

FOR CONSIDERATION By the Committee on Health Policy

588-00498-17

20177004pb

1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending ss. 215.56021 and
4 381.92201, F.S., relating to exemptions from public
5 records and public meetings requirements for specified
6 portions of meetings of certain peer review panels
7 appointed by the Department of Health, for specified
8 records generated by such peer review panels, and for
9 research grant applications provided to such peer
10 review panels; removing the scheduled repeal of the
11 exemptions; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 215.56021, Florida Statutes, is amended
16 to read:

17 215.56021 Exemptions from public records and public
18 meetings requirements; peer review panels.—

19 (1) That portion of a meeting of a peer review panel in
20 which applications for biomedical research grants under s.
21 215.5602 or s. 381.922 are discussed is exempt from s. 286.011
22 and s. 24(b), Art. I of the State Constitution.

23 (2) Any records generated by the peer review panel relating
24 to review of applications for biomedical research grants, except
25 final recommendations, are confidential and exempt from s.
26 119.07(1) and s. 24(a), Art. I of the State Constitution.

27 (3) Research grant applications provided to the peer review
28 panel are confidential and exempt from s. 119.07(1) and s.
29 24(a), Art. I of the State Constitution.

30 (4) Information that ~~which~~ is held confidential and exempt
31 under this section may be disclosed with the express written
32 consent of the individual to whom the information pertains or

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33 the individual's legally authorized representative, or by court
34 order upon showing good cause.

35 ~~(5) Subsections (1), (2), (3), and (4) are subject to the~~
36 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
37 ~~and shall stand repealed on October 2, 2017, unless reviewed and~~
38 ~~saved from repeal through reenactment by the Legislature.~~

39 Section 2. Section 381.92201, Florida Statutes, is amended
40 to read:

41 381.92201 Exemptions from public records and public
42 meetings requirements; peer review panels.-

43 (1) That portion of a meeting of a peer review panel in
44 which applications for biomedical research grants under s.
45 215.5602 or s. 381.922 are discussed is exempt from s. 286.011
46 and s. 24(b), Art. I of the State Constitution.

47 (2) Any records generated by the peer review panel relating
48 to review of applications for biomedical research grants, except
49 final recommendations, are confidential and exempt from s.
50 119.07(1) and s. 24(a), Art. I of the State Constitution.

51 (3) Research grant applications provided to the peer review
52 panel are confidential and exempt from s. 119.07(1) and s.
53 24(a), Art. I of the State Constitution.

54 (4) Information that ~~which~~ is held confidential and exempt
55 under this section may be disclosed with the express written
56 consent of the individual to whom the information pertains or
57 the individual's legally authorized representative, or by court
58 order upon showing good cause.

59 ~~(5) Subsections (1), (2), (3), and (4) are subject to the~~
60 ~~Open Government Sunset Review Act in accordance with s. 119.15~~
61 ~~and shall stand repealed on October 2, 2017, unless reviewed and~~

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62 ~~saved from repeal through reenactment by the Legislature.~~

63 Section 3. This act shall take effect October 1, 2017.