

By Senator Brown-Waite

10-1651-00

1 A bill to be entitled
2 An act relating to public meetings; providing
3 an exemption from public meetings requirements
4 for certain portions of meetings of the
5 statewide provider and managed care claim
6 dispute mediation panel; providing a contingent
7 effective date.

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

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11 Section 1. Meetings of the statewide provider and
12 managed care claim dispute mediation panel, which is created
13 under section 408.7057, Florida Statutes, are open to the
14 public unless the Agency for Health Care Administration or the
15 Department of Insurance determines that information of a
16 sensitive personal nature which discloses the medical
17 treatment or history of a health maintenance organization's
18 or a managed care organization's subscriber, information
19 constituting a trade secret as defined by section 812.081,
20 Florida Statutes, or information relating to internal risk
21 management programs as defined in section 641.55(5)(c), (6),
22 and (8), Florida Statutes, may be revealed at the panel
23 meeting, in which case that portion of the meeting during
24 which any such information is discussed shall be exempt from
25 the provisions of section 286.011, Florida Statutes, and
26 Section 24(b), Article I of the State Constitution. Any closed
27 meeting must be recorded by a certified court reporter.

28 Section 2. (1) The Legislature finds that it is a
29 public necessity that information of a sensitive personal
30 nature concerning an HMO or MCO subscriber's medical treatment
31 or history be confidential and exempt from public meetings

1 requirements because disclosure of such information is highly
2 likely to harm the person to whom the information pertains.

3 (2) The Legislature further finds that it is a public
4 necessity that information that constitutes a trade secret as
5 defined by section 812.081, Florida Statutes, and information
6 relating to internal risk management programs as defined in
7 section 641.55(5)(c), (6), and (8), Florida Statutes, be
8 confidential and exempt from public meetings requirements
9 because the disclosure of such information is harmful,
10 respectively, to the competitive standing of the trade
11 secret's owner or to the prospective success of the internal
12 risk management program in preserving the integrity of the
13 program.

14 Section 3. This act shall take effect on the same date
15 that Senate Bill or similar legislation providing for the
16 establishment of a statewide provider and managed care
17 organization claim dispute mediation panel takes effect, if
18 such legislation is adopted in the same legislative session or
19 an extension thereof.

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22 SENATE SUMMARY

23 Provides an exemption from public meetings requirements
24 for those portions of the meetings of the statewide
25 provider and managed care claim dispute mediation panel
26 which include discussions of information disclosing the
27 medical treatment or history of a health maintenance
28 organization's subscriber, information constituting a
29 trade secret, or information relating to internal risk
30 management programs.
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