

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

317-777-04

1 A bill to be entitled
2 An act relating to a review under the Open
3 Government Sunset Review Act; amending s.
4 395.3025, F.S.; revising a public-records
5 exemption for specified information concerning
6 certain employees of hospitals, ambulatory
7 surgical centers, and mobile surgical
8 facilities; saving the exemption from repeal
9 under the Open Government Sunset Review Act;
10 deleting provisions that provide for the repeal
11 of the exemption; providing an effective date.

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

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15 Section 1. Subsections (10) and (11) of section
16 395.3025, Florida Statutes, are amended to read:

17 395.3025 Patient and personnel records; copies;
18 examination.--

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

1 ~~subsection is subject to the Open Government Sunset Review Act~~
2 ~~of 1995 in accordance with s. 119.15, and shall stand repealed~~
3 ~~on October 2, 2004, unless reviewed and saved from repeal~~
4 ~~through reenactment by the Legislature.~~

5 (11) The home addresses, telephone numbers, ~~social~~
6 ~~security numbers,~~and photographs of employees of any licensed
7 facility who have a reasonable belief that release of the
8 information may be used to threaten, intimidate, harass,
9 inflict violence upon, or defraud the employee or any member
10 of the employee's family; the home addresses, telephone
11 numbers, ~~social security numbers, photographs,~~and places of
12 employment of the spouses and children of such persons; and
13 the names and locations of schools and day care facilities
14 attended by the children of such persons are confidential and
15 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
16 Constitution. However, any state or federal agency that is
17 authorized to have access to such information by any provision
18 of law shall be granted such access in the furtherance of its
19 statutory duties, notwithstanding the provisions of this
20 subsection. The licensed facility shall maintain the
21 confidentiality of the personal information only if the
22 employee submits a written request for confidentiality to the
23 licensed facility. ~~This subsection is subject to the Open~~
24 ~~Government Sunset Review Act of 1995 in accordance with s.~~
25 ~~119.15, and shall stand repealed on October 2, 2004, unless~~
26 ~~reviewed and saved from repeal through reenactment by the~~
27 ~~Legislature.~~

28 Section 2. This act shall take effect October 1, 2004.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 464

The committee substitute differs from SB 464 in the following way:

The committee substitute reenacts the current exemption for photographs of hospital employees.