

1                                   A bill to be entitled  
 2           An act relating to a review under the Open Government  
 3           Sunset Review Act; amending s. 945.10, F.S.; removing  
 4           the scheduled repeal of exemptions from public records  
 5           requirements for certain protected health information  
 6           held by the Department of Corrections; providing an  
 7           effective date.

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

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11           Section 1. Paragraphs (a) and (h) of subsection (1) of  
 12           section 945.10, Florida Statutes, are amended to read:

13           945.10 Confidential information.—

14           (1) Except as otherwise provided by law or in this  
 15           section, the following records and information held by the  
 16           Department of Corrections are confidential and exempt from the  
 17           provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 18           Constitution:

19           (a)1. Mental health, medical, or substance abuse records  
 20           of an inmate or an offender; and

21           2. Protected health information of an inmate or an  
 22           offender. Protected health information, as used in this section,  
 23           has the same meaning as provided in 45 C.F.R. s. 160.103. ~~This~~  
 24           ~~subparagraph is subject to the Open Government Sunset Review Act~~  
 25           ~~of 1995 in accordance with s. 119.15 and shall stand repealed on~~

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26 | ~~October 2, 2022, unless reviewed and saved from repeal through~~  
27 | ~~reenactment by the Legislature.~~

28 |       (h) The identity of any inmate or offender upon whom an  
29 | HIV test has been performed and the inmate's or offender's test  
30 | results, in accordance with s. 381.004. The term "HIV test" has  
31 | the same meaning as provided in s. 381.004. ~~This paragraph is~~  
32 | ~~subject to the Open Government Sunset Review Act of 1995 in~~  
33 | ~~accordance with s. 119.15 and shall stand repealed on October 2,~~  
34 | ~~2022, unless reviewed and saved from repeal through reenactment~~  
35 | ~~by the Legislature.~~

36 |       Section 2. This act shall take effect October 1, 2022.