

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Boyd offered the following:

Amendment (with title amendment)

On page 1, line 22,

insert:

Section 1. Paragraph (dd) is added to subsection (3) of section 119.07, Florida Statutes, to read:

119.07 Inspection, examination, and duplication of records; exemptions.--

(3)

(dd) The home addresses and home telephone numbers of nurses working in any type of correctional facility, including any prison or jail, or in any forensic facility, as defined in s. 916.106(8), which are held by the Department of Children and Family Services, the Department of Health, and the Board of Nursing, are exempt from the provisions of subsection (1) and s. 24(a), Art. I of the State Constitution. This paragraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2005, unless reviewed and saved from repeal through

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1 reenactment by the Legislature.

2 Section 2. The Legislature finds that it is a public
3 necessity that the home addresses and home telephone numbers
4 of nurses who work in any type of correctional facility,
5 including any prison or jail, or in any forensic facility, as
6 defined in s. 916.106(8), which are held by the Department of
7 Children and Family Services, the Department of Health, and
8 the Board of Nursing, be held confidential and exempt from
9 public records requirements because revealing such information
10 may pose an unnecessary risk to the safety and well-being of
11 such nurses in their own homes from inmates or clients of such
12 facilities who seek such information to stalk, intimidate,
13 harass, or otherwise threaten or harm such nurses. The
14 disclosure of such information may also deter nurses from
15 seeking to work in such facilities, which would be contrary to
16 the state's interest in ensuring the availability of nursing
17 services in such facilities.

18 Section 3. Section 455.5656, Florida Statutes, is
19 amended to read:

20 455.5656 Practitioner's profiles; confidentiality.--

21 (1) Any patient name or other information that
22 identifies a patient which is in a record obtained by the
23 Department of Health or its agent for the purpose of compiling
24 a practitioner profile is confidential and exempt from the
25 provisions of chapter 119 and s. 24(a), Art. I of the State
26 Constitution. Other data received by the department or its
27 agent as a result of its duty to compile and promulgate
28 practitioner profiles are confidential and exempt from the
29 provisions of chapter 119 and s. 24(a), Art. I of the State
30 Constitution until the profile into which the data are
31 incorporated or with respect to which the data are submitted

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1 is made public. Any information or record that the Department
2 of Health obtains from the Agency for Health Care
3 Administration or any other governmental entity for the
4 purpose of compiling a practitioner profile or substantiating
5 other information or records submitted for that purpose and
6 that was exempt from the provisions of chapter 119 and s.
7 24(a), Art. I of the State Constitution does not lose that
8 character by coming into the possession of the Department of
9 Health, and such information or record continues to be exempt
10 from the provisions of chapter 119 and s. 24(a), Art. I of the
11 State Constitution.

12 (2)(a) The provisions of subsection (1) with respect
13 to practitioners who are subject to profiling under s. 455.565
14 are ~~This section is~~ subject to the Open Government Sunset
15 Review Act of 1995 in accordance with s. 119.15 and shall
16 stand repealed on October 2, 2002, unless reviewed and saved
17 from repeal through reenactment by the Legislature.

18 (b) The provisions of subsection (1) with respect to
19 practitioners who are subject to profiling under s. 455.56503
20 are subject to the Open Government Sunset Review Act of 1995
21 in accordance with s. 119.15 and shall stand repealed on
22 October 2, 2005, unless reviewed and saved from repeal through
23 reenactment by the Legislature.

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 1, line 2, after the semicolon

29

30 insert:

31 amending s. 119.07, F.S.; providing an

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1 exemption from public records requirements for
2 certain information on nurses working in
3 correctional or forensic facilities; amending
4 s. 455.5656, F.S.; providing an exemption from
5 public records requirements for information
6 obtained for practitioner profiles of advanced
7 registered nurse practitioners;
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