

Committee on Children, Families, and Elder Affairs

CS/SB 1542 — Public Records/Elder Abuse and Vulnerable Adult Abuse Fatality Review Teams

by Children, Families, and Elder Affairs Committee and Senator Garcia

The bill creates public record and public meeting exemptions related to elder and vulnerable adult fatality review teams (EV-FRTs). Specifically, the bill requires that any information obtained by an EV-FRT for the purposes of conducting a case review which is exempt or confidential and exempt from public records requirements retains its exempt or confidential and exempt status when held by an EV-FRT. The bill also creates a public record exemption for records created or held by an EV-FRT which reveals the identity of a victim, the identity of persons responsible for the welfare of the victim, and such information is confidential and exempt under the bill.

Any information that is maintained as exempt or confidential and exempt within ch. 415, F.S., related to adult protective services, retains its exempt or confidential and exempt status when held by the review team.

The bill creates a public meeting exemption for portions of an EV-FRT meeting in which the identity of the victim, the identity of the person responsible for the welfare of the victim, or otherwise exempt or confidential and exempt information is discussed. Records created by an EV-FRT during such portions of meetings are also exempt from public disclosure.

The bill includes a public necessity statement and states that the public record and public meeting exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2028, unless saved from repeal by reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that SB 1540 or similar legislation takes effect.

Vote: Senate 39-0; House 117-0