

By the Committee on State Administration and  
 Representative Brummer

1                                   A bill to be entitled  
 2           An act relating to a public records exemption  
 3           for certain information submitted to the Office  
 4           of the Attorney General by members of the  
 5           health care community; amending s. 408.185,  
 6           F.S., which provides an exemption from public  
 7           records requirements for certain documents,  
 8           contracts, and proprietary confidential  
 9           business information submitted by such entities  
 10          in connection with a request for an antitrust  
 11          no-action letter for a specified period;  
 12          reenacting such exemption and removing the  
 13          October 2, 2001, repeal thereof scheduled under  
 14          the Open Government Sunset Review Act of 1995;  
 15          providing an effective date.

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

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 19           Section 1. Notwithstanding the October 2, 2001, repeal  
 20 of said section scheduled pursuant to the Open Government  
 21 Sunset Review Act of 1995, section 408.185, Florida Statutes,  
 22 is reenacted and amended to read:

23           408.185 Information submitted for review of antitrust  
 24 issues; confidentiality.--The following information held by  
 25 the Office of the Attorney General, which is submitted by a  
 26 member of the health care community pursuant to a request for  
 27 an antitrust no-action letter shall be confidential and exempt  
 28 from the provisions of s. 119.07(1) and s. 24(a), Art. I of  
 29 the State Constitution for 1 year after the date of  
 30 submission.

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- 1           (1) Documents that reveal trade secrets as defined in  
2 s. 688.002.  
3           (2) Preferred provider organization contracts.  
4           (3) Health maintenance organization contracts.  
5           (4) Documents that reveal a health care provider's  
6 marketing plan.  
7           (5) Proprietary confidential business information as  
8 defined in s. 364.183(3).

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10 ~~This section is subject to the Open Government Sunset Review~~  
11 ~~Act of 1995 in accordance with s. 119.15, and shall stand~~  
12 ~~repealed on October 2, 2001, unless reviewed and saved from~~  
13 ~~repeal by reenactment of the Legislature.~~

14           Section 2. This act shall take effect October 1, 2001.

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17           HOUSE SUMMARY

18           Reenacts the public records exemption for certain  
19 documents, contracts, and proprietary confidential  
20 business information submitted to the Office of the  
21 Attorney General by members of the health care community  
22 in connection with a request for an antitrust no-action  
23 letter and removes the October 2, 2001, repeal thereof  
24 scheduled under the Open Government Sunset Review Act of  
25 1995.  
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