

HB 1729

2004

A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 395.3025, F.S., which provides an exemption from public records requirements for specified information concerning certain employees of hospitals, ambulatory surgical centers, and mobile surgical facilities; removing the October 2, 2004, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; narrowing and clarifying the exemption; providing an effective date.

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

Section 1. Subsections (10) and (11) of section 395.3025, Florida Statutes, are amended to read:

395.3025 Patient and personnel records; copies; examination.--

(10) The home addresses, telephone numbers, ~~social security numbers,~~ and photographs of employees of any licensed facility who provide direct patient care or security services; the home addresses, telephone numbers, ~~social security numbers,~~ ~~photographs,~~ and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. However, any state or federal agency that is authorized to have access to such information by any provision of law shall be granted such access in the furtherance of its statutory duties, notwithstanding the

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30 provisions of this subsection. ~~This subsection is subject to the~~
 31 ~~Open Government Sunset Review Act of 1995 in accordance with s.~~
 32 ~~119.15, and shall stand repealed on October 2, 2004, unless~~
 33 ~~reviewed and saved from repeal through reenactment by the~~
 34 ~~Legislature.~~

35 (11) The home addresses, telephone numbers, ~~social~~
 36 ~~security numbers,~~ and photographs of employees of any licensed
 37 facility who have a reasonable belief, based upon specific
 38 circumstances that have been reported in accordance with the
 39 procedure adopted by the facility, that release of the
 40 information may be used to threaten, intimidate, harass, inflict
 41 violence upon, or defraud the employee or any member of the
 42 employee's family; the home addresses, telephone numbers, ~~social~~
 43 ~~security numbers, photographs,~~ and places of employment of the
 44 spouses and children of such persons; and the names and
 45 locations of schools and day care facilities attended by the
 46 children of such persons are confidential and exempt from s.
 47 119.07(1) and s. 24(a), Art. I of the State Constitution.
 48 However, any state or federal agency that is authorized to have
 49 access to such information by any provision of law shall be
 50 granted such access in the furtherance of its statutory duties,
 51 notwithstanding the provisions of this subsection. The licensed
 52 facility shall maintain the confidentiality of the personal
 53 information only if the employee submits a written request for
 54 confidentiality to the licensed facility. ~~This subsection is~~
 55 ~~subject to the Open Government Sunset Review Act of 1995 in~~
 56 ~~accordance with s. 119.15, and shall stand repealed on October~~
 57 ~~2, 2004, unless reviewed and saved from repeal through~~
 58 ~~reenactment by the Legislature.~~

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Section 2. This act shall take effect October 1, 2004.