

1 A bill to be entitled
2 An act relating to refund of overpayments made by
3 patients; creating ss. 408.12 and 456.0625, F.S.;
4 requiring certain licensees and practitioners to
5 refund to a patient any overpayment within a specified
6 timeframe; defining the term "tenders charges for
7 reimbursement"; providing applicability; providing
8 penalties; amending s. 408.813, F.S.; authorizing the
9 Agency for Health Care Administration to impose an
10 administrative fine for failure to refund a patient
11 overpayment; amending s. 456.072, F.S.; revising acts
12 that constitute grounds for disciplinary actions for
13 health care practitioners; providing an effective
14 date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 **Section 1. Section 408.12, Florida Statutes, is created to**
19 **read:**

20 408.12 Patient overpayments; refunds.—

21 (1) A licensee who tenders charges for reimbursement shall
22 refund to the patient the amount of any overpayment made by the
23 patient to the licensee no later than 30 days after the date
24 that the licensee determines that such overpayment was made. For
25 purposes of this section, the term "tenders charges for

26 reimbursement" means the licensee files a claim for
27 reimbursement with any government-sponsored program or private
28 health insurer or health maintenance organization for services
29 rendered to the patient.

30 (2) This section does not apply to an overpayment subject
31 to s. 627.6131 or s. 641.3155.

32 (3) A licensee who violates this section is subject to an
33 administrative fine under s. 408.813.

34 **Section 2. Paragraph (g) is added to subsection (3) of**
35 **section 408.813, Florida Statutes, to read:**

36 408.813 Administrative fines; violations.—As a penalty for
37 any violation of this part, authorizing statutes, or applicable
38 rules, the agency may impose an administrative fine.

39 (3) The agency may impose an administrative fine for a
40 violation that is not designated as a class I, class II, class
41 III, or class IV violation. Unless otherwise specified by law,
42 the amount of the fine may not exceed \$500 for each violation.
43 Unclassified violations include:

44 (g) Failing to refund a patient overpayment pursuant to s.
45 408.12.

46 **Section 3. Section 456.0625, Florida Statutes, is created**
47 **to read:**

48 456.0625 Patient overpayments; refunds.—

49 (1) A health care practitioner who tenders charges for
50 reimbursement, or any billing department, management company, or

51 group practice that accepts payment for services rendered by the
52 health care practitioner, shall refund to the patient the amount
53 of any overpayment made by the patient no later than 30 days
54 after the date that it was determined that an overpayment was
55 made. For purposes of this section, the term "tenders charges
56 for reimbursement" means the health care practitioner,
57 department, company, or practice files a claim for reimbursement
58 with any government-sponsored program or private health insurer
59 or health maintenance organization for services rendered by the
60 health care practitioner to the patient.

61 (2) This section does not apply to an overpayment subject
62 to s. 627.6131 or s. 641.3155.

63 (3) A health care practitioner's violation of this section
64 constitutes grounds for disciplinary action under s. 456.072.

65 **Section 4. Paragraph (tt) is added to subsection (1) of**
66 **section 456.072, Florida Statutes, to read:**

67 456.072 Grounds for discipline; penalties; enforcement.—

68 (1) The following acts shall constitute grounds for which
69 the disciplinary actions specified in subsection (2) may be
70 taken:

71 (tt) Failure to comply with s. 456.0625, relating to
72 refunding overpayments to patients.

73 **Section 5.** This act shall take effect January 1, 2026.