

## CHAPTER 2015-62

### Committee Substitute for Committee Substitute for Senate Bill No. 716

An act relating to public records; creating s. 474.2167, F.S.; providing an exemption from public records requirements for certain animal medical records held by a state college of veterinary medicine that is accredited by the American Veterinary Medical Association Council on Education; authorizing disclosure under certain circumstances; providing applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Section 474.2167, Florida Statutes, is created to read:

474.2167 Confidentiality of animal medical records.—

(1) The following records held by any state college of veterinary medicine that is accredited by the American Veterinary Medical Association Council on Education are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

(a) A medical record generated which relates to diagnosing the medical condition of an animal; prescribing, dispensing, or administering drugs, medicine, appliances, applications, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal; or performing a manual procedure for the diagnosis of or treatment for pregnancy, fertility, or infertility of an animal; and

(b) A medical record described in paragraph (a) which is transferred by a previous record owner in connection with the transaction of official business by a state college of veterinary medicine that is accredited by the American Veterinary Medical Association Council on Education.

(2) A record made confidential and exempt under subsection (1) may be disclosed to another governmental entity in the performance of its duties and responsibilities and may be disclosed pursuant to s. 474.2165.

(3) The exemption from public records requirements under subsection (1) applies to animal medical records held before, on, or after the effective date of this exemption.

(4) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that a medical record that relates to diagnosing the medical condition of an animal;

prescribing, dispensing, or administering drugs, medicine, appliances, applications, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal; or performing a manual procedure for the diagnosis of or treatment for pregnancy or fertility or infertility of an animal, which is held by a state college of veterinary medicine that is accredited by the American Veterinary Medical Association Council on Education, be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The Legislature also finds that it is a public necessity that any such medical record that is transferred by a previous records owner in connection with the transaction of official business by a state college of veterinary medicine that is accredited by the American Veterinary Medical Association Council on Education and that is held by such state college be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The Legislature also finds that it is a public necessity that this exemption apply to such animal medical records held by such a state college of veterinary medicine before, on, or after the effective date of the exemption. The Legislature finds that the release of such animal medical records compromises the confidentiality protections otherwise afforded the owners of such animals treated by licensed veterinarians in this state pursuant to this chapter. The Legislature finds that the owners of animals have the right to the privacy of the medical records of their animals. The Legislature finds that this exemption permits a state college of veterinary medicine accredited by the American Veterinary Medical Association Council on Education to effectively and efficiently carry out its mission to educate students in veterinary medicine. Without this exemption, this mission would be significantly impaired. The Legislature finds that the privacy concerns that result from the release of animal medical records outweigh any public benefit that may be derived from the disclosure of the information.

Section 3. This act shall take effect July 1, 2015.

Approved by the Governor May 21, 2015.

Filed in Office Secretary of State May 21, 2015.