

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 1004.55, F.S., relating
 4 to an exemption from public records requirements for
 5 records that relate to a client of a regional autism
 6 center or that relate to the client's family;
 7 reorganizing the exemption; removing the scheduled
 8 repeal of the exemption; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Subsection (6) of section 1004.55, Florida
 13 Statutes, is amended to read:

14 1004.55 Regional autism centers; public record
 15 exemptions.—

16 (6) (a) Client records.—

17 1. All records that relate to a client of a regional
 18 autism center who receives the services of a center or
 19 participates in center activities, and all records that relate
 20 to the client's family, are confidential and exempt from s.
 21 119.07(1) and s. 24(a), Art. I of the State Constitution.

22 2. A client who receives the services of a center, if
 23 competent, or the client's parent or legal guardian if the
 24 client is incompetent, shall be provided with a copy of the
 25 client's individual record upon request.

26 3. A regional autism center may release the confidential

27 and exempt records as follows:

28 a. To physicians, attorneys, or governmental entities
29 having need of the confidential and exempt information to aid a
30 client, as authorized by the client, if competent, or the
31 client's parent or legal guardian if the client is incompetent.

32 b. In response to a subpoena or to persons authorized by
33 order of court.

34 c. To the State Board of Education or the Board of
35 Governors of the State University System when the director of
36 the center deems it necessary for the treatment of the client,
37 maintenance of adequate records, compilation of treatment data,
38 or evaluation of programs.

39 4. Provided that personal identifying information of a
40 client or the client's family has been removed, a regional
41 autism center may release information contained in the
42 confidential and exempt records ~~as follows:~~

43 ~~a.~~ to a person engaged in bona fide research if that
44 person agrees to sign a confidentiality agreement with the
45 regional autism center, agrees to maintain the confidentiality
46 of the information received, and, to the extent permitted by law
47 and after the research has concluded, destroy any confidential
48 information obtained.

49 5.b. The director of the center or his or her designee may
50 release information for statistical and research purposes ~~by the~~
51 ~~director of the center or designee~~, provided that any
52 confidential and exempt information is removed in the reporting

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53 of such statistical or research data.

54 (b) Donor information.—Personal identifying information of
55 a donor or prospective donor to a regional autism center who
56 desires to remain anonymous is confidential and exempt from s.
57 119.07(1) and s. 24(a), Art. I of the State Constitution.

58 ~~(c) Review and repeal. This subsection is subject to the~~
59 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
60 ~~and shall stand repealed on October 2, 2016, unless reviewed and~~
61 ~~saved from repeal through reenactment by the Legislature.~~

62 Section 2. This act shall take effect October 1, 2016.