

Amendment No. 1

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 WITHDRAWN _____ (Y/N)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: Transportation & Highway
 2 Safety Subcommittee
 3 Representative Slosberg offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Public records exemption; participants in a
 8 yellow dot critical motorist medical information program.-

9 (1) Personal identifying information of a participant in a
 10 yellow dot critical motorist medical information program which
 11 is held by the governing body of a county participating in such
 12 program is exempt from s. 119.07(1), Florida Statutes, and s.
 13 24(a), Article I of the State Constitution.

14 (2) Subsection (1) is subject to the Open Government
 15 Sunset Review Act in accordance with s. 119.15, Florida
 16 Statutes, and is repealed on July 1, 2019, unless reviewed and
 17 saved from repeal through reenactment by the Legislature.

Amendment No. 1

18 Section 2. The Legislature finds that it is a public
19 necessity that the personal identifying information of a
20 participant in a yellow dot critical motorist medical
21 information program held by the governing body of a county
22 participating in such program be made exempt from s. 119.07(1),
23 Florida Statutes, and s. 24(a), Article I of the State
24 Constitution. Nevertheless, allowing the governing bodies of
25 participating counties to distribute yellow dot folders, as well
26 as allowing emergency medical responders and law enforcement
27 agents to access the information provided in yellow dot folders,
28 will ensure the most rapid and effective treatment for victims
29 of serious traffic accidents. If the personal identifying
30 information of a participant in such program were not exempt
31 from disclosure, any person could inspect and copy documentation
32 that identifies the program participant. Consequently, the
33 availability of such information to the public would result in
34 the invasion of the program participant's privacy. If
35 information regarding the program participant could be
36 correlated with his or her medical records, it would be possible
37 for the public to become aware of any diseases or other medical
38 concerns for which the qualifying patient is being treated by
39 his or her physician. This knowledge could be used to embarrass
40 or humiliate a qualifying patient or to discriminate against him
41 or her. Finally, protecting the personal identifying information
42 of a participant in such program prevents the identification of
43 program participants who could be victimized by robbery,

103565 - HB 19 Strike-All.docx

Published On: 1/13/2014 2:35:38 PM

Amendment No. 1

44 burglary, or illicit drug activities. Accordingly, the
45 Legislature finds that the harm to a program participant which
46 could result from the release of personal identifying
47 information of the participant outweighs any minimal public
48 benefit that would be derived from disclosure of that
49 information to the public. Therefore, it is the finding of the
50 Legislature that such identifying information must be made
51 confidential and exempt from public disclosure.

52 Section 3. This act shall take effect on the same date
53 that HB 17 or similar legislation authorizing the governing body
54 of a county to create a yellow dot critical motorist medical
55 information program takes effect, if such legislation is adopted
56 in the same legislative session or an extension thereof and
57 becomes a law.

58

59

60

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

61

Remove everything before the enacting clause and insert:

62

A bill to be entitled

63

An act relating to public records; providing an

64

exemption from public records requirements for

65

personal identifying information of participants in a

66

yellow dot critical motorist medical information

67

program; providing for future legislative review and

68

repeal of the exemption; providing a statement of

69

public necessity; providing a contingent effective

Amendment No. 1

70

date.