

FOR CONSIDERATION By the Committee on Health Policy

588-00815-16

20167024pb

1                   A bill to be entitled  
2           An act relating to a review under the Open Government  
3           Sunset Review Act; amending s. 381.8531, F.S., which  
4           provides an exemption from public records requirements  
5           for information held by the Florida Center for Brain  
6           Tumor Research; removing the scheduled repeal of the  
7           exemption; providing an effective date.

8  
9   Be It Enacted by the Legislature of the State of Florida:

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11           Section 1. Section 381.8531, Florida Statutes, is amended  
12           to read:

13           381.8531 Florida Center for Brain Tumor Research; public  
14           records exemption.—

15           (1) The following information held by the Florida Center  
16           for Brain Tumor Research before, on, or after July 1, 2011, is  
17           confidential and exempt from s. 119.07(1) and s. 24, Art. I of  
18           the State Constitution:

19           (a) Personal identifying information of a donor to the  
20           central repository for brain tumor biopsies or the brain tumor  
21           registry.

22           (b) Any information received from an individual from  
23           another state or nation or the Federal Government that is  
24           otherwise confidential or exempt pursuant to the laws of that  
25           state or nation or pursuant to federal law.

26           (2) Such information may be disclosed to a person engaged  
27           in bona fide research if that person agrees to:

28           (a) Submit to the Florida Center for Brain Tumor Research a  
29           research plan that has been approved by an institutional review

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30 board and that specifies the exact nature of the information  
31 requested, the intended use of the information, and the reason  
32 that the research could not practicably be conducted without the  
33 information;

34 (b) Sign a confidentiality agreement with the Florida  
35 Center for Brain Tumor Research;

36 (c) Maintain the confidentiality of the information  
37 received; and

38 (d) To the extent permitted by law and after the research  
39 has concluded, destroy any confidential information obtained.

40 ~~(3) This section is subject to the Open Government Sunset~~  
41 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
42 ~~on October 2, 2016, unless reviewed and saved from repeal~~  
43 ~~through reenactment by the Legislature.~~

44 Section 2. This act shall take effect July 1, 2016.