

26 | physician assistant licensed under chapter 458 or chapter 459 or
 27 | an advanced registered nurse practitioner licensed under chapter
 28 | 464.

29 | (b) "Medically essential" means the medical dependence on
 30 | electric-powered equipment that must be operated continuously or
 31 | as circumstances require as specified by a health care
 32 | practitioner ~~physician~~ to avoid the loss of life or immediate
 33 | hospitalization of the customer or another permanent resident at
 34 | the residential service address.

35 | (2) Each electric ~~public~~ utility shall designate employees
 36 | who are authorized to direct an ordered continuation or
 37 | restoration of medically essential electric service. An electric
 38 | ~~A public~~ utility shall not impose upon any customer any
 39 | additional deposit to continue or restore medically essential
 40 | electric service.

41 | (3) (a) Each electric ~~public~~ utility shall post on its
 42 | website a written explanation of the certification process for
 43 | obtaining medically essential electric service. The website must
 44 | provide standard and medical certification forms developed and
 45 | adopted by commission rule.

46 | (b) Each electric utility shall ~~annually~~ provide a written
 47 | explanation of the certification process ~~for medically essential~~
 48 | ~~electric service~~ to each residential utility customer:

49 | 1. When the customer opens an account for electric service
 50 | with the electric utility; and

51 2. At least semiannually by including an insert in his or
 52 her monthly statement or by e-mail if the customer has provided
 53 the electric utility with his or her e-mail address.

54 (c) Certification that ~~of~~ a customer's electricity needs
 55 are as ~~medically essential~~ requires the customer to complete
 56 ~~forms supplied by the public utility and to submit to the~~
 57 electric utility a completed application that includes the
 58 standard form and the medical certification ~~a form completed by~~
 59 a health care practitioner ~~physician licensed in this state~~
 60 ~~pursuant to chapter 458 or chapter 459~~ which states in medical
 61 and nonmedical terms why the electric service is medically
 62 essential and specifies the time period for which the electric
 63 service is expected to remain medically essential. The
 64 certification may not extend beyond 60 months. Falsification of
 65 the ~~False certification of medically essential service by a~~
 66 ~~physician~~ is a violation of s. 458.331(1)(h), ~~or s.~~
 67 459.015(1)(i), or s. 464.018(1)(f).

68 ~~(d)(b)~~ The certification must ~~Medically essential service~~
 69 ~~shall~~ be recertified upon its expiration or ~~once every~~ 12 months
 70 after its issuance under subsection (4), whichever is later. The
 71 electric ~~public~~ utility shall send the ~~certified~~ customer by
 72 regular mail, or by e-mail if the customer has provided his or
 73 her e-mail address to the electric utility, a package of
 74 recertification materials, including recertification forms, at
 75 least 60 ~~30~~ days prior to the expiration of the customer's

76 certification. The materials shall advise the ~~certified~~ customer
77 that he or she must complete and submit the recertification
78 forms within 30 days after the expiration of the customer's
79 existing certification. If the recertification forms are not
80 received within this 30-day period, the electric ~~public~~ utility
81 may terminate the customer's certification.

82 (4) Each electric ~~public~~ utility must ~~shall~~ certify a
83 customer's electric service as medically essential if the
84 customer completes the requirements of subsection (3).

85 (5) Notwithstanding any other provision of this section,
86 an electric ~~a public~~ utility may disconnect service to a
87 residence whenever an emergency may threaten the health or
88 safety of a person, the surrounding area, or the electric
89 utility ~~public utility's~~ distribution system. The electric
90 ~~public~~ utility shall act promptly to restore service as soon as
91 feasible.

92 (6) A customer whose service is certified as medically
93 essential shall have the same time as a residential customer to
94 pay his or her monthly statement, but such time may not be fewer
95 than 20 days after the electric utility mails or e-mails his or
96 her monthly statement. Before an electric utility may disconnect
97 the customer's electric service for nonpayment, in addition to
98 any other notice provided in the utility's normal course of
99 business, the electric utility must attempt to contact the
100 customer no later than 15 days and again no later than 7 days

101 ~~before the scheduled disconnection 24 hours before any scheduled~~
102 ~~disconnection of service for nonpayment of bills to a customer~~
103 ~~who requires medically essential service, a public utility shall~~
104 ~~attempt to contact the customer~~ by telephone and e-mail, if the
105 customer has provided his or her e-mail address to the electric
106 utility, in order to provide notice of the scheduled
107 disconnection. If ~~the customer does not have a telephone number~~
108 ~~listed on the account or if the electric public~~ utility cannot
109 reach the customer or other adult resident of the premises by
110 telephone or e-mail ~~by the specified time~~, the electric public
111 utility shall send a representative to the customer's residence
112 to attempt to contact the customer or resident, no later than 2
113 business days ~~4 p.m. of the day~~ before the scheduled
114 disconnection. If contact is not made, however, the electric
115 ~~public~~ utility must ~~may~~ leave written notification at the
116 residence advising the customer of the scheduled disconnection.
117 Thereafter, the electric public utility may disconnect service
118 on the scheduled disconnection date if payment has not been made
119 or the customer has not made satisfactory payment arrangements
120 ~~specified date.~~

121 (7) Each electric public utility customer who requires
122 medically essential service is responsible for making
123 satisfactory arrangements with the electric public utility to
124 ensure payment for such service, and such arrangements must be
125 consistent with the requirements of the utility's tariff.

126 (8) Each electric ~~public~~ utility customer who requires
127 medically essential service is solely responsible for any backup
128 equipment or power supply and a planned course of action in the
129 event of a power outage or interruption of service.

130 (9) Each electric ~~public~~ utility that provides electric
131 service to any customer whose electric service is certified as
132 medically essential ~~who requires medically essential service~~
133 shall call, contact, or otherwise advise and e-mail, if the
134 customer has provided his or her e-mail address to the electric
135 utility, the ~~such~~ customer of scheduled service interruptions.

136 (10) (a) Each electric ~~public~~ utility shall provide
137 information on sources of state or local agency funding that
138 ~~which~~ may provide financial assistance to the electric utility
139 ~~public utility's~~ customers who require medically essential
140 service and who notify the electric ~~public~~ utility of their need
141 for financial assistance.

142 (b)1. Each electric ~~public~~ utility that operates a program
143 to receive voluntary financial contributions from its ~~the public~~
144 ~~utility's~~ customers to provide assistance to persons who are
145 unable to pay for the electric utility ~~public utility's~~ services
146 shall maintain a list of all agencies to which the electric
147 ~~public~~ utility distributes such funds for such purposes and
148 shall make the list available to any ~~such~~ person who requests
149 the list.

150 2. Each electric ~~public~~ utility that operates such a

151 program shall:

152 a. Maintain a system of accounting for the specific
153 amounts distributed to each such agency, and the electric ~~public~~
154 utility and such agencies shall maintain a system of accounting
155 for the specific amounts distributed to persons under such
156 respective programs.

157 b. Train its customer service representatives to assist
158 any person who possesses a medically essential certification as
159 provided in this section in identifying such agencies and
160 programs.

161 (11) Nothing in this act shall form the basis for any
162 cause of action against an electric ~~a public~~ utility. Failure to
163 comply with any obligation created by this act does not
164 constitute evidence of negligence on the part of the electric
165 ~~public~~ utility.

166 Section 2. Section 456.45, Florida Statutes, is created to
167 read:

168 456.45 Certification of medically essential electric
169 utility service.-

170 (1) As used in this section, the term "health care
171 practitioner" means a physician or physician assistant licensed
172 under chapter 458 or chapter 459 or an advanced registered nurse
173 practitioner licensed under chapter 464.

174 (2) A health care practitioner who determines that a
175 patient may be at risk of loss of life or immediate

176 | hospitalization if the patient were to lose electric service at
177 | the patient's residential service address shall inform the
178 | patient of the right to obtain certification under the medically
179 | essential electric service program pursuant to s. 366.15 and
180 | provide the patient with a written copy of the law.

181 | (3) At the request of a patient who meets the criteria in
182 | subsection (2), the health care practitioner must provide the
183 | patient a completed medical certification using the form adopted
184 | by the Florida Public Service Commission under s. 366.15(3) and
185 | document the certification in the patient's record.

186 | Section 3. This act shall take effect July 1, 2018.