



1 licensed under this part or under part III are exempt from s.  
2 286.011 and s. 24(b), Art. I of the State Constitution.

3 (b) Records of meetings of an internal risk management  
4 and quality assurance committee of a long-term care facility  
5 licensed under this part or under part III are exempt from s.  
6 119.07(1) and s. 24(a), Art. I of the State Constitution.

7 (3)(a) However, If the Agency for Health Care  
8 Administration has a reasonable belief that conduct by a staff  
9 member or employee of a facility is criminal activity or  
10 grounds for disciplinary action by a regulatory board, the  
11 agency may disclose ~~such~~ records made confidential and exempt  
12 under this section to the appropriate law enforcement agency  
13 or regulatory board.

14 (b) Records disclosed to a law enforcement agency  
15 remain confidential and exempt until criminal charges are  
16 filed.

17 (4)(2) Records made ~~that are~~ confidential and exempt  
18 under this section which ~~subsection (1) and that~~ are obtained  
19 by a regulatory board are not available to the public as part  
20 of the record of investigation and prosecution in a  
21 disciplinary proceeding made available to the public by the  
22 agency or the appropriate regulatory board. However, the  
23 agency or the appropriate regulatory board shall make  
24 available, upon request by a health care professional against  
25 whom probable cause has been found, any such records that form  
26 the basis of the determination of probable cause.

27 ~~(3) Records disclosed to a law enforcement agency~~  
28 ~~pursuant to subsection (1) remain confidential and exempt~~  
29 ~~until criminal charges are filed.~~

30 ~~(4) The meetings of an internal risk management and~~  
31 ~~quality assurance committee of a long term care facility~~

1 ~~licensed under this part or part III of this chapter are~~  
2 ~~exempt from s. 286.011 and s. 24(b), Art. I of the State~~  
3 ~~Constitution and are not open to the public.~~

4 ~~(5) This section is subject to the Open Government~~  
5 ~~Sunset Review Act of 1995 in accordance with s. 119.15, and~~  
6 ~~shall stand repealed on October 2, 2006, unless reviewed and~~  
7 ~~saved from repeal through reenactment by the Legislature.~~

8 Section 2. This act shall take effect October 1, 2006.

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11 SENATE SUMMARY

12 Abrogates the scheduled expiration of exemptions under  
13 the Open Government Sunset Review Act for meetings of the  
14 risk management and quality assurance committee of a  
15 long-term care facility and for records pertaining  
16 thereto.

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