

By Representatives Boyd, K. Smith, Waters, Prieguez,  
Wasserman Schultz, Dennis, C. Green, Stansel and Frankel

1                                   A bill to be entitled  
2           An act relating to health information privacy;  
3           creating s. 627.433, F.S.; limiting carrier  
4           disclosure of health information under certain  
5           circumstances; requiring disclosure of health  
6           information pursuant to subpoena or court order  
7           under certain circumstances; providing  
8           definitions; providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12           Section 1. Section 627.433, Florida Statutes, is  
13 created to read:

14           627.433 Limited disclosure of health information;  
15 court orders.--

16           (1) A carrier shall limit disclosure of health  
17 information, consistent with an individual's request, if the  
18 individual clearly states in writing that disclosure to  
19 specified persons of all or part of such information could  
20 jeopardize the individual's safety.

21           (2) A carrier shall disclose health information  
22 pursuant to a subpoena or court order issued after the court's  
23 determination that the public interest in disclosure outweighs  
24 the individual's privacy interest and that the health  
25 information is not reasonably available by other means.

26           (3) For purposes of this section:

27           (a) "Carrier" means any person or entity licensed in  
28 this state under chapter 624, chapter 626, chapter 636, or  
29 chapter 641.

30           (b) "Health information" means any information, in any  
31 form, in the possession of a carrier or a person acting on

1 behalf of a carrier which relates to any physical, mental, or  
2 behavioral health or condition of an individual or any member  
3 of the individual's family or the provision of or payment for  
4 health care to an individual and which identifies such  
5 individual or which could be used to identify such individual.  
6 For purposes of this act, the term "individual" means a person  
7 who is the subject of such health information.

8 Section 2. This act shall take effect October 1, 1999.

9  
10 \*\*\*\*\*

11 HOUSE SUMMARY

12 Limits disclosure of health information by carriers if  
13 requested by an individual to protect his or her safety.  
14 Provides for disclosure pursuant to subpoena or court  
15 order. See bill for details.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31