



209838

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2014	.	
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The Committee on Health Policy (Grimsley) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 22 - 80  
and insert:  
section 381.82, Florida Statutes, as created by SB 872, 2014  
Regular Session, to read:

381.82 Ed and Ethel Moore Alzheimer's Disease Research  
Program.—

(3) There is created the Alzheimer's Disease Research Grant  
Advisory Board within the Department of Health.



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11           (d)1. Applications submitted to the board for Alzheimer's  
12 disease research grants under this section and, with the  
13 exception of final recommendations, records generated by the  
14 board relating to the review of such applications are  
15 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
16 of the State Constitution.

17           2. Portions of a meeting of the board at which applications  
18 for Alzheimer's disease research grants under this section are  
19 discussed are exempt from s. 286.011 and s. 24(b), Art. I of the  
20 State Constitution. The closed portion of a meeting must be  
21 recorded. The recording shall be maintained by the board and  
22 shall be subject to disclosure in accordance with subparagraph  
23 3.

24           3. Information that is held confidential and exempt under  
25 this paragraph may be disclosed with the express written consent  
26 of the individual to whom the information pertains or the  
27 individual's legally authorized representative, or by court  
28 order upon a showing of good cause.

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30 Review Act in accordance with s. 119.15 and shall stand repealed  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

33           Section 2. (1) The Legislature finds that it is a public  
34 necessity that applications for Alzheimer's disease research  
35 grants submitted to the Alzheimer's Disease Research Grant  
36 Advisory Board and records generated by the board relating to  
37 the review of such applications are confidential and exempt from  
38 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
39 State Constitution. The research grant applications and the



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40 records generated by the board relating to the review of such  
41 applications contain information of a confidential nature,  
42 including ideas and processes, which could injure the affected  
43 researchers and stifle scientific innovation if publicly  
44 disclosed. Maintaining confidentiality is a hallmark of  
45 scientific peer review when awarding grants and is practiced by  
46 the National Science Foundation and the National Institutes of  
47 Health. The Legislature further finds that any public benefit  
48 derived from the disclosure of such information is significantly  
49 outweighed by the public and private harm which could result  
50 from the disclosure of such applications and records.

51 (2) The Legislature finds that it is a public necessity  
52 that portions of meetings of the Alzheimer's Disease Research  
53 Grant Advisory Board at which the applications are discussed be  
54 held exempt from s. 286.011, Florida Statutes, and s. 24(b),  
55 Article I of the State Constitution. Maintaining confidentiality  
56 allows for candid exchanges among reviewers critiquing  
57 applications. The Legislature further finds that closing access  
58 to those portions of meetings of the board during which the  
59 Alzheimer's disease research grant applications are discussed  
60 serves a public good by ensuring that decisions are based upon  
61 merit without bias or undue influence. This exemption is  
62 narrowly drawn in that only those portions of meetings at which  
63 the applications for research grants are discussed are exempt  
64 from public meetings requirements.

65 Section 3. This act shall take effect on the same date that  
66 SB 872 or similar legislation takes effect, if such legislation  
67

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



69 And the title is amended as follows:  
70       Delete line 12  
71 and insert:  
72       applications are discussed; requiring the recording of  
73       closed portions of meetings; authorizing disclosure of