A bill to be entitled
An act relating to the duty to notify patients;
amending s. 456.0575, F.S.; requiring a health care
practitioner to notify a patient in writing upon
referring the patient to certain providers and
hospitals under certain circumstances; providing
requirements for such notice; defining the term
“investment interest”; providing an effective date.

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

Section 1. Subsection (2) of section 456.0575, Florida
Statutes, is redesignated as subsection (3), and a new
subsection (2) and subsection (4) are added to that section, to
read:

456.0575 Duty to notify patients.—
(2) A health care practitioner shall notify a patient in
writing upon referring the patient to a nonparticipating
provider for nonemergency services, as those terms are defined
in s. 627.64194(1), or to a provider, as defined in s. 641.47,
which is not under contract with the patient’s health
maintenance organization. Such notice must state that the
services will be provided on an out-of-network basis, which may
result in additional cost-sharing responsibilities for the
patient, and must be documented in the patient’s medical record.
Failure to comply with this subsection, without good cause,
shall result in disciplinary action against the health care
practitioner.

(4) If a health care practitioner has an investment
interest in a hospital or an entity that owns or leases and that operates a hospital, the health care practitioner must notify a patient, in writing, of the investment interest upon referring the patient for nonemergency services to such hospital. For purposes of this subsection, the term “investment interest” means an equity or debt security issued by an entity, including, without limitation, shares of stock in a corporation, units or other interests in a partnership, bonds, debentures, notes, or other equity interests or debt instruments.

Section 2. This act shall take effect January 1, 2021.