

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 obtained in connection  
4           with practitioner profiles; amending s.  
5           456.046, F.S., which provides an exemption from  
6           public records requirements for information  
7           obtained by the Department of Health for the  
8           purpose of compiling such profiles; reenacting  
9           such exemption and removing the October 2,  
10          2002, repeal thereof scheduled under the Open  
11          Government Sunset Review Act of 1995;  
12          clarifying language; providing an effective  
13          date.

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

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17           Section 1. Notwithstanding the October 2, 2002, repeal  
18          of said section scheduled pursuant to the Open Government  
19          Sunset Review Act of 1995, section 456.046, Florida Statutes,  
20          is reenacted and amended to read:

21           456.046 Practitioner ~~Practitioner's~~ profiles;  
22          confidentiality.--Any patient name or other information that  
23          identifies a patient which is in a record obtained by the  
24          Department of Health or its agent for the purpose of compiling  
25          a practitioner profile pursuant to s. 456.041 is confidential  
26          and exempt from the provisions of s. 119.07(1)~~chapter 119~~ and  
27          s. 24(a), Art. I of the State Constitution. Other data  
28          received by the department or its agent as a result of its  
29          duty to compile and promulgate practitioner profiles are  
30          confidential and exempt from the provisions of s. 119.07(1)  
31          ~~chapter 119~~ and s. 24(a), Art. I of the State Constitution

1 until the profile into which the data are incorporated or with  
2 respect to which the data are submitted is made public  
3 pursuant to the requirements of s. 456.041. Any information or  
4 record that the Department of Health obtains from the Agency  
5 for Health Care Administration or any other governmental  
6 entity for the purpose of compiling a practitioner profile or  
7 substantiating other information or records submitted for that  
8 purpose which is otherwise exempt from public disclosure shall  
9 remain exempt as otherwise provided by law.~~and that was~~  
10 ~~exempt from the provisions of chapter 119 and s. 24(a), Art. I~~  
11 ~~of the State Constitution does not lose that character by~~  
12 ~~coming into the possession of the Department of Health, and~~  
13 ~~such information or record continues to be exempt from the~~  
14 ~~provisions of chapter 119 and s. 24(a), Art. I of the State~~  
15 ~~Constitution. This section is subject to the Open Government~~  
16 ~~Sunset Review Act of 1995 in accordance with s. 119.15 and~~  
17 ~~shall stand repealed on October 2, 2002, unless reviewed and~~  
18 ~~saved from repeal through reenactment by the Legislature.~~

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

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21 HOUSE SUMMARY

22  
23 Reenacts the public records exemption for certain  
24 information obtained by the Department of Health in  
25 connection with compiling practitioner profiles, and  
26 removes the October 2, 2002, repeal thereof scheduled  
27 under the Open Government Sunset Review Act of 1995.  
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