



409282

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2011	.	
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The Committee on Criminal Justice (Dockery) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1665 - 1670
and insert:

Section 22. Paragraph (a) of subsection (3) of section 893.0551, Florida Statutes, is amended, present subsections (4), (5), (6), and (7) of that section are redesignated as subsections (5), (6), (7), and (8), respectively, and a new subsection (4) is added to that section, to read:

893.0551 Public records exemption for the prescription drug monitoring program.—

(3) The department shall disclose such confidential and



409282

13 exempt information to the following entities after using a
14 verification process to ensure the legitimacy of that person's
15 or entity's request for the information:

16 (a) The Attorney General and his or her designee when
17 working on Medicaid fraud cases and Medicaid investigations
18 involving prescribed controlled substances ~~prescription drugs~~ or
19 when the Attorney General has initiated a review of specific
20 identifiers of Medicaid fraud or specific identifiers that
21 warrant a Medicaid investigation regarding prescribed controlled
22 substances ~~prescription drugs~~. The Attorney General or his or
23 her designee may disclose the confidential and exempt
24 information received from the department to a criminal justice
25 agency as defined in s. 119.011 as part of an active
26 investigation that is specific to a violation of prescription
27 drug abuse or prescription drug diversion law as it relates to
28 controlled substances. The Attorney General's Medicaid fraud
29 investigators and Medicaid investigators may not have direct
30 access to the department's database.

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete line 173

35 and insert:

36 893.0551, F.S.; requiring the Department of Health to
37 disclose confidential and exempt information
38 pertaining to the prescription drug monitoring program
39 to the Attorney General and designee when working on
40 Medicaid fraud cases and Medicaid investigations
41 involving prescribed controlled substances or when the



409282

42 Attorney General has initiated a review of specific
43 identifiers that warrant a Medicaid investigation
44 regarding prescribed controlled substances;
45 prohibiting the Attorney General's Medicaid
46 investigators from direct access to the prescription
47 drug monitoring program's database; authorizing the
48 Department of Health