

CHAPTER 2026-211

House Bill No. 4059

An act relating to compensation for health care services for inmates in Polk County; providing definitions; limiting compensation to a health care provider that provides any medical services for an inmate housed in a Polk County detention center under certain conditions; limiting compensation to an entity that provides emergency medical transportation services for an inmate housed in a Polk County detention center if the entity does not have a contract with the county to provide such services; providing applicability; providing an effective date.

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

Section 1. (1) As used in this act, the term:

(a) "Air ambulance" means a fixed-wing or rotary-wing aircraft used for, or intended to be used for, air transportation of sick or injured persons requiring or likely to require medical attention during transport.

(b) "Emergency medical services vehicle" means a privately or publicly owned vehicle or vessel that is designed, constructed, reconstructed, maintained, equipped, or operated for, and is used for, or intended to be used for, land or water transportation of sick or injured persons requiring or likely to require medical attention during transport.

(c) "Emergency medical transportation services" includes, but is not limited to, services rendered by means of an emergency medical services vehicle or air ambulance.

(d) "Health care provider" means:

1. A hospital licensed under chapter 395, Florida Statutes.
2. A physician or physician assistant licensed under chapter 458, Florida Statutes.
3. An osteopathic physician or physician assistant licensed under chapter 459, Florida Statutes.
4. A podiatric physician licensed under chapter 461, Florida Statutes.
5. A health maintenance organization certificated under part I of chapter 641, Florida Statutes.
6. An ambulatory surgical center licensed under chapter 395, Florida Statutes.

7. A facility the primary purpose of which is to provide human medical diagnostic services or a facility providing nonsurgical human medical treatment, to which facility the patient is admitted and from which facility the patient is discharged within the same working day, and which facility is not part of a hospital. However, the term does not include a facility existing for the primary purpose of performing terminations of pregnancy or an office maintained by a physician or dentist for the practice of medicine.

8. A professional association, partnership, corporation, joint venture, or other association composed of the persons listed in subparagraphs 2., 3., and 4. for professional activity.

(2)(a) Except as specifically provided in this subsection, compensation to a health care provider to provide any medical services for an inmate housed in a Polk County detention center may not exceed 110 percent of the Medicare allowable rate if the health care provider does not have a contract with Polk County to provide inmate medical services.

(b) Compensation to a health care provider may not exceed 125 percent of the Medicare allowable rate if:

1. The health care provider does not have a contract with Polk County to provide inmate medical services; and

2. The health care provider reported a negative operating margin for the previous year to the Agency for Health Care Administration through hospital-audited financial data.

(3) Compensation to an entity to provide emergency medical transportation services for an inmate housed in a Polk County detention center may not exceed 110 percent of the Medicare allowable rate if the entity does not have a contract with Polk County to provide inmate emergency medical transportation services.

(4) This act does not apply to charges for medical services provided at a hospital operated by Polk County.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor April 14, 2026.

Filed in Office Secretary of State April 14, 2026.