

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 WITHDRAWN _____ (Y/N)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: Government Operations
 2 Subcommittee

3 Representative Rodrigues, R. offered the following:

4
 5 **Amendment**

6 Remove lines 46-64 and insert:

7 Section 2. The Legislature finds that it is a public
 8 necessity that the personal financial and health information of
 9 a consumer held by the Florida Prepaid College Board, Florida
 10 ABLE, Inc., the Florida ABLE program, or an agent or service
 11 provider thereof, relating to an ABLE account or a participation
 12 agreement, or any information that would identify a consumer, be
 13 made confidential and exempt from s. 119.07(1), Florida
 14 Statutes, and s. 24(a), Art. I of the State Constitution. The
 15 Florida ABLE Program allows eligible individuals with
 16 disabilities, family members, and others to contribute funds to
 17 an ABLE account without affecting the individual's eligibility

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18 for state and federal benefits. It allows the individual to use
19 those funds for qualified disability expenses, such as
20 education, housing, transportation, or other expenses authorized
21 through federal regulations. The public record exemption for
22 information that would identify a consumer ensures that
23 information of a sensitive personal nature concerning a party to
24 a participation agreement is protected. Without such protection,
25 an individual may be less likely to take advantage of the
26 program thus, hindering the effective and efficient
27 administration of the Florida ABLE Program. It may also make the
28 individual vulnerable to abuse and exploitation. Disclosure of
29 sensitive financial information regarding a consumer under the
30 Florida ABLE program could create the opportunity for theft,
31 identity theft, fraud, and other illegal activity, thereby
32 jeopardizing the financial security of the consumer and placing
33 him or her at risk for substantial financial harm. Further, each
34 individual has a reasonable expectation of and a right to
35 privacy in all matters concerning personal financial interests.
36 The Legislature further finds that it is a public necessity to
37 protect a consumer's personal health information because such
38 information is traditionally a private and confidential matter
39 between the patient and health care provider. The private and
40 confidential nature of personal health matters pervades both the
41 public and private health care sectors, and public disclosure of
42 such personal health information relating to a consumer under
43 the Florida ABLE program could negatively affect an individual's

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44 business and personal relationships and cause detrimental
45 financial consequences.

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