

By Senator Sharief

35-01127-26

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A bill to be entitled
An act relating to public records; amending s.
381.9312, F.S.; providing an exemption from public
records requirements for certain records and personal
identifying information submitted to the Department of
Health for inclusion in the uterine fibroid research
database; providing for future legislative review and
repeal; providing a statement of public necessity;
providing a contingent effective date.

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

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

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

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Act in accordance with s. 119.15 and shall stand repealed on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

Section 2. The Legislature finds that it is a public
necessity to make all records and personal identifying
information relating to women diagnosed with or treated for
uterine fibroids which is submitted to the Department of Health

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

45 Section 3. This act shall take effect on the same date that
46 SB 196 or similar legislation takes effect, if such legislation
47 is adopted in the same legislative session or an extension
48 thereof and becomes a law.