

By the Committee on Health Policy; and Senator Rodriguez

588-02846-25

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1                   A bill to be entitled  
2           An act relating to health care billing and collection  
3           activities; amending s. 395.3011, F.S.; revising the  
4           definition of the term "extraordinary collection  
5           action"; authorizing facilities to engage in an  
6           extraordinary collection action under certain  
7           circumstances; providing an 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. Subsection (1) and paragraph (e) of subsection  
12           (2) of section 395.3011, Florida Statutes, are amended 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;

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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           (e) For 30 days after notifying the patient in writing, by  
39 certified mail, or by other traceable delivery method, that a  
40 collection action will commence absent additional action by the  
41 patient. However, a facility may engage in an extraordinary  
42 collection action without providing 30 days' notice if both of  
43 the following conditions are met:

44           1. The facility contracts to sell an individual's debt to  
45 another party, provided that the debt may not incur interest or  
46 fees and that no other extraordinary actions are taken, as  
47 described in subsection (1).

48           2. If the debt is later determined to qualify for charity  
49 care under the facility's financial assistance policy, such debt  
50 is returned to the licensed facility.

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