

1 A bill to be entitled
2 An act relating to public records and meetings;
3 creating s. 468.227, F.S.; providing an exemption from
4 public records requirements for certain information
5 held by the Occupational Therapy Compact Commission;
6 authorizing disclosure of the information under
7 certain circumstances; providing an exemption from
8 public meetings requirements for certain meetings, or
9 portions of meetings, of the Occupational Therapy
10 Compact Commission; providing an exemption from public
11 records requirements for recordings, minutes, and
12 records generated during the exempt meetings or exempt
13 portions of meetings; providing for future legislative
14 review and repeal of the exemptions; providing
15 statements of public necessity; providing a contingent
16 effective date.

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

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20 **Section 1. Section 468.227, Florida Statutes, is created**
21 **to read:**

22 468.227 Occupational Therapy Compact Commission; public
23 records and meetings exemptions.-

24 (1) An occupational therapist's or occupational therapy
25 assistant's personal identifying information, other than the

26 person's name, licensure status, or licensure number, obtained
27 from the coordinated database and reporting system described in
28 Article IX of s. 468.226 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 database and reporting system
32 authorizes the disclosure of such information by law. If
33 disclosure is so authorized, information may be disclosed only
34 to the extent authorized by law by the reporting state.

35 (2)(a) A meeting or a portion of a meeting of the
36 Occupational Therapy Compact Commission, the executive
37 committee, or any other committee of the commission established
38 in Article VIII of s. 468.226 at which matters specifically
39 exempted from disclosure by federal or state law are discussed
40 is exempt from s. 286.011 and s. 24(b), Art. I of the State
41 Constitution.

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

45 (3) This section is subject to the Open Government Sunset
46 Review Act in accordance with s. 119.15 and shall stand repealed
47 on October 2, 2030, unless reviewed and saved from repeal
48 through reenactment by the Legislature.

49 **Section 2.** (1) The Legislature finds that it is a public
50 necessity that any occupational therapist's or occupational

51 therapy assistant's personal identifying information, other than
52 the person's name, licensure status, or licensure number,
53 obtained from the coordinated database and reporting systems
54 described in s. 468.226, Florida Statutes, and held by the Board
55 of Occupational Therapy Practice, as applicable, be made exempt
56 from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of
57 the State Constitution. Protection of such information is
58 required under the Occupational Therapist Licensure Compact and
59 must be adopted by the Legislature in order for this state to
60 become a member state of the compact. Without the public records
61 exemption, this state would be unable to effectively and
62 efficiently implement and administer the compact.

63 (2)(a) The Legislature finds that it is a public necessity
64 that any meeting or portion of a meeting of the Occupational
65 Therapy Compact Commission or the executive committee or other
66 committee of the commission held as provided in s. 468.226,
67 Florida Statutes, in which matters specifically exempted from
68 disclosure by federal or state law are discussed be made exempt
69 from s. 286.011, Florida Statutes, and s. 24(b), Article I of
70 the State Constitution.

71 (b) The Occupational Therapy Licensure Compact requires
72 that any meeting or portion of a meeting of the Occupational
73 Therapy Compact Commission or the executive committee or other
74 committee of the commission in which the commission must discuss
75 certain sensitive and confidential subject matters be closed to

76 the public. In the absence of a public meetings exemption, the
77 state would be prohibited from becoming a member state of the
78 compact and, thus, prohibited from effectively and efficiently
79 administering the compact.

80 (3) The Legislature also finds that it is a public
81 necessity that the recordings, minutes, and records generated
82 during a meeting or a portion of a meeting exempt pursuant to s.
83 468.226, Florida Statutes, be made exempt from s. 119.07(1),
84 Florida Statutes, and s. 24(a), Article I of the State
85 Constitution. Release of such information would negate the
86 public meetings exemption. As such, the Legislature finds that
87 the public records exemption is a public necessity.

88 **Section 3.** This act shall take effect on the same date
89 that HB 909 or similar legislation takes effect, if such
90 legislation is adopted in the same legislative session or an
91 extension thereof and becomes a law.