

By the Committee on Health Policy; and Senator Harrell

588-02264-20

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1                   A bill to be entitled  
2       An act relating to public records; amending s.  
3       119.071, F.S.; defining the term "emergency room  
4       health care practitioner"; providing an exemption from  
5       public records requirements for the identifying and  
6       location information of current or former emergency  
7       room health care practitioners and the spouses and  
8       children of such practitioners; providing for  
9       retroactive application; providing for future  
10      legislative review and repeal of the exemption;  
11      providing a statement of public necessity; providing  
12      an effective date.

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

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

18       119.071 General exemptions from inspection or copying of  
19       public records.—

20       (5) OTHER PERSONAL INFORMATION.—

21       (1)1. For purposes of this paragraph, the term "emergency  
22       room health care practitioner" means any licensed health care  
23       practitioner whose duties are performed in a hospital emergency  
24       department, including, but not limited to, a physician or a  
25       physician assistant licensed under chapter 458 or chapter 459;  
26       an advanced practice registered nurse, a registered nurse, or a  
27       licensed practical nurse licensed under part I of chapter 464;  
28       or any other licensed health care personnel.

29       2. The home addresses, telephone numbers, dates of birth,

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30 places of employment, and photographs of current or former  
31 emergency room health care practitioners; the names, home  
32 addresses, telephone numbers, dates of birth, and places of  
33 employment of the spouses and children of such practitioners;  
34 and the names and locations of schools and day care facilities  
35 attended by the children of such practitioners are exempt from  
36 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

37 3. The exemption in subparagraph 2. applies to information  
38 held by an agency before, on, or after the effective date of the  
39 exemption.

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

44 Section 2. The Legislature finds that it is a public  
45 necessity that the home addresses, telephone numbers, dates of  
46 birth, places of employment, and photographs of current or  
47 former emergency room health care practitioners; the names, home  
48 addresses, telephone numbers, and places of employment of the  
49 spouses and children of such practitioners; and the names and  
50 locations of schools and day care facilities attended by the  
51 children of such practitioners be exempt from public records  
52 requirements. Emergency room health care practitioners, by  
53 nature of their duties, are often placed in traumatic  
54 circumstances in which loss of life and severe bodily injuries  
55 have occurred. Such practitioners are particularly vulnerable to  
56 physical violence, harassment, and intimidation perpetrated by  
57 patients or relatives of patients who can be violent, angry, or  
58 mentally unstable. As a result, the Legislature finds that the

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59 release of identifying and location information of emergency  
60 room health care practitioners, or the spouses and children of  
61 such practitioners, could place them in danger of being  
62 physically or emotionally harmed or stalked by a person who has  
63 a hostile reaction to his or her encounter with such  
64 practitioners. The Legislature further finds that the harm that  
65 may result from the release of such identifying and location  
66 information outweighs any public benefit that may be derived  
67 from the disclosure of the information.

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