

ENROLLED

CS/CS/HB 1445, Engrossed 1

2022 Legislature

1  
 2 An act relating to a review under the Open Government  
 3 Sunset Review Act; amending s. 110.12301, F.S., which  
 4 provides an exemption from public records requirements  
 5 for certain information held by the Department of  
 6 Management Services for verification of dependent  
 7 eligibility; extending the legislative review and  
 8 repeal of the public records exemption to a future  
 9 date; providing a statement of public necessity;  
 10 providing a contingent effective date.

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

13  
 14 Section 1. Subsection (3) of section 110.12301, Florida  
 15 Statutes, is amended to read:

16 110.12301 Competitive procurement of postpayment claims  
 17 review services and dependent eligibility verification services;  
 18 public records exemption.—

19 (3) Records collected for purposes of dependent  
 20 eligibility verification services conducted for the state group  
 21 insurance program, as authorized under subsection (2), and held  
 22 by the department are confidential and exempt from s. 119.07(1)  
 23 and s. 24(a), Art. I of the State Constitution. This subsection  
 24 does not apply to records that are otherwise open for inspection  
 25 and copying which are held by the department for purposes other

ENROLLED

CS/CS/HB 1445, Engrossed 1

2022 Legislature

26 | than for the performance of dependent eligibility verification  
27 | services. This subsection is subject to the Open Government  
28 | Sunset Review Act in accordance with s. 119.15 and shall stand  
29 | repealed on October 2, 2027 ~~2022~~, unless reviewed and saved from  
30 | repeal through reenactment by the Legislature.

31 |       Section 2. The Legislature finds that it is a public  
32 | necessity that records collected for the purpose of dependent  
33 | eligibility verification services conducted for the state group  
34 | insurance program, as authorized under s. 110.12301(2), Florida  
35 | Statutes, as amended by HB 1443 or similar legislation adopted  
36 | during the 2022 Regular Session, held by the Department of  
37 | Management Services be made confidential and exempt from s.  
38 | 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
39 | State Constitution. Employees may be required to submit  
40 | sensitive, personal information about their dependents as part  
41 | of the dependent eligibility verification process for the state  
42 | group insurance program, including records relating to a  
43 | biological child or stepchild, guardianship of a child, the  
44 | fostering of a child, an unmarried adult child, and a disabled  
45 | adult child. Such information may include court orders, foster  
46 | care records, birth certificates, adoption certificates, student  
47 | academic and financial records, medical records, and transcripts  
48 | of filed tax returns. Without the public records exemption,  
49 | employees may be deterred from providing such sensitive,  
50 | personal information, which would hinder the effective and

ENROLLED

CS/CS/HB 1445, Engrossed 1

2022 Legislature

51 efficient administration of the dependent eligibility  
52 verification process for the state group insurance program.  
53 Section 3. This act shall take effect on the same date  
54 that SB 7026 or similar legislation takes effect, if such  
55 legislation is adopted in the same legislative session or an  
56 extension thereof and becomes a law.