

CHAPTER 2022-86

Committee Substitute for Committee Substitute for House Bill No. 1445

An act relating to a review under the Open Government Sunset Review Act; amending s. 110.12301, F.S., which provides an exemption from public records requirements for certain information held by the Department of Management Services for verification of dependent eligibility; extending the legislative review and repeal of the public records exemption to a future date; 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 (3) of section 110.12301, Florida Statutes, is amended to read:

110.12301 Competitive procurement of postpayment claims review services and dependent eligibility verification services; public records exemption.—

(3) Records collected for purposes of dependent eligibility verification services conducted for the state group insurance program, as authorized under subsection (2), and held by the department are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection does not apply to records that are otherwise open for inspection and copying which are held by the department for purposes other than for the performance of dependent eligibility verification services. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2027 ~~2022~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that records collected for the purpose of dependent eligibility verification services conducted for the state group insurance program, as authorized under s. 110.12301(2), Florida Statutes, as amended by HB 1443 or similar legislation adopted during the 2022 Regular Session, held by the Department of Management Services be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Employees may be required to submit sensitive, personal information about their dependents as part of the dependent eligibility verification process for the state group insurance program, including records relating to a biological child or stepchild, guardianship of a child, the fostering of a child, an unmarried adult child, and a disabled adult child. Such information may include court orders, foster care records, birth certificates, adoption certificates, student academic and financial records, medical records, and transcripts of filed tax returns. Without the public records exemption, employees may be deterred from providing such sensitive, personal

information, which would hinder the effective and efficient administration of the dependent eligibility verification process for the state group insurance program.

Section 3. This act shall take effect on the same date that SB 7026 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Approved by the Governor May 3, 2022.

Filed in Office Secretary of State May 3, 2022.