

HB 7041

2024

1 A bill to be entitled
2 An act relating to public records and meetings
3 exemptions; creating ss. 456.4503, 468.1336, and
4 486.113, F.S.; providing an exemption from public
5 records requirements for certain information held by
6 the Department of Health, the Board of Speech-Language
7 Pathology and Audiology, and the Board of Physical
8 Therapy Practice pursuant to the Interstate Medical
9 Licensure Compact, the Audiology and Speech-language
10 Pathology Interstate Compact, and the Physical Therapy
11 Licensure Compact; authorizing disclosure of the
12 information under certain circumstances; providing an
13 exemption from public meetings requirements for
14 certain meetings of the Interstate Medical Licensure
15 Compact Commission, the Audiology and Speech-language
16 Pathology Interstate Compact Commission, and the
17 Physical Therapy Licensure Compact Commission;
18 providing an exemption from public records
19 requirements for recordings, minutes, and records
20 generated during the closed portion of such meetings;
21 providing for future legislative review and repeal of
22 the exemptions; providing a statement of public
23 necessity; providing contingent effective dates.

24
25 Be It Enacted by the Legislature of the State of Florida:

Page 1 of 7

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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Section 1. Section 456.4503, Florida Statutes, is created to read:

456.4503 Interstate Medical Licensure Compact Commission; public records and meetings exemptions.-

(1) A physician's personal identifying information, other than the physician's name, licensure status, or licensure number, obtained from the coordinated database and reporting system described in Section 8 of s. 456.4501 and held by the department is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution unless the state that originally reported the information to the coordinated database and reporting system authorizes the disclosure of such information by law. If disclosure is so authorized, information may be disclosed only to the extent authorized by law by the reporting state.

(2)(a) A meeting or a portion of a meeting of the Interstate Medical Licensure Compact Commission established in Section 11 of s. 456.4501 at which matters specifically exempted from disclosure by federal or state law are discussed is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

(b) Recordings, minutes, and records generated during an exempt meeting or portion of such a meeting are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(3) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed

HB 7041

2024

51 on October 2, 2029, unless reviewed and saved from repeal
52 through reenactment by the Legislature.

53 Section 2. Section 468.1336, Florida Statutes, is created
54 to read:

55 468.1336 Audiology and Speech-language Pathology
56 Interstate Compact Commission; public meetings and public
57 records exemptions.—

58 (1) An audiologist's or a speech-language pathologist's
59 personal identifying information, other than the audiologist's
60 or the speech-language pathologist's name, licensure status, or
61 licensure number, obtained from the coordinated database and
62 reporting system described in article IX of s. 468.1335 and held
63 by the department or the board is exempt from s. 119.07(1) and
64 s. 24(a), Art. I of the State Constitution unless the state that
65 originally reported the information to the coordinated database
66 and reporting system authorizes the disclosure of such
67 information by law. If disclosure is so authorized, information
68 may be disclosed only to the extent authorized by law by the
69 reporting state.

70 (2)(a) A meeting or a portion of a meeting of the
71 Audiology and Speech-language Pathology Interstate Compact
72 Commission established in article VIII of s. 468.1335 at which
73 matters specifically exempted from disclosure by federal or
74 state law are discussed is exempt from s. 286.011 and s. 24(b),
75 Art. I of the State Constitution.

76 (b) Recordings, minutes, and records generated during an
 77 exempt meeting or portion of such a meeting are exempt from s.
 78 119.07(1) and s. 24(a), Art. I of the State Constitution.

79 (3) This section is subject to the Open Government Sunset
 80 Review Act in accordance with s. 119.15 and shall stand repealed
 81 on October 2, 2029, unless reviewed and saved from repeal
 82 through reenactment by the Legislature.

83 Section 3. Section 486.113, Florida Statutes, is created
 84 to read:

85 486.113 Physical Therapy Licensure Compact Commission;
 86 public records and meetings exemptions.-

87 (1) A physical therapist's personal identifying
 88 information, other than the physical therapist's name, licensure
 89 status, or licensure number, obtained from the coordinated
 90 database and reporting system described in article VIII of s.
 91 486.112 and held by the department or the board is exempt from
 92 s. 119.07(1) and s. 24(a), Art. I of the State Constitution
 93 unless the state that originally reported the information to the
 94 coordinated database and reporting system authorizes the
 95 disclosure of such information by law. If disclosure is so
 96 authorized, information may be disclosed only to the extent
 97 authorized by law by the reporting state.

98 (2) (a) A meeting or a portion of a meeting of the Physical
 99 Therapy Compact Commission or the executive board or any other
 100 committee of the commission established in article VII of s.

101 486.112 at which matters specifically exempted from disclosure
 102 by federal or state law are discussed is exempt from s. 286.011
 103 and s. 24(b), Art. I of the State Constitution.

104 (b) Recordings, minutes, and records generated during an
 105 exempt meeting or portion of such a meeting are exempt from s.
 106 119.07(1) and s. 24(a), Art. I of the State Constitution.

107 (3) This section is subject to the Open Government Sunset
 108 Review Act in accordance with s. 119.15 and shall stand repealed
 109 on October 2, 2029, unless reviewed and saved from repeal
 110 through reenactment by the Legislature.

111 Section 4. (1) The Legislature finds that it is a public
 112 necessity that a physician's, an audiologist's or a speech-
 113 language pathologist's, and a physical therapist's personal
 114 identifying information, other than the person's name, licensure
 115 status, or licensure number, obtained from the coordinated
 116 database and reporting system described in Section 8 of s.
 117 456.4501, Florida Statutes, article IX of s. 468.1335, Florida
 118 Statutes, and article VIII of s. 486.112, Florida Statutes, and
 119 held by the Department of Health, the Board of Speech-Language
 120 Pathology and Audiology, and the Board of Physical Therapy
 121 Practice be made exempt from s. 119.07(1), Florida Statutes, and
 122 s. 24(a), Article I of the State Constitution. Protection of
 123 such information is required under the Interstate Medical
 124 Licensure Compact, the Audiology and Speech-language Pathology
 125 Interstate Compact, and the Physical Therapy Licensure Compact,

126 each of which the state must adopt in order to become a member
127 state of the respective compact. Without the public records
128 exemption, the state would be unable to effectively and
129 efficiently implement and administer the respective compact.

130 (2)(a) The Legislature finds that it is a public necessity
131 that any meeting of the Interstate Medical Licensure Compact
132 Commission, the Audiology and Speech-language Pathology
133 Interstate Compact Commission, or the Physical Therapy Licensure
134 Compact Commission held as provided in s. 456.4501, Florida
135 Statutes, s. 468.1335, Florida Statutes, or s. 486.112, Florida
136 Statutes, in which matters specifically exempted from disclosure
137 by federal or state law are discussed be made exempt from s.
138 286.011, Florida Statutes, and s. 24(b), Article I of the State
139 Constitution.

140 (b) The Interstate Medical Licensure Compact, the
141 Audiology and Speech-language Pathology Interstate Compact, and
142 the Physical Therapy Licensure Compact require any meeting, or
143 any portion of a meeting, of the Interstate Medical Licensure
144 Compact Commission, the Audiology and Speech-language Pathology
145 Interstate Compact Commission, and the Physical Therapy
146 Licensure Compact Commission in which the substance of paragraph
147 (a) is discussed to be closed to the public. In the absence of a
148 public meetings exemption, the state would be prohibited from
149 becoming a member state of the respective compact and, thus,
150 prohibited from effectively and efficiently administering the

HB 7041

2024

151 respective compact.

152 (3) The Legislature also finds that it is a public
153 necessity that the recordings, minutes, and records generated
154 during a meeting that is exempt pursuant to s. 456.4503(2),
155 Florida Statutes, s. 468.1336(2), Florida Statutes, or s.
156 486.113(2), Florida Statutes, be made exempt from s. 119.07(1),
157 Florida Statutes, and s. 24(a), Article I of the State
158 Constitution. Release of such information would negate the
159 public meetings exemption. As such, the Legislature finds that
160 the public records exemption is a public necessity.

161 Section 5. This act shall take effect on the same date
162 that HB 1549 or similar legislation takes effect, if such
163 legislation is adopted in the same legislative session or an
164 extension thereof and becomes a law.