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to read: <u>765.51551 Organ and tissue donor registry; public records</u> <u>exemption</u> <u>(1) Information held in the organ and tissue donor registry</u> <u>which identifies a donor is confidential and exempt from s.</u> <u>119.07(1) and s. 24(a), Art. I of the State Constitution.</u> <u>(2) Such information may be disclosed to the following:</u> <u>(a) Organ, tissue, and eye procurement organizations that</u> <u>have been certified by the Agency for Health Care Administration</u> <u>for the purpose of ascertaining or effectuating the existence of</u> <u>a gift under s. 765.522.</u> <u>(b) Persons engaged in bona fide research if the person</u> <u>agrees to:</u>	1	A bill to be entitled								
4       requirements for information in the organ and tissue donor         5       registry which would identify a donor; providing         6       exceptions; providing for future legislative review and         7       repeal of the exemption under the Open Government Sunset         8       Review Act; providing a statement of public necessity;         9       providing a contingent effective date.         10       11         11       Be It Enacted by the Legislature of the State of Florida:         12       3         13       Section 1. Section 765.51551, Florida Statutes, is created         14       to read:         15       765.51551 Organ and tissue donor registry; public records         16 <u>exemption</u> 17       (1) Information held in the organ and tissue donor registry         18       which identifies a donor is confidential and exempt from s.         19       19.07(1) and s. 24(a), Art. I of the State Constitution.         20       (2) Such information may be disclosed to the following:         21       (a) Organ, tissue, and eye procurement organizations that         22       have been certified by the Agency for Health Care Administration         23       for the purpose of ascertaining or effectuating the existence of         24       a gift under s. 765.52	2	An act relating to public records; creating s. 765.51551,								
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28 exact nature of the information requested and the intended use of	27	1. Submit a research plan to the agency that specifies the								
	28									
29 <u>the information;</u>	29	the information;								

## Page 1 of 3

**CODING:** Words stricken are deletions; words underlined are additions.

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30	2. Maintain the confidentiality of the records or
31	information if personal identifying information is made available
32	to the researcher;
33	3. Destroy any confidential records or information obtained
34	after the research is concluded; and
35	4. Not directly or indirectly contact, for any purpose, any
36	donor or donee.
37	(3) This section is subject to the Open Government Sunset
38	Review Act in accordance with s. 119.15 and shall stand repealed
39	on October 2, 2013, unless reviewed and saved from repeal through
40	reenactment by the Legislature.
41	Section 2. The Legislature finds that it is a public
42	necessity to make confidential and exempt from disclosure
43	information held in the organ and tissue donor registry which
44	would identify a donor. Such personal identifying information, if
45	publicly available, could be used to invade the personal privacy
46	of the donor identified in the registry. The decision to make or
47	revoke an anatomical gift is a private matter of personal choice.
48	Furthermore, the disclosure of such information could hinder the
49	effective and efficient administration of the organ and tissue
50	donation program. Access to such information could reduce
51	donations and the availability of potentially life-saving organs,
52	tissues, or other body parts. Finally, access to such information
53	could be used to solicit, harass, stalk, or intimidate organ and
54	tissue donors. Thus, the Legislature finds that information held
55	in the organ and tissue donor registry which would identify a
56	donor should be confidential and exempt from public records
57	requirements.
58	Section 3. This act shall take effect on the same date that

## Page 2 of 3

**CODING:** Words stricken are deletions; words underlined are additions.

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59	House	Bill	1485,	or	similar	legislation	takes	effect,	if	such
						2		,		

60 legislation is adopted in the same legislative session or an61 extension thereof and becomes law.