

Bill No. SB 316

Amendment No. 1

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 The Committee on Governmental Reform and Oversight recommended
12 the following amendment:

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14 **Senate Amendment**

15 On page 2, lines 7-15, delete those lines

16
17 and insert:

18 Section 2. The Legislature finds that the exemption
19 from public disclosure provided for in section 1 of this act
20 is a public necessity because it would be an invasion of a
21 patient's privacy for such personal, sensitive information
22 contained in the notification of an adverse incident to be
23 publicly available. Furthermore, the Legislature finds that
24 failure to protect the confidentiality of any information
25 submitted to or collected by the Agency for Health Care
26 Administration pursuant to s. 395.0197(7), Florida Statutes,
27 regarding an adverse incident, including, but not limited to,
28 the identity of the patient, the type of adverse incident,
29 potential risk to other patients, and the fact that an
30 investigation is being conducted, would deter the collection
31 and reporting of this information by the agency. This would

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1 prevent the agency from effectively carrying out its
2 responsibility to enforce corrective measures by a facility
3 regarding the occurrence of an adverse incident. Release of
4 such information would deter licensed facilities from
5 internally reporting and correcting situations resulting in
6 adverse incidents. This could lead to the deterioration of
7 services rendered, all to the detriment of the health of those
8 served. This exemption simply extends existing exemptions
9 already in s. 395.0197, Florida Statutes, regarding the same
10 information to the new, earlier reporting requirement. The
11 Legislature has thus consistently and repeatedly acknowledged
12 the public necessity of these types of exemptions.

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