

ENROLLED

HB 7025

2019 Legislature

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

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

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

397.334 Treatment-based drug court programs.—

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

1. Records created or compiled during screenings for participation in the program.
2. Records created or compiled during substance abuse screenings.
3. Behavioral health evaluations.

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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46 ~~repealed on October 2, 2019, unless reviewed and saved from~~  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.