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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2019	.	
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The Committee on Governmental Oversight and Accountability
(Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 456.4502, Florida Statutes, is created
to read:

456.4502 Interstate Medical Licensure Compact; public
records and meetings exemptions.-

(1) A physician's personal identifying information, other
than the physician's name, licensure status, or licensure



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11 number, obtained from the coordinated information system in
12 Section 8 of the Interstate Medical Licensure Compact and held
13 by the department or the board is exempt from s. 119.07(1) and
14 s. 24(a), Art. I of the State Constitution, unless the state
15 that originally reported the information to the coordinated
16 information system authorizes the disclosure of such information
17 by law. If disclosure is so authorized, information may be
18 disclosed only to the extent authorized by law by the reporting
19 state.

20 (2) (a) Under Section 11 of the Interstate Medical Licensure
21 Compact, a meeting or a portion of a meeting of the Interstate
22 Medical Licensure Compact Commission established may be closed
23 if it has been determined by a two-thirds vote of commissioners
24 who are present that an open meeting would likely:

25 1. Relate solely to the internal personnel practices and
26 procedures of the commission;

27 2. Discuss matters specifically exempted from disclosure by
28 federal statute;

29 3. Discuss trade secrets or commercial or financial
30 information that is privileged or confidential;

31 4. Involve accusing a person of a crime, or formally
32 censuring a person;

33 5. Discuss information of a personal nature, if disclosure
34 would constitute a clearly unwarranted invasion of personal
35 privacy;

36 6. Discuss investigative records compiled for law
37 enforcement purposes; or

38 7. Relate specifically to participation in a civil action
39 or another legal proceeding.



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40 (b) In keeping with the intent of the Interstate Medical
41 Licensure Compact, recordings, minutes, and records generated
42 during an exempt proceeding are exempt in accordance with s.
43 119.07(1) and s. 24(a), Art. I of the State Constitution.

44 (3) This section is subject to the Open Government Sunset
45 Review Act in accordance with s. 119.15 and shall stand repealed
46 on October 2, 2024, unless reviewed and saved from repeal
47 through reenactment by the Legislature.

48 Section 2. (1) The Legislature finds that it is a public
49 necessity that a physician's personal identifying information,
50 other than the physician's name, licensure status, or licensure
51 number, obtained from the coordinated information system, as
52 defined in Section 5 of the Interstate Medical Licensure
53 Compact, as enacted in this state by s. 456.4501, Florida
54 Statutes, and held by the Department of Health and the
55 regulatory boards of the respective professions be exempt from
56 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the
57 State Constitution. Protection of such personal identifying
58 information is required under the Interstate Medical Licensure
59 Compact, which this state must adopt in order to become a member
60 state and a party to the compact. Without the public records
61 agreement, this state will be unable to effectively and
62 efficiently implement and administer the Interstate Medical
63 Licensure Compact.

64 (2) (a) The Legislature finds that it is a public necessity
65 that any meeting of the Interstate Medical Licensure Compact
66 Commission held as provided in that section in which matters
67 specifically exempted from disclosure by federal or state law
68 are discussed be made exempt from s. 286.011, Florida Statutes,



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69 and s. 24(b), Article I of the State Constitution.

70 (b) The Interstate Medical Licensure Compact requires the
71 closure of any meeting, or any portion of a meeting, of the
72 Interstate Medical Licensure Compact Commission if two-thirds of
73 the Commission members determine that certain sensitive and
74 confidential subject matters may arise during the meeting and
75 that the meeting should be closed to the public. In the absence
76 of a public meeting exemption, this state would be prohibited
77 from becoming a member state of the compact.

78 (3) The Legislature also finds that it is a public
79 necessity that the recordings, minutes, and records generated
80 during a meeting are exempt pursuant to s. 456.4502, Florida
81 Statutes, and s. 24, Article I of the State Constitution.
82 Release of such information would negate the value of the public
83 meeting exemption. As such, the Legislature finds that the
84 public records exemption is a public necessity.

85 Section 3. This act shall take effect on the same date that
86 SB 7078 or similar legislation takes effect, if such legislation
87 is adopted in the same legislative session or an extension
88 thereof and becomes a law.

89
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete everything before the enacting clause
93 and insert:

94 A bill to be entitled
95 An act relating to public records and meetings;
96 creating s. 456.4502, F.S.; providing an exemption
97 from public records requirements for certain



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98 information held by the Department of Health, the
99 Board of Medicine, or the Board of Osteopathic
100 Medicine pursuant to the Interstate Medical Licensure
101 Compact; providing an exemption from public meeting
102 requirements for certain meetings of the Interstate
103 Medical Licensure Commission; providing an exemption
104 from public records requirements for recordings,
105 minutes, and records generated during the closed
106 portions of such meetings; providing for future
107 legislative review and repeal of the exemptions;
108 providing a statement of public necessity; providing a
109 contingent effective date.