

CHAPTER 2016-217

Senate Bill No. 7048

An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.55, F.S., which provides an exemption from public records requirements for information relating to client records and donor information collected by regional autism centers; removing the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Subsection (6) of section 1004.55, Florida Statutes, is amended to read:

1004.55 Regional autism centers; public record exemptions.—

(6)(a) *Client records.*—

1. All records that relate to a client of a regional autism center who receives the services of a center or participates in center activities, and all records that relate to the client's family, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. A client who receives the services of a center, if competent, or the client's parent or legal guardian if the client is incompetent, shall be provided with a copy of the client's individual record upon request.

3. A regional autism center may release the confidential and exempt records as follows:

a. To physicians, attorneys, or governmental entities having need of the confidential and exempt information to aid a client, as authorized by the client, if competent, or the client's parent or legal guardian if the client is incompetent.

b. In response to a subpoena or to persons authorized by order of court.

c. To the State Board of Education or the Board of Governors of the State University System when the director of the center deems it necessary for the treatment of the client, maintenance of adequate records, compilation of treatment data, or evaluation of programs.

4. Provided that personal identifying information of a client or the client's family has been removed, a regional autism center may release information contained in the confidential and exempt records as follows:

~~a.~~ to a person engaged in bona fide research if that person agrees to sign a confidentiality agreement with the regional autism center, agrees to maintain the confidentiality of the information received, and, to the extent

permitted by law and after the research has concluded, destroy any confidential information obtained.

5.b. The director of the center or his or her designee may release information for statistical and research purposes ~~by the director of the center or designee~~, provided that any confidential and exempt information is removed in the reporting of such statistical or research data.

(b) *Donor information.*—Personal identifying information of a donor or prospective donor to a regional autism center who desires to remain anonymous is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

~~(c) *Review and repeal.*—This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2016, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect July 1, 2016.

Approved by the Governor April 8, 2016.

Filed in Office Secretary of State April 8, 2016.