Bill No. <u>SB 514</u>

Barcode 111354

	585-1526-06 Proposed Committee Substitute by the Committee on Governmental Oversight and Productivity
1	A bill to be entitled
2	An act relating to a review under the Open
3	Government Sunset Review Act; amending s.
4	430.105, F.S.; revising provisions that provide
5	an exemption from public-records requirements
б	for certain information relating to a person's
7	health or eligibility for services, which
8	information is held by the Department of
9	Elderly Affairs; abrogating the scheduled
10	repeal of such exemption; providing an
11	effective date.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
15	Section 1. Section 430.105, Florida Statutes, is
16	amended to read:
17	430.105 Confidentiality of information
18	(1) Personal identifying information <u>in a record which</u>
19	<u>relates</u> relating to an individual's health or eligibility for
20	or receipt of health-related, elder care, or long-term care
21	services <u>and which is held by the department</u> received as a
22	result of services rendered under any program administered or
23	funded by the department is confidential and exempt from the
24	provisions of s. 119.07(1) and s. 24(a), Art. I of the State
25	Constitution, except as otherwise provided by law. Such
26	information may be contained in records created by or received
27	by the department or its service providers or obtained through
28	files, reports, inspections, or otherwise by employees of the
29	department, persons who volunteer services through programs
30	administered by the department or its contract providers, or
31	by contract providers. Information made confidential and 1
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exempt from the public records law under this section may not be disclosed: (1) To another governmental entity for the purpose of administering the department's programs for the elderly; or (2) If the affected individual publicly unless the affected client or elder person or his or her legal б representative provides written consent. (2) This section is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature. Section 2. This act shall take effect October 1, 2006.