

By the Committee on Health, Aging and Long-Term Care

317-206-02

1 A bill to be entitled
2 An act relating to public records; amending s.
3 456.046, F.S.; abrogating the repeal of
4 provisions relating to information and data
5 received by the Department of Health or its
6 agent for the purpose of compiling practitioner
7 profiles; revising cross-references; providing
8 an effective date.

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

11
12 Section 1. Section 456.046, Florida Statutes, is
13 amended to read:

14 456.046 Practitioner's profiles; confidentiality.--Any
15 patient name or other information that identifies a patient
16 which is in a record obtained by the Department of Health or
17 its agent for the purpose of compiling a practitioner profile
18 pursuant to s. 456.041 is confidential and exempt from the
19 provisions of s. 119.07(1)~~chapter 119~~ and s. 24(a), Art. I of
20 the State Constitution. Other data received by the department
21 or its agent as a result of its duty to compile and promulgate
22 practitioner profiles are confidential and exempt from the
23 provisions of s. 119.07(1)~~chapter 119~~ and s. 24(a), Art. I of
24 the State Constitution until the profile into which the data
25 are incorporated or with respect to which the data are
26 submitted is made public pursuant to the requirements of s.
27 456.041. Any information or record that the Department of
28 Health obtains from the Agency for Health Care Administration
29 or any other governmental entity for the purpose of compiling
30 a practitioner profile or substantiating other information or
31 records submitted for that purpose which is otherwise exempt

1 from public disclosure shall remain exempt as otherwise
2 provided by law and that was exempt from the provisions of
3 chapter 119 and s. 24(a), Art. I of the State Constitution
4 does not lose that character by coming into the possession of
5 the Department of Health, and such information or record
6 continues to be exempt from the provisions of chapter 119 and
7 s. 24(a), Art. I of the State Constitution. This section is
8 subject to the Open Government Sunset Review Act of 1995 in
9 accordance with s. 119.15 and shall stand repealed on October
10 2, 2002, unless reviewed and saved from repeal through
11 reenactment by the Legislature.

12 Section 2. This act shall take effect October 1, 2002.

13
14 *****

15 SENATE SUMMARY

16 Pertains to public records exemptions. Abrogates the
17 repeal of provisions relating to information and data
18 received by the Department of Health or its agent for the
19 purpose of compiling practitioner profiles.
20
21
22
23
24
25
26
27
28
29
30
31