

By Senator Burgess

23-01615A-26

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A bill to be entitled

An act relating to public records; amending s. 499.0295, F.S.; providing an exemption from public records requirements for certain information contained in a public report published by the Department of Health relating to experimental treatment outcomes and safety signals; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Paragraph (c) of subsection (6) of section 499.0295, Florida Statutes, as amended by SB ___, 2026 Regular Session, is amended to read:

499.0295 Experimental treatments for terminal conditions and life-threatening rare diseases.—

(6)

(c) The department shall annually publish a public report of experimental treatment outcomes and safety signals in the aggregate. The health information and proprietary pricing information contained in the report is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Section 2. The Legislature finds that it is a public necessity that the health information and proprietary pricing information contained in the annual public report of experimental treatment outcomes and safety signals under s. 499.0295, Florida Statutes, be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the

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30 State Constitution. The Legislature finds that the release of
31 such information could harm patients with terminal conditions or
32 life-threatening rare diseases by exposing extremely sensitive
33 personal health data. The Legislature further finds that
34 patients who pursue experimental treatments under the Promising
35 Pathways Act have a strong expectation of privacy regarding
36 their medical information and that the potential harm resulting
37 from disclosure of such information outweighs any public benefit
38 that may be derived from its release.

39 Section 3. This act shall take effect on the same date that
40 SB ____ or similar legislation takes effect, if such legislation
41 is adopted in the same legislative session or an extension
42 thereof and becomes a law.