

1 A bill to be entitled
 2 An act relating to a review under the Open Government
 3 Sunset Review Act; amending s. 397.334, F.S., which
 4 provides an exemption from public records requirements
 5 for certain information relating to screenings for
 6 participation in treatment-based drug court programs,
 7 behavioral health evaluations, and subsequent
 8 treatment status reports; removing the scheduled
 9 repeal of the exemption; providing an effective date.

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

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 13 Section 1. Subsection (10) of section 397.334, Florida
 14 Statutes, is amended to read:

15 397.334 Treatment-based drug court programs.—

16 (10) (a) Information relating to a participant or a person
 17 considered for participation in a treatment-based drug court
 18 program which is contained in the following records is
 19 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 20 of the State Constitution:

21 1. Records created or compiled during screenings for
 22 participation in the program.

23 2. Records created or compiled during substance abuse
 24 screenings.

25 3. Behavioral health evaluations.

26 4. Subsequent treatment status reports.

27 (b) Such confidential and exempt information may be
28 disclosed:

29 1. Pursuant to a written request of the participant or
30 person considered for participation, or his or her legal
31 representative.

32 2. To another governmental entity in the furtherance of
33 its responsibilities associated with the screening of a person
34 considered for participation in or the provision of treatment to
35 a person in a treatment-based drug court program.

36 (c) Records of a service provider which pertain to the
37 identity, diagnosis, and prognosis of or provision of service to
38 any person shall be disclosed pursuant to s. 397.501(7).

39 (d) This exemption applies to such information described
40 in paragraph (a) relating to a participant or a person
41 considered for participation in a treatment-based drug court
42 program before, on, or after the effective date of this
43 exemption.

44 ~~(e) This subsection is subject to the Open Government~~
45 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
46 ~~repealed on October 2, 2019, unless reviewed and saved from~~
47 ~~repeal through reenactment by the Legislature.~~

48 Section 2. This act shall take effect October 1, 2019.