

## CHAPTER 2025-48

### Committee Substitute for Committee Substitute for Senate Bill No. 1808

An act relating to refund of overpayments made by patients; creating s. 408.12, F.S.; requiring health care facility licensees to refund to the patient any overpayment within a specified timeframe; defining the term “tenders charges for reimbursement”; providing applicability; specifying that health care facility licensees who violate certain provisions are subject to administrative fines; amending s. 408.813, F.S.; revising administrative fines for health care practitioners; amending s. 456.0625, F.S.; requiring health care practitioners to refund to the patient any overpayment within a specified timeframe; defining the term “tenders charges for reimbursement”; providing applicability; specifying that health care practitioners who violate certain provisions are subject to disciplinary actions; amending s. 456.072, F.S.; revising the list of acts that constitute grounds for disciplinary actions for health care practitioners; providing an effective date.

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

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

408.12 Patient overpayments; refunds.—

(1) A licensee who tenders charges for reimbursement shall refund to the patient the amount of any overpayment made by the patient to the licensee no later than 30 days after the date that the licensee determines that such overpayment was made. For purposes of this section, the term “tenders charges for reimbursement” means the licensee files a claim for reimbursement with any government-sponsored program or private health insurer or health maintenance organization for services rendered to the patient.

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

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

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

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

(3) The agency may impose an administrative fine for a violation that is not designated as a class I, class II, class III, or class IV violation. Unless

otherwise specified by law, the amount of the fine may not exceed \$500 for each violation. Unclassified violations include:

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

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

456.0625 Patient overpayments; refunds.—

(1) A health care practitioner who tenders charges for reimbursement, or any billing department, management company, or group practice that accepts payment for services rendered by the health care practitioner, shall refund to the patient the amount of any overpayment made by the patient no later than 30 days after the date the health care practitioner determines that an overpayment was made. For purposes of this section, the term “tenders charges for reimbursement” means that the health care practitioner, department, company, or practice files a claim for reimbursement with any government-sponsored program or private health insurer or health maintenance organization for services rendered by the health care practitioner to the patient.

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

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

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

456.072 Grounds for discipline; penalties; enforcement.—

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

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

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

Approved by the Governor May 20, 2025.

Filed in Office Secretary of State May 20, 2025.