

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Access Subcommittee
3 Representative Berman offered the following:

Amendment (with title amendment)

Between lines 860 and 861, insert:

7 Section 16. Sections 16 and 17 of this act may be cited as
8 the "Pregnancy Confidentiality Act."

9 Section 17. Pregnancy resource centers; release of client
10 information.-

11 (1) As used in this section, the term:

12 (a) "Client" means an individual who is inquiring about or
13 seeking services at a pregnancy resource center.

14 (b) "Client records" means any individually identifiable
15 health information collected by a pregnancy resource center from
16 an individual, including, but not limited to, demographic
17 information; his or her name, address, phone number, e-mail
18 address, date of birth, social security number, driver license
19 number, or Florida identification card number; employer's name,

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20 address, or phone number; the names, addresses, and phone
21 numbers of any relatives or partners; and any personal or
22 health-related information collected by a pregnancy resource
23 center related to an individual client's past, present, or
24 future physical or mental health or condition; the provision of
25 health care to an individual; the past, present, or future
26 payment for the provision of health care to an individual; or
27 any other information related to the client's health care,
28 including, but not limited to, the results of any tests or
29 services provided by the pregnancy resource center.

30 (c) "Pregnancy resource center" means an organization or
31 facility that:

32 1. Provides pregnancy counseling or information as its
33 primary purpose, either for a fee or as a free service;

34 2. Does not provide abortions or refer a client who wishes
35 to obtain an abortion;

36 3. Does not furnish any contraceptive drug or device or
37 refer a client who wishes to obtain a contraceptive drug or
38 device approved by the federal Food and Drug Administration; and

39 4. Is not licensed or certified by the state or the
40 Federal Government to provide medical or health care services.

41 (2) The records of a client of a pregnancy resource center
42 may be disclosed only if the client or his or her legal
43 representative requests or consents, in writing, to the release
44 of such information.

45 (3) A person who violates subsection (2) commits a
46 misdemeanor of the first degree, punishable as provided in s.
47 775.082 or s. 775.083, Florida Statutes.

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48 (4) Any person injured as a result of a willful violation
49 of subsection (2) shall have a civil cause of action for
50 compensatory and punitive damages, reasonable attorney fees, and
51 costs.

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54 **T I T L E A M E N D M E N T**

55 Remove line 123 and insert:

56 penalties; creating the "Pregnancy Confidentiality
57 Act"; defining the terms "client," "client records,"
58 and "pregnancy resource center"; providing that
59 records of clients of pregnancy resource centers may
60 be disclosed only if the client or his or her legal
61 representative requests or consents, in writing, to
62 the release of such information; providing penalties;
63 providing for civil relief; providing for
64 severability; providing an