

By Senator Rodriguez

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A bill to be entitled  
An act relating to medical debt; amending s. 395.3011,  
F.S.; revising the definition of the term  
"extraordinary collection action"; defining the terms  
"medical debt collector" and "medical debt creditor";  
prohibiting medical debt creditors and medical debt  
collectors from engaging in specified activities to  
collect medical debt; deleting applicability;  
specifying limitations on the amount of interest a  
debtor may be charged for medical debt; providing that  
certain debtors may not be charged any interest or  
late fees on their medical debt; providing that such  
interest rates apply to judgments on medical debt;  
providing an effective date.

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

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

395.3011 Billing and collection activities.—

(1) As used in this section, the term:

(a) "Extraordinary collection action" means any of the  
following actions taken by a licensed facility against an  
individual in relation to obtaining payment of a bill for care:

1. ~~(a)~~ Selling the individual's debt to another party,  
except if, before the sale, the medical creditor has entered  
into a legally binding written agreement with the medical debt  
collector which includes all of the following terms:

a. Prohibits the medical debt collector from engaging in

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any prohibited collection action as specified in subsection (2);

b. Prohibits the medical debt collector from charging interest on the debt in excess of that authorized under subsection (4);

c. Allows the debt to be returned or recalled by the medical debt creditor upon a determination by the medical debt creditor or medical debt collector that the debtor is eligible for financial assistance; and

d. If the debtor is determined to be eligible for financial assistance and the debt is not returned to or recalled by the medical debt creditor, requires the medical debt collector to adhere to procedures specified in the agreement which ensure that the debtor does not pay, and has no obligation to pay, the medical debt collector and the medical debt creditor, in total, more than he or she is personally responsible for paying in compliance with the law.

2. Filing a debt collection lawsuit.

(b) "Medical debt collector" means a third party, separate from the medical debt creditor, that is hired to recoup, or is sold, unpaid medical bills.

(c) "Medical debt creditor" means the party that is owed money for medical services.

(2) A medical debt creditor or medical debt collector may not engage in any of the following activities to collect debts owed for health care services:

(a) Causing or threatening an individual's arrest.

(b) Causing or threatening an individual to be subject to a writ of body attachment or similar instrument of law.

(c) Obtaining or threatening to obtain a lien on an

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individual's real property.

(d) Foreclosing or threatening to foreclose on an individual's real property.

(e) Garnishing or threatening to garnish wages or state income tax refunds.

(f) Using state or federal tax offsets to seize tax refunds or tax credits.

(g) Attaching, seizing, or threatening to attach or seize a consumer's bank account.

(h) Furnishing or threatening to furnish information about the medical debt to a consumer reporting agency ~~Reporting adverse information about the individual to consumer credit reporting agencies or credit bureaus.~~

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

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

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

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

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

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

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

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

(e) For 30 days after notifying the patient in writing, by certified mail, or by other traceable delivery method, that a collection action will commence absent additional action by the patient. ~~This paragraph does not apply to a sale of debt governed by a contract executed by the facility, which provides that the debt may not incur interest or fees and that no other extraordinary collection actions are taken by the purchaser of the debt which could otherwise be taken by the licensed facility, as described in subsection (1), and that the debt will be returned to the facility if the debt buyer determines the individual is eligible for assistance under the facility's financial assistance policy.~~

(f) While the individual:

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

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

(4) (a) Unless a debtor is eligible for financial

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assistance, and notwithstanding any agreement to the contrary,  
interest on medical debt may not exceed 2 percent per annum.  
Debtors eligible for financial assistance may not be charged any  
interest or late fees.

(b) The rate of interest provided in paragraph (a) also  
applies to any judgments on medical debt, notwithstanding any  
agreement to the contrary.

Section 2. This act shall take effect July 1, 2026.