

26 (2) To waive the confidentiality and authorize the
 27 preparation and release of medical reports pertaining to the
 28 mental or physical condition of the licensee when the department
 29 has reason to believe that a violation of this chapter has
 30 occurred and when the department issues an order, based on the
 31 need for additional information, to produce such medical reports
 32 for the time period relevant to the complaint. As used in this
 33 section, "medical reports" means a compilation of medical
 34 treatment of the licensee which shall include symptoms,
 35 diagnosis, treatment prescribed, relevant history, and progress.

36 (3) To waive any objection to the admissibility of the
 37 reports as constituting privileged communications. Such material
 38 maintained by the department is confidential and exempt from s.
 39 119.07(1) until probable cause is found and an administrative
 40 complaint is issued.

41 Section 2. The Legislature finds that it is a public
 42 necessity that that medical reports pertaining to the mental or
 43 physical condition of a licensed veterinary technician obtained
 44 by the department as part of the complaint and investigation
 45 process be made confidential and exempt from s. 119.07(1),
 46 Florida Statutes, and s. 24(a), Article I of the State
 47 Constitution. The Legislature finds that the rights of a
 48 licensed veterinary technician afforded under other state or
 49 federal laws that deem certain personal information
 50 confidential, such as protected health information covered by

51 the Health Insurance Portability and Accountability Act, should
52 be upheld and that the licensed veterinary technician's exempt
53 or confidential information should not be disclosed to the
54 public until probable cause is found and an administrative
55 complaint is issued. The licensed veterinary technician's exempt
56 or confidential information, if publicly available, could be
57 used to invade his or her personal privacy. Making such
58 information confidential and exempt from disclosure will protect
59 information of a sensitive personal nature, the release of which
60 could cause unwarranted damage to the privacy rights of the
61 licensed veterinary technician. The Legislature therefore finds
62 that it is a public necessity that such information be made
63 confidential and exempt until probable cause is found and an
64 administrative complaint is issued.

65 Section 3. This act shall take effect on the same date
66 that HB 261 or similar legislation takes effect, if such
67 legislation is adopted in the same legislative session or an
68 extension thereof and becomes a law.