



109904

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/15/2020	.	
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The Committee on Health Policy (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (1) is added to subsection (5) of
section 119.071, Florida Statutes, to read:

119.071 General exemptions from inspection or copying of
public records.—

(5) OTHER PERSONAL INFORMATION.—

(1)1. For purposes of this paragraph, the term "emergency



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11 room health care practitioner” means any licensed health care
12 practitioner whose duties are performed in a hospital emergency
13 department, including, but not limited to, a physician or a
14 physician assistant licensed under chapter 458 or chapter 459;
15 an advanced practice registered nurse, a registered nurse, or a
16 licensed practical nurse licensed under part I of chapter 464;
17 or any other licensed health care personnel.

18 2. The home addresses, telephone numbers, dates of birth,
19 places of employment, and photographs of current or former
20 emergency room health care practitioners; the names, home
21 addresses, telephone numbers, dates of birth, and places of
22 employment of the spouses and children of such practitioners;
23 and the names and locations of schools and day care facilities
24 attended by the children of such practitioners are exempt from
25 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

26 3. The exemption in subparagraph 2. applies to information
27 held by an agency before, on, or after the effective date of the
28 exemption.

29 4. This paragraph is subject to the Open Government Sunset
30 Review Act in accordance with s. 119.15 and shall stand repealed
31 on October 2, 2025, unless reviewed and saved from repeal
32 through reenactment by the Legislature.

33 Section 2. The Legislature finds that it is a public
34 necessity that the home addresses, telephone numbers, dates of
35 birth, places of employment, and photographs of current or
36 former emergency room health care practitioners; the names, home
37 addresses, telephone numbers, and places of employment of the
38 spouses and children of such practitioners; and the names and
39 locations of schools and day care facilities attended by the



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40 children of such practitioners be exempt from public records
41 requirements. Emergency room health care practitioners, by
42 nature of their duties, are often placed in traumatic
43 circumstances in which loss of life and severe bodily injuries
44 have occurred. Such practitioners are particularly vulnerable to
45 physical violence, harassment, and intimidation perpetrated by
46 patients or relatives of patients who can be violent, angry, or
47 mentally unstable. As a result, the Legislature finds that the
48 release of identifying and location information of emergency
49 room health care practitioners, or the spouses and children of
50 such practitioners, could place them in danger of being
51 physically or emotionally harmed or stalked by a person who has
52 a hostile reaction to his or her encounter with such
53 practitioners. The Legislature further finds that the harm that
54 may result from the release of such identifying and location
55 information outweighs any public benefit that may be derived
56 from the disclosure of the information.

57 Section 3. This act shall take effect upon becoming a law.

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete everything before the enacting clause
62 and insert:

63 A bill to be entitled
64 An act relating to public records; amending s.
65 119.071, F.S.; defining the term "emergency room
66 health care practitioner"; providing an exemption from
67 public records requirements for the identifying and
68 location information of current or former emergency



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69 room health care practitioners and the spouses and
70 children of such practitioners; providing for
71 retroactive application; providing for future
72 legislative review and repeal of the exemption;
73 providing a statement of public necessity; providing
74 an effective date.