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 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25   of 1995 in accordance with s. 119.15 and shall stand repealed on
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CODING: Words stricken are deletions; words underlined are additions.

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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33 accordance with s. 119.15 and shall stand repealed on October 2,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.

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