

390.002 Termination of pregnancies; reporting.

**390.002 Termination of pregnancies; reporting.—**

(1) The director of any medical facility in which any pregnancy is terminated shall submit a monthly report which contains the number of procedures performed, the reason for same, and the period of gestation at the time such procedures were performed to the <sup>1</sup>Department of Health and Rehabilitative Services. The department shall be responsible for keeping such reports in a central place from which statistical data and analysis can be made.

(2) If the termination of pregnancy is not performed in a medical facility, the physician performing the procedure shall be responsible for reporting such information as required in subsection (1).

(3) Reports submitted pursuant to this section shall be confidential and exempt from the provisions of s. 119.07(1) and shall not be revealed except upon the order of a court of competent jurisdiction in a civil or criminal proceeding.

(4) Any person required under this section to file a report or keep any records who willfully fails to file such report or keep such records may be subject to a \$200 fine for each violation. The <sup>1</sup>Department of Health and Rehabilitative Services shall be required to impose such fines when reports or records required under this section have not been timely received. For purposes of this section, timely received is defined as 30 days following the preceding month.

**History.**—s. 2, ch. 79-302; s. 1, ch. 90-336; s. 202, ch. 96-406.

**Note.**—The Department of Health and Rehabilitative Services was redesignated as the Department of Children and Family Services by s. 5, ch. 96-403. Pursuant to s. 26, ch. 96-403, legislation will be submitted for introduction at a subsequent session of the Legislature to substitute references to the Department of Health for references to the Department of Health and Rehabilitative Services, wherever they appear, in chapters 153, 154, 381, 382, 383, 384, 385, 386, 387, 388, 390, 391, and 392.

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**CHAPTER 391**

**CHILDREN'S MEDICAL SERVICES**

**PART I**

**CHILDREN'S MEDICAL SERVICES,  
GENERALLY**

391.051 Qualifications of director.

**391.051 Qualifications of director.**—The director of children's medical services must be a physician licensed under chapter 458 or chapter 459 who has specialized training and experience in the provision of medical care to children and has recognized skills in leadership and the promotion of children's health programs. The director of children's medical services shall be the division director of the Division of Children's Medical Services as provided under s. 20.43.

**History.**—s. 9, ch. 78-106; s. 17, ch. 96-403.

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**CHAPTER 392**

**TUBERCULOSIS CONTROL**

392.54 Contact investigation.

392.545 Naming of persons subject to proceedings.

392.65 Confidentiality.

392.69 Appropriation, sinking, and maintenance trust funds; additional powers of the department.

**392.54 Contact investigation.—**

(1) The department and its authorized agents may counsel and interview, or cause to be counseled and interviewed, any person who has active tuberculosis, who is reasonably suspected of having active tuberculosis, or who is reasonably suspected of having been exposed to active tuberculosis, in order to investigate the source and spread of the disease and in order to require such person to submit to examination and treatment to cure as necessary.

(2) All information gathered in the course of contact investigation is confidential, subject to the provisions of s. 392.65. Such information is exempt from s. 119.07(1).

**History.**—s. 1, ch. 88-389; s. 1, ch. 88-398; s. 11, ch. 90-344; s. 5, ch. 94-320; s. 203, ch. 96-406.

**392.545 Naming of persons subject to proceedings.—**

(1) When requesting an order from a circuit court under the provisions of s. 392.55, s. 392.56, or s. 392.57, the department shall substitute a pseudonym for the true name of the person to whom the order pertains. The actual name of the person shall be revealed to the court only in camera, and the court shall seal such name from further revelation.

(2) All court decisions, orders, petitions, and other formal documents shall be styled in a manner to protect the name of the person from public disclosure.

(3) The department, its authorized representatives, the court, and other parties to the lawsuit shall not reveal the name of any person subject to these proceedings except as permitted in s. 392.65. Such information is exempt from s. 119.07(1).

**History.**—s. 1, ch. 88-389; s. 1, ch. 88-398; s. 12, ch. 90-344; s. 204, ch. 96-406.

**392.65 Confidentiality.—**

(1) All information and records held by the department or its authorized representatives relating to known or suspected cases of tuberculosis or exposure to tuberculosis shall be strictly confidential and exempt from s. 119.07(1). Such information shall not be released or made public by the department or its authorized representatives or by a court or parties to a lawsuit, except that release may be made under the following circumstances:

(a) When made with the consent of all persons to which the information applies;

(b) When made for statistical purposes, and medical or epidemiologic information is summarized so that no person can be identified and no names are revealed;

(c) When made to medical personnel, appropriate state agencies, or courts of appropriate jurisdiction to enforce the provisions of this chapter and related rules;

(d) When made in a medical emergency but only to the extent necessary to protect the health or life of a named person or group of persons; or

(e) When made to the proper authorities as required by chapter 415.