

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to unidentified persons in hospitals;
3 creating s. 395.1013, F.S.; requiring hospitals to
4 maintain a directory of unidentified persons
5 containing specified information; requiring hospitals
6 to make the directory available to the public upon
7 request; requiring hospitals, before including an
8 unidentified person in the directory, to inform the
9 unidentified person of the directory and provide him
10 or her with an opportunity to restrict or prohibit
11 inclusion in the directory or disclosure of his or her
12 personal identifying information; providing an
13 exception for a specified timeframe; providing an
14 effective date.

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

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18 Section 1. Section 395.1013, Florida Statutes, is created
19 to read:

20 395.1013 Unidentified persons.—

21 (1) Each hospital shall maintain a directory of all
22 unidentified persons being treated at the hospital which must be
23 made available to the public upon request. The directory must
24 include all of the following details for each unidentified
25 person:

26 (a) The location in the hospital where the unidentified
27 person is admitted or being treated.

28 (b) The type of injury suffered by the unidentified person.

29 (c) A description of the unidentified person's condition,

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30 using general terms that do not disclose specific medical
31 information about the person.

32 (d) A description of distinguishing physical
33 characteristics of the unidentified person, including height,
34 weight, gender, race, hair and eye color, and any facial hair,
35 scars, and tattoos.

36 (2) Before entering any information into the directory, a
37 hospital shall first inform the unidentified person that his or
38 her personal identifying information will be included in the
39 directory and may be disclosed to the public upon request. The
40 hospital shall provide the unidentified person with the
41 opportunity to restrict or prohibit the inclusion in the
42 directory of any of the information specified in subsection (1)
43 or the disclosure of such information. If an unidentified person
44 cannot reasonably be informed of inclusion in the directory due
45 to the person's incapacitation or emergency treatment protocols,
46 the hospital must include the unidentified person in the
47 directory until the unidentified person is no longer
48 incapacitated or the emergency has subsided, at which point the
49 hospital must inform the unidentified person of his or her
50 inclusion in the directory and the option to restrict or
51 prohibit continued inclusion or the disclosure of his or her
52 personal identifying information.

53 Section 2. This act shall take effect July 1, 2022.