

1  
2 An act relating to public records; providing an  
3 exemption from public records requirements for  
4 information provided by applicants to the  
5 Florida Kids Health program; providing an  
6 exemption for certain information obtained  
7 through quality assurance activities and  
8 patient satisfaction surveys; providing for  
9 future review and repeal; providing findings of  
10 public necessity; providing a contingent  
11 effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Notwithstanding any other law to the  
16 contrary, any information contained in an application for  
17 determination of eligibility for the Florida Kids Health  
18 program which identifies applicants, including medical  
19 information and family financial information, and any  
20 information obtained through quality assurance activities and  
21 patient satisfaction surveys which identifies program  
22 participants, obtained by the Florida Kids Health program  
23 under sections 409.810-409.820, Florida Statutes, is  
24 confidential and is exempt from section 119.07(1), Florida  
25 Statutes, and section 24(a), Article I of the State  
26 Constitution. Except as otherwise provided by law, program  
27 staff or staff or agents affiliated with the program may not  
28 release, without the written consent of the applicant or the  
29 parent or guardian of the applicant, to any state or federal  
30 agency, to any private business or person, or to any other  
31 entity, any confidential information received under sections

1 409.810-409.820, Florida Statutes. This section is subject to  
2 the Open Government Sunset Review Act of 1995 in accordance  
3 with section 119.15, Florida Statutes, and shall stand  
4 repealed on October 2, 2003, unless reviewed and saved from  
5 repeal through reenactment by the Legislature.

6       Section 2. The Legislature finds that exempting  
7 identifying information contained in applications for  
8 eligibility determination under the Florida Kids Health  
9 program, including medical information and family financial  
10 information, and any information obtained through quality  
11 assurance activities and patient satisfaction surveys which  
12 identifies program participants, is a public necessity. The  
13 harm caused to program applicants by release of such personal  
14 and sensitive information outweighs any public benefit derived  
15 from releasing such information. Further, maintaining the  
16 confidentiality of such information is necessary to enable the  
17 Department of Children and Family Services, the Department of  
18 Health, and the Agency for Health Care Administration to  
19 effectively and efficiently administer the Florida Kids Health  
20 program. If such information is not kept confidential, the  
21 administration of the program could be significantly impaired  
22 because the applicants would be less inclined to apply to the  
23 program if personal medical and financial information were  
24 made available to the public.

25       Section 3. This act shall take effect on the date  
26 Committee Substitute for Senate Bill 1228, relating to the  
27 Florida Kids Health program, or similar legislation becomes a  
28 law, and shall not take effect if such legislation does not  
29 become a law.

30  
31