

By the Committee on Health Policy; and Senator Grall

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1                   A bill to be entitled  
2       An act relating to patient access to records; amending  
3       s. 394.4615, F.S.; requiring a service provider to  
4       furnish and provide access to records within a  
5       specified timeframe after receiving a request for such  
6       records; requiring that certain service providers  
7       furnish such records in the manner chosen by the  
8       requester; amending s. 395.3025, F.S.; removing  
9       provisions requiring a licensed facility to furnish  
10      patient records only after discharge to conform to  
11      changes made by the act; revising provisions relating  
12      to the appropriate disclosure of patient records  
13      without consent; amending s. 397.501, F.S.; requiring  
14      a service provider to furnish and provide access to  
15      records within a specified timeframe after receiving a  
16      request from an individual or the individual's legal  
17      representative; requiring that certain service  
18      providers furnish such records in the manner chosen by  
19      the requester; amending s. 400.145, F.S.; revising the  
20      timeframe within which a nursing home facility must  
21      provide access to and copies of resident records after  
22      receiving a request for such records; creating s.  
23      408.833, F.S.; defining the term "legal  
24      representative"; requiring a provider to furnish and  
25      provide access to records within a specified timeframe  
26      after receiving a request from a client or the  
27      client's legal representative; requiring that certain  
28      providers furnish such records in the manner chosen by  
29      the requester; authorizing a provider to impose

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30 reasonable terms necessary to preserve such records;  
31 providing exceptions; amending s. 456.057, F.S.;  
32 requiring certain licensed health care practitioners  
33 to furnish and provide access to copies of reports and  
34 records within a specified timeframe after receiving a  
35 request from a patient or the patient's legal  
36 representative; requiring that certain licensed health  
37 care practitioners furnish such reports and records in  
38 the manner chosen by the requester; defining the term  
39 "legal representative"; authorizing such licensed  
40 health care practitioners to impose reasonable terms  
41 necessary to preserve such reports and records;  
42 amending ss. 316.1932, 316.1933, 395.4025, 429.294,  
43 440.185, and 456.47, F.S.; conforming cross-  
44 references; providing an effective date.

45  
46 Be It Enacted by the Legislature of the State of Florida:

47  
48 Section 1. Subsections (3) through (12) of section  
49 394.4615, Florida Statutes, are renumbered as subsections (4)  
50 through (13), respectively, and a new subsection (3) is added to  
51 that section, to read:

52 394.4615 Clinical records; confidentiality.-

53 (3) Within 14 working days after receiving a request made  
54 in accordance with paragraphs (2) (a)-(c), a service provider  
55 must furnish clinical records in its possession. A service  
56 provider may furnish the requested records in paper form or,  
57 upon request, in an electronic format. A service provider who  
58 maintains an electronic health record system shall furnish the

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59 requested records in the manner chosen by the requester,  
60 including, but not limited to, an electronic format, submission  
61 through a patient's electronic personal health record, or access  
62 through a web-based patient portal if the service provider  
63 maintains a patient portal.

64 Section 2. Subsections (1), (2), and (3), paragraph (e) of  
65 subsection (4), paragraph (a) of subsection (7), and subsection  
66 (8) of section 395.3025, Florida Statutes, are amended to read:

67 395.3025 Patient and personnel records; copy costs ~~copies~~;  
68 examination.-

69 ~~(1) Any licensed facility shall, upon written request, and~~  
70 ~~only after discharge of the patient, furnish, in a timely~~  
71 ~~manner, without delays for legal review, to any person admitted~~  
72 ~~therein for care and treatment or treated thereat, or to any~~  
73 ~~such person's guardian, curator, or personal representative, or~~  
74 ~~in the absence of one of those persons, to the next of kin of a~~  
75 ~~decedent or the parent of a minor, or to anyone designated by~~  
76 ~~such person in writing, a true and correct copy of all patient~~  
77 ~~records, including X rays, and insurance information concerning~~  
78 ~~such person, which records are in the possession of the licensed~~  
79 ~~facility, provided the person requesting such records agrees to~~  
80 ~~pay a charge.~~ The exclusive charge for copies of patient records  
81 may include sales tax and actual postage, and, except for  
82 nonpaper records that are subject to a charge not to exceed \$2,  
83 may not exceed \$1 per page. A fee of up to \$1 may be charged for  
84 each year of records requested. These charges shall apply to all  
85 records furnished, whether directly from the facility or from a  
86 copy service providing these services on behalf of the facility.  
87 However, a patient whose records are copied or searched for the

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88 purpose of continuing to receive medical care is not required to  
89 pay a charge for copying or for the search. ~~The licensed~~  
90 ~~facility shall further allow any such person to examine the~~  
91 ~~original records in its possession, or microforms or other~~  
92 ~~suitable reproductions of the records, upon such reasonable~~  
93 ~~terms as shall be imposed to assure that the records will not be~~  
94 ~~damaged, destroyed, or altered.~~

95 ~~(2) This section does not apply to records maintained at~~  
96 ~~any licensed facility the primary function of which is to~~  
97 ~~provide psychiatric care to its patients, or to records of~~  
98 ~~treatment for any mental or emotional condition at any other~~  
99 ~~licensed facility which are governed by the provisions of s.~~  
100 ~~394.4615.~~

101 ~~(3) This section does not apply to records of substance~~  
102 ~~abuse impaired persons, which are governed by s. 397.501.~~

103 (2)~~(4)~~ Patient records are confidential and must not be  
104 disclosed without the consent of the patient or his or her legal  
105 representative, but appropriate disclosure may be made without  
106 such consent to:

107 (e) The Department of Health ~~agency~~ upon subpoena issued  
108 pursuant to s. 456.071, but the records obtained thereby must be  
109 used solely for the purpose of the department ~~agency~~ and the  
110 appropriate professional board in its investigation,  
111 prosecution, and appeal of disciplinary proceedings. If the  
112 department ~~agency~~ requests copies of the records, the facility  
113 shall charge no more than its actual copying costs, including  
114 reasonable staff time. The records must be sealed and must not  
115 be available to the public pursuant to s. 119.07(1) or any other  
116 statute providing access to records, nor may they be available

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117 to the public as part of the record of investigation for and  
118 prosecution in disciplinary proceedings made available to the  
119 public by the department ~~agency~~ or the appropriate regulatory  
120 board. However, the department ~~agency~~ must make available, upon  
121 written request by a practitioner against whom probable cause  
122 has been found, any such records that form the basis of the  
123 determination of probable cause.

124 (5) (a) ~~(7) (a)~~ If the content of any record of patient  
125 treatment is provided under this section, the recipient, ~~if~~  
126 ~~other than the patient or the patient's representative,~~ may use  
127 such information only for the purpose provided and may not  
128 further disclose any information to any other person or entity,  
129 unless expressly permitted by the written consent of the  
130 patient. A general authorization for the release of medical  
131 information is not sufficient for this purpose. The content of  
132 such patient treatment record is confidential and exempt from  
133 the provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
134 Constitution.

135 (6) ~~(8)~~ Patient records at hospitals and ambulatory surgical  
136 centers are exempt from disclosure under s. 119.07(1), except as  
137 provided by subsections (2) and (3) ~~(1) (5)~~.

138 Section 3. Present paragraphs (a) through (j) of subsection  
139 (7) of section 397.501, Florida Statutes, are redesignated as  
140 paragraphs (c) through (l), respectively, and new paragraphs (a)  
141 and (b) are added to that subsection, to read:

142 397.501 Rights of individuals.—Individuals receiving  
143 substance abuse services from any service provider are  
144 guaranteed protection of the rights specified in this section,  
145 unless otherwise expressly provided, and service providers must

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146 ensure the protection of such rights.

147 (7) RIGHT TO ACCESS AND CONFIDENTIALITY OF INDIVIDUAL  
148 RECORDS.—

149 (a) Within 14 working days after receiving a written  
150 request from an individual or an individual's legal  
151 representative, a service provider shall furnish a true and  
152 correct copy of all records in the possession of the service  
153 provider. The service provider may furnish the requested records  
154 in paper form or, upon request, in an electronic format. A  
155 service provider that maintains an electronic health record  
156 system shall furnish the requested records in the manner chosen  
157 by the requester, including, but not limited to, an electronic  
158 format, submission through a patient's electronic personal  
159 health record, or access through a web-based patient portal if  
160 the service provider maintains a patient portal. For purposes of  
161 this section, the term "legal representative" has the same  
162 meaning as provided in s. 408.833(1).

163 (b) Within 10 working days after receiving such a request  
164 from an individual or an individual's legal representative, a  
165 service provider shall provide access to examine the original  
166 records in its possession, or microforms or other suitable  
167 reproductions of the records. The service provider may impose  
168 any reasonable terms necessary to ensure that the records will  
169 not be damaged, destroyed, or altered.

170 Section 4. Subsection (1) of section 400.145, Florida  
171 Statutes, is amended to read:

172 400.145 Copies of records of care and treatment of  
173 resident.—

174 (1) Upon receipt of a written request that complies with

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175 the federal Health Insurance Portability and Accountability Act  
176 of 1996 (HIPAA) and this section, a nursing home facility shall  
177 furnish to a competent resident, or to a representative of that  
178 resident who is authorized to make requests for the resident's  
179 records under HIPAA or subsection (2), copies of the resident's  
180 paper and electronic records that are in possession of the  
181 facility. Such records must include any medical records and  
182 records concerning the care and treatment of the resident  
183 performed by the facility, except for progress notes and  
184 consultation report sections of a psychiatric nature. The  
185 facility shall provide a resident with access to the requested  
186 records within 24 hours, excluding weekends and holidays, and  
187 provide copies of the requested records within 2 14 working days  
188 after receipt of a request relating to a current resident or  
189 within 30 working days after receipt of a request relating to a  
190 former resident.

191 Section 5. Section 408.833, Florida Statutes, is created to  
192 read:

193 408.833 Client access to medical records.-

194 (1) For purposes of this section, the term "legal  
195 representative" means an attorney who has been designated by a  
196 client to receive copies of the client's medical, care and  
197 treatment, or interdisciplinary records; a legally recognized  
198 guardian of the client; a court-appointed representative of the  
199 client; or a person designated by the client or by a court of  
200 competent jurisdiction to receive copies of the client's  
201 medical, care and treatment, or interdisciplinary records.

202 (2) Within 14 working days after receiving a written  
203 request from a client or client's legal representative, a

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204 provider shall furnish a true and correct copy of all records,  
205 including medical, care and treatment, and interdisciplinary  
206 records, as applicable, in the possession of the provider. A  
207 provider may furnish the requested records in paper form or,  
208 upon request, in an electronic format. A provider that maintains  
209 an electronic health record system shall furnish the requested  
210 records in the manner chosen by the requester, including, but  
211 not limited to, an electronic format, submission through a  
212 patient's electronic personal health record, or access through a  
213 web-based patient portal if the provider maintains a patient  
214 portal.

215 (3) Within 10 working days after receiving a request from a  
216 client or a client's legal representative, a provider shall  
217 provide access to examine the original records in its  
218 possession, or microforms or other suitable reproductions of the  
219 records. A provider may impose any reasonable terms necessary to  
220 ensure that the records will not be damaged, destroyed, or  
221 altered.

222 (4) This section does not apply to:

223 (a) Records maintained at a licensed facility, as defined  
224 in s. 395.002, the primary function of which is to provide  
225 psychiatric care to its patients, or to records of treatment for  
226 any mental or emotional condition at any other licensed facility  
227 which are governed by s. 394.4615;

228 (b) Records of substance abuse impaired persons which are  
229 governed by s. 397.501; or

230 (c) Records of a resident of a nursing home facility.

231 Section 6. Subsection (6) of section 456.057, Florida  
232 Statutes, is amended to read:



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233 456.057 Ownership and control of patient records; report or  
234 copies of records to be furnished; disclosure of information.—

235 (6)(a) Any health care practitioner licensed by the  
236 department or a board within the department who makes a physical  
237 or mental examination of, or administers treatment or dispenses  
238 legend drugs to, any patient ~~person~~ shall, upon request of such  
239 patient ~~person~~ or the patient's ~~person's~~ legal representative,  
240 furnish, within 14 working days after such request ~~in a timely~~  
241 ~~manner, without delays for legal review,~~ copies of all reports  
242 and records relating to such examination or treatment, including  
243 X rays and insurance information. A health care practitioner may  
244 furnish the requested reports and records in paper form or, upon  
245 request, in an electronic format. A health care practitioner who  
246 maintains an electronic health record system shall furnish the  
247 requested reports and records in the manner chosen by the  
248 requester, including, but not limited to, an electronic format,  
249 submission through a patient's electronic personal health  
250 record, or access through a web-based patient portal if the  
251 practitioner maintains a patient portal. For purposes of this  
252 section, the term "legal representative" means a patient's  
253 attorney who has been designated by the patient to receive  
254 copies of the patient's medical records, a legally recognized  
255 guardian of the patient, a court-appointed representative of the  
256 patient, or any other person designated by the patient or by a  
257 court of competent jurisdiction to receive copies of the  
258 patient's medical records.

259 (b) Within 10 working days after receiving a written  
260 request by a patient or a patient's legal representative, a  
261 healthcare practitioner must provide access to examine the

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262 original reports and records, or microforms or other suitable  
263 reproductions of the reports and records in the healthcare  
264 practitioner's possession. The healthcare practitioner may  
265 impose any reasonable terms necessary to ensure that the reports  
266 and records will not be damaged, destroyed, or altered.

267 (c) However, When a patient's psychiatric, chapter 490  
268 psychological, or chapter 491 psychotherapeutic records are  
269 requested by the patient or the patient's legal representative,  
270 the health care practitioner may provide a report of examination  
271 and treatment in lieu of copies of records. Upon a patient's  
272 written request, complete copies of the patient's psychiatric  
273 records shall be provided directly to a subsequent treating  
274 psychiatrist. The furnishing of such report or copies may shall  
275 not be conditioned upon payment of a fee for services rendered.

276 Section 7. Paragraph (f) of subsection (1) of section  
277 316.1932, Florida Statutes, is amended to read:

278 316.1932 Tests for alcohol, chemical substances, or  
279 controlled substances; implied consent; refusal.—

280 (1)

281 (f)1. The tests determining the weight of alcohol in the  
282 defendant's blood or breath shall be administered at the request  
283 of a law enforcement officer substantially in accordance with  
284 rules of the Department of Law Enforcement. Such rules must  
285 specify precisely the test or tests that are approved by the  
286 Department of Law Enforcement for reliability of result and ease  
287 of administration, and must provide an approved method of  
288 administration which must be followed in all such tests given  
289 under this section. However, the failure of a law enforcement  
290 officer to request the withdrawal of blood does not affect the

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291 admissibility of a test of blood withdrawn for medical purposes.

292 2.a. Only a physician, certified paramedic, registered  
293 nurse, licensed practical nurse, other personnel authorized by a  
294 hospital to draw blood, or duly licensed clinical laboratory  
295 director, supervisor, technologist, or technician, acting at the  
296 request of a law enforcement officer, may withdraw blood for the  
297 purpose of determining its alcoholic content or the presence of  
298 chemical substances or controlled substances therein. However,  
299 the failure of a law enforcement officer to request the  
300 withdrawal of blood does not affect the admissibility of a test  
301 of blood withdrawn for medical purposes.

302 b. Notwithstanding any provision of law pertaining to the  
303 confidentiality of hospital records or other medical records, if  
304 a health care provider, who is providing medical care in a  
305 health care facility to a person injured in a motor vehicle  
306 crash, becomes aware, as a result of any blood test performed in  
307 the course of that medical treatment, that the person's blood-  
308 alcohol level meets or exceeds the blood-alcohol level specified  
309 in s. 316.193(1)(b), the health care provider may notify any law  
310 enforcement officer or law enforcement agency. Any such notice  
311 must be given within a reasonable time after the health care  
312 provider receives the test result. Any such notice shall be used  
313 only for the purpose of providing the law enforcement officer  
314 with reasonable cause to request the withdrawal of a blood  
315 sample pursuant to this section.

316 c. The notice shall consist only of the name of the person  
317 being treated, the name of the person who drew the blood, the  
318 blood-alcohol level indicated by the test, and the date and time  
319 of the administration of the test.

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320 d. Nothing contained in s. 395.3025(2) ~~s. 395.3025(4)~~, s.  
321 456.057, or any applicable practice act affects the authority to  
322 provide notice under this section, and the health care provider  
323 is not considered to have breached any duty owed to the person  
324 under s. 395.3025(2) ~~s. 395.3025(4)~~, s. 456.057, or any  
325 applicable practice act by providing notice or failing to  
326 provide notice. It shall not be a breach of any ethical, moral,  
327 or legal duty for a health care provider to provide notice or  
328 fail to provide notice.

329 e. A civil, criminal, or administrative action may not be  
330 brought against any person or health care provider participating  
331 in good faith in the provision of notice or failure to provide  
332 notice as provided in this section. Any person or health care  
333 provider participating in the provision of notice or failure to  
334 provide notice as provided in this section shall be immune from  
335 any civil or criminal liability and from any professional  
336 disciplinary action with respect to the provision of notice or  
337 failure to provide notice under this section. Any such  
338 participant has the same immunity with respect to participating  
339 in any judicial proceedings resulting from the notice or failure  
340 to provide notice.

341 3. The person tested may, at his or her own expense, have a  
342 physician, registered nurse, other personnel authorized by a  
343 hospital to draw blood, or duly licensed clinical laboratory  
344 director, supervisor, technologist, or technician, or other  
345 person of his or her own choosing administer an independent test  
346 in addition to the test administered at the direction of the law  
347 enforcement officer for the purpose of determining the amount of  
348 alcohol in the person's blood or breath or the presence of

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349 chemical substances or controlled substances at the time  
350 alleged, as shown by chemical analysis of his or her blood or  
351 urine, or by chemical or physical test of his or her breath. The  
352 failure or inability to obtain an independent test by a person  
353 does not preclude the admissibility in evidence of the test  
354 taken at the direction of the law enforcement officer. The law  
355 enforcement officer shall not interfere with the person's  
356 opportunity to obtain the independent test and shall provide the  
357 person with timely telephone access to secure the test, but the  
358 burden is on the person to arrange and secure the test at the  
359 person's own expense.

360 4. Upon the request of the person tested, full information  
361 concerning the results of the test taken at the direction of the  
362 law enforcement officer shall be made available to the person or  
363 his or her attorney. Full information is limited to the  
364 following:

365 a. The type of test administered and the procedures  
366 followed.

367 b. The time of the collection of the blood or breath sample  
368 analyzed.

369 c. The numerical results of the test indicating the alcohol  
370 content of the blood and breath.

371 d. The type and status of any permit issued by the  
372 Department of Law Enforcement which was held by the person who  
373 performed the test.

374 e. If the test was administered by means of a breath  
375 testing instrument, the date of performance of the most recent  
376 required inspection of such instrument.

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378 Full information does not include manuals, schematics, or  
379 software of the instrument used to test the person or any other  
380 material that is not in the actual possession of the state.  
381 Additionally, full information does not include information in  
382 the possession of the manufacturer of the test instrument.

383 5. A hospital, clinical laboratory, medical clinic, or  
384 similar medical institution or physician, certified paramedic,  
385 registered nurse, licensed practical nurse, other personnel  
386 authorized by a hospital to draw blood, or duly licensed  
387 clinical laboratory director, supervisor, technologist, or  
388 technician, or other person assisting a law enforcement officer  
389 does not incur any civil or criminal liability as a result of  
390 the withdrawal or analysis of a blood or urine specimen, or the  
391 chemical or physical test of a person's breath pursuant to  
392 accepted medical standards when requested by a law enforcement  
393 officer, regardless of whether or not the subject resisted  
394 administration of the test.

395 Section 8. Paragraph (a) of subsection (2) of section  
396 316.1933, Florida Statutes, is amended to read:

397 316.1933 Blood test for impairment or intoxication in cases  
398 of death or serious bodily injury; right to use reasonable  
399 force.—

400 (2) (a) Only a physician, certified paramedic, registered  
401 nurse, licensed practical nurse, other personnel authorized by a  
402 hospital to draw blood, or duly licensed clinical laboratory  
403 director, supervisor, technologist, or technician, acting at the  
404 request of a law enforcement officer, may withdraw blood for the  
405 purpose of determining the alcoholic content thereof or the  
406 presence of chemical substances or controlled substances

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407 therein. However, the failure of a law enforcement officer to  
408 request the withdrawal of blood shall not affect the  
409 admissibility of a test of blood withdrawn for medical purposes.

410 1. Notwithstanding any provision of law pertaining to the  
411 confidentiality of hospital records or other medical records, if  
412 a health care provider, who is providing medical care in a  
413 health care facility to a person injured in a motor vehicle  
414 crash, becomes aware, as a result of any blood test performed in  
415 the course of that medical treatment, that the person's blood-  
416 alcohol level meets or exceeds the blood-alcohol level specified  
417 in s. 316.193(1)(b), the health care provider may notify any law  
418 enforcement officer or law enforcement agency. Any such notice  
419 must be given within a reasonable time after the health care  
420 provider receives the test result. Any such notice shall be used  
421 only for the purpose of providing the law enforcement officer  
422 with reasonable cause to request the withdrawal of a blood  
423 sample pursuant to this section.

424 2. The notice shall consist only of the name of the person  
425 being treated, the name of the person who drew the blood, the  
426 blood-alcohol level indicated by the test, and the date and time  
427 of the administration of the test.

428 3. Nothing contained in s. 395.3025(2) ~~s. 395.3025(4)~~, s.  
429 456.057, or any applicable practice act affects the authority to  
430 provide notice under this section, and the health care provider  
431 is not considered to have breached any duty owed to the person  
432 under s. 395.3025(2) ~~s. 395.3025(4)~~, s. 456.057, or any  
433 applicable practice act by providing notice or failing to  
434 provide notice. It shall not be a breach of any ethical, moral,  
435 or legal duty for a health care provider to provide notice or

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436 fail to provide notice.

437 4. A civil, criminal, or administrative action may not be  
438 brought against any person or health care provider participating  
439 in good faith in the provision of notice or failure to provide  
440 notice as provided in this section. Any person or health care  
441 provider participating in the provision of notice or failure to  
442 provide notice as provided in this section shall be immune from  
443 any civil or criminal liability and from any professional  
444 disciplinary action with respect to the provision of notice or  
445 failure to provide notice under this section. Any such  
446 participant has the same immunity with respect to participating  
447 in any judicial proceedings resulting from the notice or failure  
448 to provide notice.

449 Section 9. Subsection (13) of section 395.4025, Florida  
450 Statutes, is amended to read:

451 395.4025 Trauma centers; selection; quality assurance;  
452 records.—

453 (13) Patient care, transport, or treatment records or  
454 reports, or patient care quality assurance proceedings, records,  
455 or reports obtained or made pursuant to this section, s.  
456 395.3025(2)(f) ~~s. 395.3025(4)(f)~~, s. 395.401, s. 395.4015, s.  
457 395.402, s. 395.403, s. 395.404, s. 395.4045, s. 395.405, s.  
458 395.50, or s. 395.51 must be held confidential by the department  
459 or its agent and are exempt from the provisions of s. 119.07(1).  
460 Patient care quality assurance proceedings, records, or reports  
461 obtained or made pursuant to these sections are not subject to  
462 discovery or introduction into evidence in any civil or  
463 administrative action.

464 Section 10. Subsection (1) of section 429.294, Florida



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465 Statutes, is amended to read:

466 429.294 Availability of facility records for investigation  
467 of resident's rights violations and defenses; penalty.—

468 (1) Failure to provide complete copies of a resident's  
469 records, including, but not limited to, all medical records and  
470 the resident's chart, within the control or possession of the  
471 facility in accordance with s. 408.833 ~~s. 400.145~~, shall  
472 constitute evidence of failure of that party to comply with good  
473 faith discovery requirements and shall waive the good faith  
474 certificate and presuit notice requirements under this part by  
475 the requesting party.

476 Section 11. Subsection (4) of section 440.185, Florida  
477 Statutes, is amended to read:

478 440.185 Notice of injury or death; reports; penalties for  
479 violations.—

480 (4) Additional reports with respect to such injury and of  
481 the condition of such employee, including copies of medical  
482 reports, funeral expenses, and wage statements, shall be filed  
483 by the employer or carrier to the department at such times and  
484 in such manner as the department may prescribe by rule. In  
485 carrying out its responsibilities under this chapter, the  
486 department or agency may by rule provide for the obtaining of  
487 any medical records relating to medical treatment provided  
488 pursuant to this chapter, notwithstanding the provisions of ss.  
489 90.503 and 395.3025(2) ~~395.3025(4)~~.

490 Section 12. Subsection (3) of section 456.47, Florida  
491 Statutes, is amended to read:

492 456.47 Use of telehealth to provide services.—

493 (3) RECORDS.—A telehealth provider shall document in the

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494 patient's medical record the health care services rendered using  
495 telehealth according to the same standard as used for in-person  
496 services. Medical records, including video, audio, electronic,  
497 or other records generated as a result of providing such  
498 services, are confidential pursuant to ss. 395.3025(2) and  
499 456.057 ~~ss. 395.3025(4) and 456.057.~~

500 Section 13. This act shall take effect January 1, 2026.