank account or
41 | any other personal property;
- 42 | 4. Commencing a civil action against the individual;
- 43 | 5. Causing the individual's arrest; or
- 44 | 6. Garnishing the individual's wages.

45 | (2) A facility may not engage in an extraordinary
46 | collection action against an individual to obtain payment for
47 | services:

48 | (a) Before the facility has made reasonable efforts to
49 | determine whether the individual is eligible for assistance
50 | under its financial assistance policy for the care provided and,

51 if eligible, before a decision is made by the facility on the
 52 patient's application for such financial assistance.

53 (b) Before the facility has provided the individual with
 54 an itemized statement or bill.

55 (c) During an ongoing grievance process as described in s.
 56 395.301(6) or an ongoing appeal of a claim adjudication.

57 (d) Before billing any applicable insurer and allowing the
 58 insurer to adjudicate a claim.

59 (e) For 30 days after notifying the patient in writing, by
 60 certified mail, or by other traceable delivery method, that a
 61 collection action will commence absent additional action by the
 62 patient.

63 (f) While the individual:

64 1. Negotiates in good faith the final amount of a bill for
 65 services rendered; or

66 2. Complies with all terms of a payment plan with the
 67 facility.

68 (3)(a) As used in this subsection:

69 1. "Furnisher of medical debt information" means an entity
 70 that owns the medical debt account and provides to a consumer
 71 reporting agency information pertaining to transactions,
 72 accounts, balances, repayment terms, repayment history, and
 73 similar information relating to medical debts.

74 2. "Medical debt" means a debt arising from the receipt of
 75 medical services, products, or devices.

76 (b) Information relating to medical debt paid or settled
77 by a consumer may be furnished to a consumer reporting agency.

78 (c) Information relating to the satisfactory performance
79 of a consumer meeting the obligations of a payment plan may be
80 furnished to a consumer reporting agency if:

81 1. The medical debt owner and the consumer have entered
82 into a payment plan, including a deferred payment agreement or a
83 debt forgiveness program with respect to medical debt.

84 2. The consumer is meeting the obligations of the payment
85 plan, as determined by the medical debt owner.

86 (d) Consumer reporting agencies and credit scoring service
87 providers shall adopt reasonable procedures for positive
88 consumer credit information from a furnisher of medical debt
89 information so that such information is:

90 1. Included in a consumer report used in whole or in part
91 for the purpose of serving as a factor in establishing a
92 consumer's eligibility for credit, employment purposes, and
93 other purposes authorized by this subsection.

94 2. Used in the generation of any credit score.

95 3. Provided in a manner that is fair to the consumer, with
96 regard to the confidentiality, accuracy, relevancy, and proper
97 use of such information in accordance with the requirements of
98 this subsection.

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