

By Senator Grimsley

26-01416-17

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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 to
21 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

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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 the Physical
35 Therapy Compact Commission established under s. 486.113 at which
36 matters specifically exempted from disclosure by federal or
37 state law are discussed is exempt from s. 286.011 and s. 24(b),
38 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 his or her name, licensure status, or
49 licensure number, obtained from the coordinated licensure
50 information system, as defined in s. 486.113, Florida Statutes,
51 and held by the Department of Health or the Board of Physical
52 Therapy, be made exempt from s. 119.07(1), Florida Statutes, and
53 s. 24(a), Article I of the State Constitution. The protection of
54 such information is required under the Physical Therapist
55 Licensure Compact, which the state must adopt in order to become
56 a member state of the compact. Without the public records
57 exemption, the state will be unable to effectively and
58 efficiently implement and administer the compact.

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59 (2) (a) The Legislature finds that it is a public necessity
60 that any meeting or portion of a meeting of the 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 law 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 at which matters specifically
68 exempted from disclosure by federal or state law are discussed
69 to be closed to the public. In the absence of a public meeting
70 exemption, the state will be prohibited from becoming a member
71 state of the compact and will be unable to effectively and
72 efficiently administer the compact.

73 (3) The Legislature also finds that it is a public
74 necessity that the recordings, minutes, and records generated
75 during a meeting that is exempt pursuant to s. 486.114, Florida
76 Statutes, be made exempt from s. 119.07(1), Florida Statutes,
77 and s. 24(a), Article I of the State Constitution. The release
78 of such information would negate the public meeting exemption.
79 Without the public records exemption, the state will be unable
80 to effectively and efficiently implement and administer the
81 compact.

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