

By the Committee on Governmental Oversight and Productivity;  
and Senator Smith

585-2051-05

1                                   A bill to be entitled  
2           An act relating to the Blood Donor Protection  
3           Act; creating s. 381.0043, F.S.; providing a  
4           popular name; providing that no blood bank or  
5           subsidiary or affiliate thereof or employee or  
6           agent of a blood bank or subsidiary or  
7           affiliate thereof may be compelled to disclose  
8           the identity or identifying characteristics of  
9           any person who donates blood or any blood  
10          components; providing an exception; providing  
11          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. Section 381.0043, Florida Statutes, is  
16          created to read:  
17           381.0043 Blood Donor Protection Act; blood and blood  
18          component donors; confidentiality.--  
19           (1) This section may be cited as the "Blood Donor  
20          Protection Act."  
21           (2) A blood bank, a subsidiary or affiliate of a blood  
22          bank, an employee or agent of a blood bank, or a subsidiary or  
23          affiliate of an agent or employee of a blood bank, may not be  
24          compelled to disclose the identity or any identifying  
25          characteristics of a person who donates blood or a blood  
26          component. This subsection does not apply if written consent  
27          to disclose the donor's identity or any identifying  
28          characteristics is obtained from the person who donates the  
29          blood or blood component and does not preclude disclosure to a  
30          local, state, or federal governmental public health authority  
31          as required by law.

1           Section 2. This act shall take effect July 1, 2005.  
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3                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
4                   COMMITTEE SUBSTITUTE FOR  
5                   Senate Bill 1094

6 Provides exception to prohibition for compelling a blood bank  
7 or its agent to disclose the identity or identifying  
8 characteristics of a person who donates blood. The prohibition  
9 does not apply if written consent is obtained from the donor.

10 Also clarifies that prohibition does not preclude disclosure  
11 to a local, state, or federal governmental public health  
12 authority as required by law.  
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