

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

HB 1523 — Pub. Rec. and Meetings/Professional Counselors Licensure Compact

by Rep. Koster (CS/CS/SB 590 by Rules Committee; Government Oversight and Accountability Committee; and Senator Rodriguez)

The bill exempts from public records requirements the personal identifying information of a licensed mental health professional, other than his or her name, licensure status, or licensure number, obtained from the data system under the Professional Counselors Licensure Compact (compact), as established in s. 491.017, F.S., by CS/HB 1521, and held by Florida's Department of Health (DOH) or the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling (Board).

This information is not exempt from public records requirements under the bill if the state originally reporting the information to the compact's data system authorizes disclosure of such information by law. Disclosure under such circumstance is limited to the extent permitted under the laws of the reporting state.

The bill also creates a public meeting exemption for compact commission meetings, or portions of such meetings, at which the commission discusses matters specifically exempt from disclosure by state or federal law. Recordings, minutes, and records generated during an exempt portion of a commission meeting are also exempt from public disclosure.

The bill provides an effective date of the same date that HB 1521 or similar legislation takes effect. HB 1521, the substantive bill authorizing Florida's participation in the Professional Counselors Licensure Compact, has an effective date contingent upon the enactment of the compact into law by 10 states.

The bill provides for the repeal of the public records and open meeting exemptions on October 2, 2027, unless reviewed and reenacted by the Legislature. It also provides statements of public necessity for the public records and public meetings exemptions as required by the State Constitution.

If approved by the Governor, these provisions take effect on the same date that HB 1521 or similar legislation takes effect.

Vote: Senate 38-0; House 114-0