

Amendment No. 03 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Governmental Operations offered the following:

**Amendment**

On page 8, between lines 26 & 27, of the bill

insert:

Section 7. The Legislature finds that public release of medical information pertaining to the mental or physical condition of a patient could result in serious and irreparable damage to the patient. The Legislature further finds that there is a public necessity in maintaining the confidentiality of such medical records and that a patient should not lose such protection simply because that patient has applied for or been issued a license to practice a health care profession in this state. The Legislature finds that absent a finding of probable cause that the applicant or practitioner has violated the law and poses a danger to the patients to whom the practitioner may provide health care services, such practitioner should be afforded the same privileges and rights of confidentiality as non-health care practitioners. The

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1 Legislature finds that it is a matter of public necessity to  
2 protect health care practitioners, as well as other patients,  
3 from the release of information regarding the practitioner's  
4 mental or physical health to refrain from unnecessarily  
5 affecting the livelihood of practitioners and to maintain the  
6 trust of the practitioner-patient relationship without  
7 unwarranted aspersions on the professional competence and  
8 ability of these persons. Moreover, the Legislature finds  
9 that the public's need to know information about practitioners  
10 does not override the public policy determination to protect  
11 all patients regardless of their occupation or licensure  
12 status from intrusion. Furthermore, this public records  
13 exemption conforms to existing public records exemptions for  
14 other practitioners such as physicians pursuant to ss.  
15 458.331(1)(s) and 459.015(1)(w), dentists pursuant to s.  
16 466.028(1)(s), and others.

17  
18 (Renumber subsequent sections)

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