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A bill to be entitled
 An act relating to notification of an adverse incident provided to the Agency for Health Care Administration; amending s. 395.0198, F.S., which provides an exemption from public records requirements for information contained in a notification of an adverse incident; removing the October 2, 2003, repeal thereof scheduled pursuant to the Open Government Sunset Review Act of 1995; providing that such information is discoverable or admissible in a disciplinary proceeding by the Department of Health; providing an effective date.

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

Section 1. Notwithstanding the October 2, 2003, repeal of said section scheduled pursuant to the Open Government Sunset Review Act of 1995, section 395.0198, Florida Statutes, is amended to read:

395.0198 Notification of adverse incident; public records exemption.--The information contained in the notification of an adverse incident, which is required under s. 395.0197(7) and provided to the Agency for Health Care Administration by a facility licensed under this chapter is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. In addition, the information is not discoverable or admissible in a civil or administrative action, unless the action is a disciplinary proceeding by the Agency for Health Care Administration, the Department of Health, or the



29 | appropriate regulatory board. The information may not be made
30 | available to the public as part of the record of investigation
31 | or prosecution in a disciplinary proceeding which is made
32 | available by the Agency for Health Care Administration or a
33 | regulatory board. ~~This exemption is subject to the Open~~
34 | ~~Government Sunset Review Act of 1995 in accordance with s.~~
35 | ~~119.15 and shall stand repealed on October 2, 2003, unless~~
36 | ~~reviewed and saved from repeal through reenactment by the~~
37 | ~~Legislature.~~

38 | Section 2. This act shall take effect October 1, 2003.