



296184

LEGISLATIVE ACTION

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|------------|---|-------|
| Senate | . | House |
| Comm: RCS | . | |
| 03/26/2014 | . | |
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| | . | |
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The Committee on Governmental Oversight and Accountability
(Bean) recommended the following:

Senate Amendment (with title amendment)

Delete lines 20 - 41
and insert:
program which is contained in the following records is
confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
of the State Constitution:

1. Records created or compiled during screenings for
participation in the program.

2. Records created or compiled during substance abuse



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11 screenings.

12 3. Behavioral health evaluations.

13 4. Subsequent treatment status reports.

14 (b) Such confidential and exempt information may be
15 disclosed:

16 1. Pursuant to a written request of the participant or
17 person considered for participation, or his or her legal
18 representative.

19 2. To another governmental entity in the furtherance of its
20 responsibilities associated with the screening of or providing
21 treatment to a person in a treatment-based drug court program.

22 (c) Records of a service provider which pertain to the
23 identity, diagnosis, and prognosis of or provision of service to
24 any person shall be disclosed pursuant to s. 397.501(7).

25 (d) This exemption applies to such information described in
26 paragraph (a) relating to a participant or a person considered
27 for participation in a treatment-based drug court program
28 before, on, or after the effective date of this exemption.

29 (e) This subsection is subject to the Open Government
30 Sunset Review Act in accordance with s. 119.15 and shall stand
31 repealed on October 2, 2019, unless reviewed and saved from
32 repeal through reenactment by the Legislature.

33 Section 2. The Legislature finds that it is a public
34 necessity that information relating to a participant or person
35 considered for participation in a treatment-based drug court
36 program under s. 397.334, Florida Statutes, which is contained
37 in certain records be made confidential and exempt from s.
38 119.07(1), Florida Statutes, and s. 24(a), Article I of the
39 State Constitution. Protecting information contained in records



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40 created or compiled during screenings for participation in a
41 treatment-based drug court program, records created or compiled
42 during substance abuse screenings, behavioral

43
44 ===== T I T L E A M E N D M E N T =====

45 And the title is amended as follows:

46 Delete lines 4 - 7

47 and insert:

48 requirements information from the screenings for
49 participation in a treatment-based drug court program,
50 substance abuse screenings, behavioral health
51 evaluations, and subsequent treatment status reports
52 regarding a participant or a person considered for
53 participation in a treatment-based drug court program;
54 providing for exceptions to the exemption; providing
55 for retroactive application of the public record
56 exemption; providing for