



FLORIDA HEALTH
JUSTICE PROJECT

ADVOCATE'S GUIDE:

HELPING UNINSURED INDIGENT FLORIDIANS

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Introduction

A significant percentage of Florida's low-income adults under 65 have no healthcare coverage and must rely on their local safety net providers. However, advocates and consumers often do not know what providers are in the county's safety net; what services they provide; what the requirements are for receiving free or reduced-cost outpatient care from those providers; how to navigate local hospital's charity care and grievance processes under Florida law; and what clients' rights are *vis-à-vis* certain collection actions for hospital bills under both federal and Florida law.

The first part of this guide provides a review of current legal authority regarding care and coverage for primary and other outpatient care, as well as an overview of hospital requirements related to financial assistance plans and certain medical debt collection actions.

It then provides a “road map” for creating county-specific resources identifying local providers offering free or reduced-cost outpatient care, as well as local hospitals' financial assistance policies.

This Guide is intended for use by legal services providers, healthcare advocates, and consumers.

Primary Care

Relevant Legal Authority

Department of Health:

The Florida statute that governs primary care services states that the Department of Health (DOH) “shall enter into contracts with the county governing body for the purpose of expanding primary care coverage.”¹

Under the statute, counties “have the option of organizing primary care programs through the county health departments or through county public hospitals owned and operated directly by the county.”² For example, in Miami-Dade County, primary care is provided through the public hospital system, Jackson Health System (JHS).

The statute specifies that county health department services shall include primary care services described as both acute and preventive services that are made available to “well and sick persons who are unable to obtain such services due to lack of income or other barriers beyond their control.”³ The statute lists examples that include but are not limited to:

- “first contact acute care services;
- chronic disease detection and treatment;
- maternal and child health services;

¹ FLA. STAT. § 154.011(1)(a) (2025).

² *Id.*

³ FLA. STAT. § 154.01(2)(c) (2025).

- family planning;
- nutrition;
- school health;
- supplemental food assistance for women, infants, and children;
- home health; and
- dental services.”⁴

Under the statute, each county primary care program shall, *inter alia*, have a sliding scale based on income for persons above 100% of the federal poverty level (FPL).⁵

The “Sliding Fee Scale” rule in the Florida Administrative Code provides that persons with incomes between 101% and 200% shall be charged a fee on a sliding scale based on specific increments.⁶ However, while the statute uses mandatory language regarding provision of specific, defined primary care services, the sliding scale rule does not include the same expansive list of covered primary care services subject to the sliding scale. Rather, the current rule notes that the scale applies to recipients of integrated family health and communicable disease services with certain exceptions.⁷

ADVOCATE’S TIP

If you do not know what entity in the county provides primary care pursuant to the Sliding Fee Scale rule (or the specific services provided), you could try contacting someone at your local department of health and/or your local board of county commissioner.

If that does not work, you can file a [public records request](#) pursuant to Florida Statutes Chapter 119. To submit a public records request, the Florida DOH provides multiple avenues for filing, including phone, mail, email, and online. We recommend starting with an email request.

A separate rule states that uninsured pregnant women who can prove Florida residency and whose income is below the poverty level are eligible for prenatal care.⁸ This rule does not reference a “sliding scale.”

⁴ *Id.*

⁵ FLA. STAT. § 154.011(1)(c)7. (2025)

⁶ FLA. ADMIN. CODE ANN. R. 64F-16.006(1) (2025).

⁷ FLA. ADMIN. CODE ANN. R. 64F-16.006(3) (2025).

⁸ FLA. ADMIN. CODE ANN. R. 64F-25.001 (2025).

The DOH also coordinates volunteer health services through the Volunteer Health Care Provider Program (VHCPP).⁹ Under this program, private health care providers volunteer free services to “low-income” Florida residents.¹⁰ Participating providers receive sovereign immunity.¹¹

The statute defines low-income: as:

- someone who is eligible for Florida Medicaid; or
- is uninsured and whose family’s income does not exceed 300% FPL; or
- “[a]ny client of the department who voluntarily chooses to participate in a program offered or approved by the department and meets the program eligibility guidelines of the department.”¹²

ADVOCATE’S TIP

The Florida Department of Health [website](#) maintains a statewide directory of licensed health care providers who participate in the VHCPP.¹³ The database can be filtered by participating providers/organizations, county and city.

For example, to find provider/organizations in Broward county:

Step 1: Click on the menu box under “County.”

Provider/Organization	County	City	Health Care Services	Volunteer Hours
All Providers/Organizations	<div> <div>✓ All Counties</div> <div>ALACHUA</div> <div>BAY</div> <div>BREVARD</div> <div>BROWARD</div> <div>CHARLOTTE</div> <div>CITRUS</div> <div>CLAY</div> <div>COLLIER</div> <div>COLUMBIA</div> <div>DIXIE</div> <div>DUVAL</div> <div>ESCAMBIA</div> <div>FLAGLER</div> <div>HERNANDO</div> <div>HIGHLANDS</div> <div>HILLSBOROUGH</div> </div>	All Cities		
ABITA EYE GROUP LLC		HOLLYWOOD	0	0
ADVENTHEALTH ORLANDO		ORLANDO	4926	0
ADVENTHEALTH WATERMAN COMMUNITY CLINIC, FLORIDA HOSPITAL WATERMAN		EUSTIS	1474	36
ADVENTIST HEALTH SYSTEM SUNBELT, DBA FLORIDA HOSPITAL, COMMUNITY MEDICINE CLINIC AT FLORIDA HOSPITAL		ORLANDO	2061	0
AIRPORT MEDICAL SOLUTIONS ORLANDO, LLC		ORLANDO	0	0
ALMA HEALTH MINISTRIES INC		APOPKA	0	0
AMERICAN MUSLIM SOCIAL SERVICES INC		LONGWOOD	0	0
ANGELS CARE CENTER OF ELOISE, INC.		ELOISE	985	2200
ATTUNE DENTISTRY		JUPITER	0	0
AVICENNA FREE CLINIC		PANAMA CITY	2646	120

Step 2: Select the county e.g. Broward:

⁹ See FLA. DEP’T OF HEALTH, *Provider Program*, <https://www.floridahealth.gov/licensing-regulations/provider-partner-resources/volunteer-health-services/provider-program/>

¹⁰ FLA. STAT. § 766.1115(3)(e) (2025).

¹¹ FLA. STAT. § 766.1115(2) (2025) (creating the “Access to Health Care Act” which allows government contractors, such as county health departments, to partner with providers who deliver free care. The providers, in return, have protection against medical malpractice actions).

¹² FLA. STAT. § 766.1115(3)(e) (2025).

¹³ See FLA. DEP’T OF HEALTH, *The Volunteer Healthcare Provider Program Online Listing of Participating Providers*, <https://azapps.floridahealth.gov/VHCPP/VolunteerProviderListing>

Provider/Organization	County	City	Health Care Services	Volunteer Hours
All Providers/Organizations	<div> <div>✓ All Counties</div> <div>ALACHUA</div> <div>BAY</div> <div>BREVARD</div> <div>BROWARD</div> <div>CHARLOTTE</div> <div>CITRUS</div> <div>CLAY</div> <div>COLLIER</div> </div>	All Cities		
ABITA EYE GROUP LLC		HOLLYWOOD	0	0
ADVENTHEALTH ORLANDO		ORLANDO	4926	0
ADVENTHEALTH WATERMAN COMMUNITY CLINIC, FLORIDA HOSPITAL WATERMAN		EUSTIS	1474	36
ADVENTIST HEALTH SYSTEM SUNBELT, DBA FLORIDA HOSPITAL, COMMUNITY MEDICINE CLINIC AT FLORIDA HOSPITAL		ORLANDO	2061	0
AIRPORT MEDICAL SOLUTIONS ORLANDO, LLC		ORLANDO	0	0

Step 3: View results for selected county.

Provider/Organization	County	City	Health Care Services	Volunteer Hours
All Providers/Organizations	BROWARD	All Cities		
ABITA EYE GROUP LLC	BROWARD	HOLLYWOOD	0	0
LIGHT OF THE WORLD CLINIC INC.	BROWARD	OAKLAND PARK	2277	1650
LIVING WATER CARE CENTER A MINISTRY OF IMMANUEL BAPTIST CHURCH	BROWARD	FORT LAUDERDALE	0	0

Other tips::

- Call to confirm participation
- Ask about referral requirements
- Document the outcome of your inquiry

Free Clinics & Federally Qualified Health Centers (FQHCs):

In addition to primary and prenatal care through local health departments or public hospitals, low-income residents can seek care through free clinics or federally qualified health centers (FQHCs). For FQHCs, services are based on a sliding scale, and there are co-payments for services.¹⁴

Hospital Care

Relevant Legal Authority

Not-for-Profit Hospitals:

Under the Affordable Care Act (ACA), nonprofit hospitals are required to establish a financial assistance policy (FAP) and to provide a link to information regarding their FAP and how to apply on their website.¹⁵

¹⁴ 42 C.F.R. § 405.2434 (2025).

¹⁵ See 26 C.F.R. § 1.501(r)-4 (2025); IRS, *Financial assistance policy and emergency medical care policy- Section 501(r)(4)*, (July 2, 2025), <http://www.irs.gov/charities-non-profits/financial-assistance-policy-and-emergency-medical-care-policy-section-501r4#:~:text=Section%20501%28r%29%284%29%20requires%20a%20hospital%20organization%20to,a%20hospital%20facility%20it%20operates.>

Specifically, the ACA requires that a tax-exempt hospital's written FAP must contain the following:

- 1) the eligibility criteria for financial assistance and whether such assistance includes free or discounted care;
- 2) the basis for calculating amounts charged to patients;
- 3) the method of applying for financial assistance;
- 4) a billing and collections policy, whether included in the FAP or a separate document; and
- 5) measures to widely publicize the policy within the hospital's patient community.¹⁶

The ACA further requires a tax-exempt hospital to widely publicize its FAP.¹⁷ The Internal Revenue Service (IRS) rules include four publication criteria:

- 1) through the hospital's website;
- 2) through paper distribution;
- 3) through conspicuous public displays in the facility; and
- 4) through community notices designed to reach those patients who most likely require financial assistance.¹⁸

Congress also required tax-exempt hospitals to undertake "reasonable efforts" to determine whether the individual is eligible for assistance under the FAP before engaging in "extraordinary collection actions (ECAs)."¹⁹ The IRS promulgated an extensive regulatory scheme regarding "reasonable efforts" that hospitals must undertake to notify patients about the FAP and process FAPs.

The notification period begins on the first date care is provided to the individual and must extend for at least 120 days after the hospital facility provides the individual with the first post-charge billing statement.²⁰ In satisfying the notification requirements, the hospital must, *inter alia*, provide the individual a plain language summary of the FAP, as well as make a reasonable effort to orally notify the individual about the hospital's FAP and how to obtain assistance with the application process.²¹

Under the definition section of the IRS rules, an individual may apply for assistance within 240 days after the hospital facility provides the first post-discharge billing statement.²²

The IRS regulation also defines what constitutes ECAs.²³ Under the definition, a hospital engages in ECAs when it takes legal action against the individual for the bill, sells the bill to a collection agency, or reports the individual to a credit reporting agency. ECAs also include deferring, denying, or requiring payment before providing medically necessary care because of nonpayment of prior care.²⁴

¹⁶ 26 C.F.R. § 1.501(r)-4(b)(1) (2025).

¹⁷ 26 C.F.R. § 1.501(r)-4(b)(5) (2025).

¹⁸ 26 C.F.R. § 1.501(r)-4(b)(5) (2025).

¹⁹ 26 U.S.C. § 501(r)-6 (2025); *see also*, 26 C.F.R. § 1.501(r)-6 (2025).

²⁰ 26 C.F.R. § 1.501(r)-6(c)(3)(i) (2025).

²¹ 26 C.F.R. § 1.501(r)-6(c)(4) (2025).

²² 26 C.F.R. § 1.501(r)-1(b)(3) (2025).

²³ 26 C.F.R. § 1.501(r)-6(b) (2025).

²⁴ *Id.*

For-Profit Hospitals:

Under Florida state law, all hospitals, including for-profit entities that have a financial assistance policy, are required to post the policy on their websites.²⁵ The facility's website must include the application process, payment plans, discounts, and the facility's charity care policy and collection procedures.²⁶

The state statute also prohibits hospitals from engaging in an "extraordinary collection action" for payment of services before undertaking specific actions, including making "reasonable efforts to determine whether the individual is eligible for assistance under its financial assistance policy...."²⁷

Other requirements the hospital must undertake before initiating an ECA are specified in Florida Statutes § 395.3011(2)(b-f). These requirements include prohibitions against initiating an extraordinary collection action:

- Before providing the patient with an itemized statement or bill;
- While a grievance process or claim appeal is ongoing;
- Before billing the patient's insurer and allowing the insurer to adjudicate the claim;
- Within 30 days after notifying the patient in writing that a collection action will begin, absent additional action by the patient;
- While the patient is negotiating the final bill in good faith, or complies with the facility's payment plan²⁸

²⁵ FLA. STAT. § 395.301(1)(a)1. (2025).

²⁶ FLA. STAT. § 395.301(1)(a)1. (2025).

²⁷ FLA. STAT. § 395.3011(2)(a) (2025).

²⁸ FLA. STAT. § 395.3011(2)(b)-(f) (2025).

Creating a Local Resource to Free or Reduced Cost Care in your County: *Action Steps*

ADVOCATE'S TIP

This link to a [Miami-Dade County](#) fact sheet can serve as a template for creating a local resource designating where in the county indigent clients can receive free primary care (as well as care on a sliding scale), and information on financial assistance at both nonprofit and for-profit hospitals.

Primary Care: *Action steps in drafting this section*

- 1) Identify what entity in your community provides services subject to the Sliding Fee Scale rule (i.e. requiring that services be free for patients with incomes below the federal poverty level and with specified copayments for patients with incomes between 101 and 200% FPL);
- 2) Identify the specific services (e.g. primary care, integrated family health, and/or communicable disease services) that are subject to the Sliding Fee Scale rule.²⁹
 - a. Provide information on how clients can obtain free or reduced-cost care at that entity and, if appropriate, your program's contact information for clients seeking assistance. For example:
 - i. *In Miami-Dade County, free or reduced-cost primary, as well as prenatal care, is provided to eligible county residents through the Jackson Health System (JHS). [This link](#) provides information on how to apply for free or reduced-cost care at JHS. If you are a county resident and your application for a Jackson Prime Card has been denied or delayed, you can contact Florida Health Justice Project (FHJP).*
 - b. What if I don't know which entity provides free primary care to indigent patients?
 - i. Contacts at local health departments and/or local public hospitals should know this information.³⁰
 - ii. County government officials may also have this information.
- 3) For free clinics: create a link to your county's free clinics, which can be found at this site:

²⁹ See FLA. STAT. § 154.011(1)(c)7. (2025); FLA. ADMIN. CODE ANN. R. 64F-16.006(1).

³⁰ See FLA. STAT. § 154.011(1)(a) (2025) ("The county governing body shall have the option of organizing the primary care programs through county health department or through county public hospitals owned and operated directly by the county.").

https://freeclinicdirectory.org/florida_care.html#google_vignette

- 4) For FQHCs: note that clients can find the Federally Qualified Health Center(s) near them by entering their zip code at this link:

<https://findahealthcenter.hrsa.gov>

Hospital Charity Care: *Action steps in drafting this section*

- 1) For nonprofit hospitals:
 - a. Go to [this site](#) to identify the nonprofit hospitals in your county.
 - b. Go to the hospital's website and create a link to their FAP.
- 2) For not for-profit hospitals:
 - a. Go to [this site](#) to identify the for-profit hospitals in your county.
 - b. The hospital's charity care program is generally located on its website in the section on pricing and transparency.

ADVOCATE'S TIP

Many for-profit hospitals in Florida are either HCA or HAS hospitals. The standard HCA charity plan can be found [here](#); the standard HAS plan can be found [here](#).

How/where can clients seek help? *Action steps in drafting this section*

- 1) If your program has the capacity to assist clients with charity care applications, appeals, and/or referral to a consumer lawyer (on staff or pro bono), include contact information and what your program can/cannot do. For example:
 - a. *If you received hospital care at one of these facilities and are now subject to a collection action, you can contact the Florida Health Justice Project (FHJP) for information. Please note that at this time, FHJP does not represent individuals in collection actions, but we will review the hospital's FAP/charity care policy with you.*

Conclusion

This Guide is a “work in progress” as the Florida Health Justice Project (FHJP) and other legal aid programs and partners learn more about helping clients:

- 1) access free or reduced cost outpatient care and
- 2) navigate hospital financial assistance plans/charity care.

If you have questions about this Guide, please feel free to contact Miriam Harmatz, harmatz@floridahealthjustice.org; and if you want assistance in creating a local resource, please contact Nicole Licairac, licairac@floridahealthjustice.org.

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