

1 A bill to be entitled
2 An act relating to medical debt; amending s. 395.3011,
3 F.S.; revising a definition; providing an exception to
4 the prohibition of a facility engaging in
5 extraordinary collection action to obtain payment for
6 services for the sale of certain debt; providing an
7 effective date.

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

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11 Section 1. Section 395.3011, Florida Statutes, is amended
12 to read:

13 395.3011 Billing and collection activities.—

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

19 (a) Selling the individual's debt to another party.

20 (b) Reporting adverse information about the individual to
21 consumer credit reporting agencies or credit bureaus.

22 (c) Deferring, denying, or requiring a payment before
23 providing medically necessary care because of the individual's
24 nonpayment of one or more bills for previously provided care
25 covered under the facility's financial assistance policy.

26 (d) Actions that require a legal or judicial process,
27 including, but not limited to:

- 28 1. Placing a lien on the individual's property;
29 2. Foreclosing on the individual's real property;
30 3. Attaching or seizing the individual's bank account or
31 any other personal property;
32 4. Commencing a civil action against the individual;
33 5. Causing the individual's arrest; or
34 6. Garnishing the individual's wages.

35 (2) A facility may not engage in an extraordinary
36 collection action against an individual to obtain payment for
37 services:

38 (a) Before the facility has made reasonable efforts to
39 determine whether the individual is eligible for assistance
40 under its financial assistance policy for the care provided and,
41 if eligible, before a decision is made by the facility on the
42 patient's application for such financial assistance.

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

45 (c) During an ongoing grievance process as described in s.
46 395.301(6) or an ongoing appeal of a claim adjudication.

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

49 (e) For 30 days after notifying the patient in writing, by
50 certified mail, or by other traceable delivery method, that a

51 collection action will commence absent additional action by the
52 patient. This paragraph does not apply to a sale of debt
53 governed by a contract executed by the facility, which provides
54 that the debt may not incur interest or fees and that no other
55 extraordinary collection actions are taken by the purchaser of
56 the debt which could otherwise be taken by the licensed
57 facility, as described in subsection (1), and that the debt will
58 be returned to the facility if the debt buyer determines the
59 individual is eligible for assistance under the facility's
60 financial assistance policy.

61 (f) While the individual:

- 62 1. Negotiates in good faith the final amount of a bill for
63 services rendered; or
64 2. Complies with all terms of a payment plan with the
65 facility.

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