

By the Committees on Governmental Oversight and Productivity;  
and Health, Aging, and Long-Term Care

302-1336-04

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.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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2 ~~of 1995 in accordance with s. 119.15, and shall stand repealed~~  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27 ~~119.15, and shall stand repealed on October 2, 2004, unless~~  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

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

31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
CS/SB 464

Limits exemption based upon a "reasonable belief" of harassment or intimidation to specific circumstances that have been reported in accordance with the procedure adopted by the facility.