

By the Committees on Governmental Oversight and Accountability; and Regulated Industries; and Senators Hays, Soto, and Diaz de la Portilla

585-03192A-15

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1 A bill to be entitled
2 An act relating to public records; creating s.
3 474.2167, F.S.; providing an exemption from public
4 records requirements for certain animal medical
5 records held by a state college of veterinary medicine
6 that is accredited by the American Veterinary Medical
7 Association Council on Education; authorizing
8 disclosure under certain circumstances; providing
9 applicability; providing for future legislative review
10 and repeal of the exemption; providing a statement of
11 public necessity; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Section 474.2167, Florida Statutes, is created
16 to read:

17 474.2167 Confidentiality of animal medical records.-

18 (1) The following records held by any state college of
19 veterinary medicine that is accredited by the American
20 Veterinary Medical Association Council on Education are
21 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
22 of the State Constitution:

23 (a) A medical record generated which relates to diagnosing
24 the medical condition of an animal; prescribing, dispensing, or
25 administering drugs, medicine, appliances, applications, or
26 treatment of whatever nature for the prevention, cure, or relief
27 of a wound, fracture, bodily injury, or disease of an animal; or
28 performing a manual procedure for the diagnosis of or treatment
29 for pregnancy, fertility, or infertility of an animal; and

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30 (b) A medical record described in paragraph (a) which is
31 transferred by a previous record owner in connection with the
32 transaction of official business by a state college of
33 veterinary medicine that is accredited by the American
34 Veterinary Medical Association Council on Education.

35 (2) A record made confidential and exempt under subsection
36 (1) may be disclosed to another governmental entity in the
37 performance of its duties and responsibilities and may be
38 disclosed pursuant to s. 474.2165.

39 (3) The exemption from public records requirements under
40 subsection (1) applies to animal medical records held before,
41 on, or after the effective date of this exemption.

42 (4) This section is subject to the Open Government Sunset
43 Review Act in accordance with s. 119.15 and shall stand repealed
44 on October 2, 2020, unless reviewed and saved from repeal
45 through reenactment by the Legislature.

46 Section 2. The Legislature finds that it is a public
47 necessity that a medical record that relates to diagnosing the
48 medical condition of an animal; prescribing, dispensing, or
49 administering drugs, medicine, appliances, applications, or
50 treatment of whatever nature for the prevention, cure, or relief
51 of a wound, fracture, bodily injury, or disease of an animal; or
52 performing a manual procedure for the diagnosis of or treatment
53 for pregnancy or fertility or infertility of an animal, which is
54 held by a state college of veterinary medicine that is
55 accredited by the American Veterinary Medical Association
56 Council on Education, be made confidential and exempt from s.
57 119.07(1), Florida Statutes, and s. 24(a), Article I of the
58 State Constitution. The Legislature also finds that it is a

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59 public necessity that any such medical record that is
60 transferred by a previous records owner in connection with the
61 transaction of official business by a state college of
62 veterinary medicine that is accredited by the American
63 Veterinary Medical Association Council on Education and that is
64 held by such state college be made confidential and exempt from
65 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
66 State Constitution. The Legislature also finds that it is a
67 public necessity that this exemption apply to such animal
68 medical records held by such a state college of veterinary
69 medicine before, on, or after the effective date of the
70 exemption. The Legislature finds that the release of such animal
71 medical records compromises the confidentiality protections
72 otherwise afforded the owners of such animals treated by
73 licensed veterinarians in this state pursuant to this chapter.
74 The Legislature finds that the owners of animals have the right
75 to the privacy of the medical records of their animals. The
76 Legislature finds that this exemption permits a state college of
77 veterinary medicine accredited by the American Veterinary
78 Medical Association Council on Education to effectively and
79 efficiently carry out its mission to educate students in
80 veterinary medicine. Without this exemption, this mission would
81 be significantly impaired. The Legislature finds that the
82 privacy concerns that result from the release of animal medical
83 records outweigh any public benefit that may be derived from the
84 disclosure of the information.

85 Section 3. This act shall take effect July 1, 2015.