By Senator Brown-Waite

## 10-1451A-01

A bill to be entitled 1 2 An act relating to public records; providing an exemption from the public records law for 3 4 information that identifies the claimant or 5 case number in certain proceedings involving a 6 nursing home or assisted living facility and 7 that is provided to the Agency for Health Care Administration as required by law; providing a 8 9 finding of public necessity; providing a contingent effective date. 10 11 12 Be It Enacted by the Legislature of the State of Florida: 13 14 Section 1. Any portion of a document identifying the claimant or case number of a claim or civil action that 15 results in a final judgment, arbitration decision, order, 16 17 mediation agreement, or settlement that involves a nursing home or assisted living facility and that is provided to the 18 19 Agency for Health Care Administration as required under 20 section 400.023(12) or section 400.429(12), Florida Statutes, 21 is confidential and exempt from section 119.07(1), Florida 22 Statutes, and Section 24(a) of Article I of the State Constitution. This exemption is subject to the Open Government 23 Sunset Review Act of 1995 in accordance with section 119.15, 24 25 Florida Statutes, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by 26 27 the Legislature. 28 Section 2. The Legislature finds that it is a public 29 necessity to protect the identity of those persons who may 30 have received compensation pursuant to arbitration, mediation,

or litigation involving a nursing home or assisted living

facility. The Legislature finds that it is not in the best interest of potentially vulnerable individuals for such information to be readily available to those who might use the information to take advantage of or prey upon such individuals. Accordingly, the Legislature finds that the harm to the public which would result from the release of such information substantially outweighs any minimal public benefit derived therefrom. Section 3. This act shall take effect on the date Senate Bill 1202, relating to long-term care, or similar legislation becomes a law, and shall not take effect if such legislation does not become a law. SENATE SUMMARY Exempts from the public records law certain information that identifies the claimant or case number in proceedings involving nursing homes or assisted living facilities. Provides a finding of public necessity.