

House Bill No. 277

An act relating to a public records exemption for certain information obtained in connection with practitioner profiles; amending s. 456.046, F.S., which provides an exemption from public records requirements for information obtained by the Department of Health for the purpose of compiling such profiles; reenacting such exemption and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; clarifying language; providing an effective date.

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

Section 1. Notwithstanding the October 2, 2002, repeal of said section scheduled pursuant to the Open Government Sunset Review Act of 1995, section 456.046, Florida Statutes, is reenacted and amended to read:

456.046 Practitioner ~~Practitioner's~~ profiles; confidentiality.—Any patient name or other information that identifies a patient which is in a record obtained by the Department of Health or its agent for the purpose of compiling a practitioner profile pursuant to s. 456.041 is confidential and exempt from the provisions of ~~s. 119.07(1) chapter 119~~ and s. 24(a), Art. I of the State Constitution. Other data received by the department or its agent as a result of its duty to compile and promulgate practitioner profiles are confidential and exempt from the provisions of ~~s. 119.07(1) chapter 119~~ and s. 24(a), Art. I of the State Constitution until the profile into which the data are incorporated or with respect to which the data are submitted is made public pursuant to the requirements of s. 456.041. Any information or record that the Department of Health obtains from the Agency for Health Care Administration or any other governmental entity for the purpose of compiling a practitioner profile or substantiating other information or records submitted for that purpose which is otherwise exempt from public disclosure shall remain exempt as otherwise provided by law. ~~and that was exempt from the provisions of chapter 119 and s. 24(a), Art. I of the State Constitution does not lose that character by coming into the possession of the Department of Health, and such information or record continues to be exempt from the provisions of chapter 119 and s. 24(a), Art. I of the State Constitution. This section is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2002, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2002.

Approved by the Governor April 29, 2002.

Filed in Office Secretary of State April 29, 2002.