

1 A bill to be entitled
 2 An act relating to public records and meetings;
 3 creating s. 486.114, F.S.; providing an exemption from
 4 public records requirements for certain information
 5 held by the Department of Health or the Board of
 6 Physical Therapy pursuant to the Physical Therapist
 7 Licensure Compact; authorizing disclosure of the
 8 information under certain circumstances; providing an
 9 exemption from public meeting requirements for certain
 10 meetings of the Physical Therapy Compact Commission;
 11 providing an exemption from public records
 12 requirements for recordings, minutes, and records
 13 generated during the closed portion of such a meeting;
 14 providing for future legislative review and repeal of
 15 the exemptions; providing a statement of public
 16 necessity; providing a contingent effective date.

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

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 20 Section 1. Section 486.114, Florida Statutes, is created
 21 to read:

22 486.114 Physical Therapist Licensure Compact; public
 23 records and meetings exemptions.-

24 (1) A physical therapist's personal identifying
 25 information, other than the physical therapist's name, licensure

26 status, or licensure number, obtained from the coordinated
27 licensure information system, as defined in s. 486.113, and held
28 by the department or the board is exempt from s. 119.07(1) and
29 s. 24(a), Art. I of the State Constitution unless the state that
30 originally reported the information to the coordinated licensure
31 information system authorizes the disclosure of such information
32 by law and discloses such information only to the extent
33 permitted by law.

34 (2) (a) A meeting or portion of a meeting of Physical
35 Therapy Compact Commission established under s. 486.113 at which
36 matters specifically exempted from disclosure by federal or
37 state statute are discussed is exempt from s. 286.011 and s.
38 24(b), Art. I of the State Constitution.

39 (b) Recordings, minutes, and records generated during a
40 meeting described in paragraph (a) are exempt from s. 119.07(1)
41 and s. 24(a), Art. I of the State Constitution.

42 (3) 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43 Review Act in accordance with s. 119.15 and shall stand repealed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, 2022, unless reviewed and saved from repeal
45 through reenactment by the Legislature.

46 Section 2. (1) The Legislature finds that it is a public
47 necessity that a physical therapist's personal identifying
48 information, other than the physical therapist's name, licensure
49 status, or licensure number, obtained from the coordinated
50 licensure information system, as defined in s. 486.113, Florida

51 Statutes, and held by the Department of Health or the Board of
52 Physical Therapy be made exempt from s. 119.07(1), Florida
53 Statutes, and s. 24(a), Article I of the State Constitution. The
54 protection of such information is required under the Physical
55 Therapist Licensure Compact, which the state must adopt in order
56 to become a member state to the compact. Without the public
57 records exemption, the state will be unable to effectively and
58 efficiently implement and administer the compact.

59 (2) (a) The Legislature finds that it is a public necessity
60 that any meeting or portion of a meeting of Physical Therapy
61 Compact Commission established under s. 486.113, Florida
62 Statutes, at which matters specifically exempted from disclosure
63 by federal or state statute are discussed be made exempt from s.
64 286.011, Florida Statutes, and s. 24(b), Article I of the State
65 Constitution.

66 (b) The Physical Therapist Licensure Compact requires any
67 meeting or portion of a meeting in which the substance of
68 paragraph (a) is discussed to be closed to the public. Without
69 the public meeting exemption, the state will be prohibited from
70 becoming a member state to the compact and will be unable to
71 effectively and efficiently administer the compact.

72 (3) The Legislature also finds that it is a public
73 necessity that the recordings, minutes, and records generated
74 during a meeting that is exempt pursuant to s. 486.114, Florida
75 Statutes, be made exempt from s. 119.07(1), Florida Statutes,

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76 | and s. 24(a), Article I of the State Constitution. The release
77 | of such information would negate the public meeting exemption.
78 | Without the public records exemption, the state will be unable
79 | to effectively and efficiently implement and administer the
80 | compact.

81 | Section 3. This act shall take effect on the same date
82 | that HB 1097 or similar legislation takes effect, if such
83 | legislation is adopted in the same legislative session or an
84 | extension thereof and becomes a law.