

1 A bill to be entitled
2 An act relating to public records; amending s.
3 381.9312, F.S.; providing an exemption from public
4 records requirements for certain records and personal
5 identifying information submitted to the Department of
6 Health for inclusion in the uterine fibroid research
7 database; providing a statement of public necessity;
8 providing a contingent effective date.

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

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12 **Section 1. Subsection (4) is added to section 381.9312,**
13 **Florida Statutes, to read:**

14 381.9312 Uterine fibroid research database; education and
15 public awareness.—

16 (4) PUBLIC RECORDS EXEMPTION.—All records and personal
17 identifying information relating to women diagnosed with or
18 treated for uterine fibroids which is submitted to the
19 department under this section are confidential and exempt from
20 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
21 This subsection is subject to the Open Government Sunset Review
22 Act in accordance with s. 119.15 and shall stand repealed on
23 October 2, 2031, unless reviewed and saved from repeal through
24 reenactment by the Legislature.

25 **Section 2. The Legislature finds that it is a public**

26 necessity to make all records and personal identifying
27 information relating to women diagnosed with or treated for
28 uterine fibroids which is submitted to the Department of Health
29 under s. 381.9312, Florida Statutes, confidential and exempt
30 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
31 the State Constitution. The Department of Health is unable to
32 effectively implement the legislative purpose of the uterine
33 fibroid research database, created under s. 381.9312, Florida
34 Statutes, without access to these records and information, which
35 include personal medical information, the disclosure of which
36 would violate federal patient privacy laws, including the Health
37 Insurance Portability and Accountability Act of 1996. Therefore,
38 the Legislature finds that it is a public necessity to make such
39 records and information held by the department confidential and
40 exempt to protect the privacy rights of women diagnosed with and
41 treated for uterine fibroids in this state and promote the
42 effective administration of the department's epidemiological
43 research and tracking activities.

44 **Section 3.** This act shall take effect on the same date
45 that HB 327 or similar legislation takes effect, if such
46 legislation is adopted in the same legislative session or an
47 extension thereof and becomes a law.