

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

The Committee on Insurance offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Section 627.3111, Florida Statutes, is
created to read:

627.3111 Confidentiality of personal information of
insured or consumer; records.--

(1) All personal information specifically related to
bank account numbers, personal financial information, patient
records, and other individual personal health information made
or received by the Department of Insurance, which is contained
in public records, is exempt from the provisions of s.
119.07(1) and s. 24(a), Article I of the State Constitution so
that the confidentiality of this specific personal information
concerning the insured or consumer is preserved. This
exemption is subject to the Open Government Sunset Review Act
in accordance with s. 119.15 and expires on October 1, 2006,
unless reviewed and reenacted by the Legislature.

Amendment No. 1 (for drafter's use only)

1 (2) This section does not apply with respect to
2 records of an insured or other person who is the subject of a
3 criminal investigation and does not prevent the department
4 from referring such information to any local, state, or
5 federal law enforcement authority.

6 Section 2. The Legislature finds that it is a public
7 necessity that personal information specifically relating to
8 bank account numbers, personal financial information, patient
9 records, and other individual personal health information made
10 or received by the Department of Insurance be held
11 confidential and exempt from public disclosure unless
12 otherwise provided for by law. The Legislature finds that this
13 exemption is needed to protect information that is of a
14 sensitive personal nature that concerns individuals. Every
15 person has an expectation of and a right to privacy in all
16 matters concerning his or her personal financial and medical
17 records. Matters of personal health are traditionally private
18 and confidential concerns between the patient and the health
19 care provider. Personal financial information is likewise
20 traditionally confidential and protected from public
21 examination. The private and confidential nature of personal
22 financial and health matters justifies the preservation of
23 these confidences, otherwise recognized by law, and should not
24 be opened up to public display because the records come into
25 the possession of a public entity. For these reasons, the
26 individual's expectation of and right to privacy in all
27 matters regarding his or her personal health necessitates this
28 exemption, and likewise, an individual's personal financial
29 situation is also of a sensitive personal nature and should be
30 confidential and exempt.

31 Section 3. This act shall take effect upon becoming a

Amendment No. 1 (for drafter's use only)

1 law.

2

3

4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 1,

7 remove from the title of the bill: the entire title

8

9 and insert in lieu thereof:

10 A bill to be entitled

11 An act relating to public records; creating s.

12 627.3111, F.S.; providing an exemption from

13 public-records requirements for specific

14 information related to financial or medical

15 records of insureds and consumers which are in

16 the possession of the Department of Insurance;

17 providing for future review and an expiration

18 date; providing a finding of public necessity;

19 providing an effective date.

20

21

22

23

24

25

26

27

28

29

30

31