

By the Committee on Health Policy; and Senator Grimsley

588-03658-16

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1                   A bill to be entitled  
2           An act relating to public records and meetings;  
3           creating s. 464.0096, F.S.; providing an exemption  
4           from public records requirements for certain  
5           information held by the Department of Health or the  
6           Board of Nursing pursuant to the Nurse Licensure  
7           Compact; authorizing disclosure of the information  
8           under certain circumstances; providing an exemption  
9           from public meeting requirements for certain meetings  
10          of the Interstate Commission of Nurse Licensure  
11          Compact Administrators; providing an exemption from  
12          public records requirements for recordings, minutes,  
13          and records generated during the closed portion of  
14          such a meeting; providing for future legislative  
15          review and repeal of the exemptions; providing a  
16          statement of public necessity; providing a contingent  
17          effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

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21           Section 1. Section 464.0096, Florida Statutes, is created  
22 to read:

23           464.0096 Nurse Licensure Compact; public records and  
24 meetings exemptions.—

25           (1) A nurse's personal identifying information, other than  
26 the nurse's name, licensure status, or licensure number,  
27 obtained from the coordinated licensure information system, as  
28 defined in s. 464.0095, and held by the department or the board  
29 is exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
30 Constitution unless the state that originally reported the  
31 information to the coordinated licensure information system  
32 authorizes the disclosure of such information by law. Under such

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33 circumstances, the information may only be disclosed to the  
34 extent permitted by the reporting state's law.

35 (2) (a) A meeting or portion of a meeting of the Interstate  
36 Commission of Nurse Licensure Compact Administrators established  
37 under s. 464.0095 at which matters specifically exempted from  
38 disclosure by federal or state statute are discussed is exempt  
39 from s. 286.011 and s. 24(b), Art. I of the State Constitution.

40 (b) Recordings, minutes, and records generated during an  
41 exempt meeting are exempt from s. 119.07(1) and s. 24(a), Art. I  
42 of the State Constitution.

43 (3) This section is subject to the Open Government Sunset  
44 Review Act in accordance with s. 119.15 and shall stand repealed  
45 on October 2, 2021, unless reviewed and saved from repeal  
46 through reenactment by the Legislature.

47 Section 2. (1) The Legislature finds that it is a public  
48 necessity that a nurse's personal identifying information, other  
49 than the nurse's name, licensure status, or licensure number,  
50 obtained from the coordinated licensure information system, as  
51 defined in s. 464.0095, Florida Statutes, and held by the  
52 Department of Health or the Board of Nursing be made exempt from  
53 s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the  
54 State Constitution. Protection of such information is required  
55 under the Nurse Licensure Compact, which the state must adopt in  
56 order to become a party state to the compact. Without the public  
57 records exemption, this state will be unable to effectively and  
58 efficiently implement and administer the compact.

59 (2) (a) The Legislature finds that it is a public necessity  
60 that any meeting or portion of a meeting of the Interstate  
61 Commission of Nurse Licensure Compact Administrators established

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62 under s. 464.0095, Florida Statutes, at which matters  
63 specifically exempted from disclosure by federal or state  
64 statute are discussed be made exempt from s. 286.011, Florida  
65 Statutes, and s. 24(b), Article I of the State Constitution.

66 (b) The Nurse Licensure Compact requires any meeting or  
67 portion of a meeting in which the substance of paragraph (a) is  
68 discussed to be closed to the public. Without the public meeting  
69 exemption, this state will be prohibited from becoming a party  
70 state to the compact. Thus, this state will be unable to  
71 effectively and efficiently administer the compact.

72 (3) The Legislature also finds that it is a public  
73 necessity that the recordings, minutes, and records generated  
74 during a meeting that is exempt pursuant to s. 464.0096, Florida  
75 Statutes, be made exempt from s. 119.07(1), Florida Statutes,  
76 and s. 24(a), Article I of the State Constitution. Release of  
77 such information would negate the public meeting exemption. As  
78 such, the Legislature finds that the public records exemption is  
79 a public necessity.

80 Section 3. This act shall take effect on the same date that  
81 SB 1316 or similar legislation takes effect, if such legislation  
82 is adopted in the same legislative session or an extension  
83 thereof and becomes law.