



March 6, 2019

The Honorable Amy Mercado
Florida House of Representatives
402 South Monroe Street, Room 406 HOB
Tallahassee, FL 32399-1300

Re: HB 699 Exemptions/Healthy Florida Program

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Dear Representative Mercado:

We are writing in response to HB 699, creating public record and meetings exemptions for the Healthy Florida Program. Of particular concern to us is the language on lines 28 – 32, creating exemptions for meetings or portions of meetings during which litigation, personnel, contracting, and rates are discussed. The language is extremely vague and may be in violation of the standard for creation of new exemptions under Article I, s. 24(c), Fla. Con.

We should note that meetings at which pending litigation is discussed is currently exempt under s. 286.011(8), F.S. This exemption applies to all government agencies and would certainly apply to the Healthy Florida Program.

Additionally, it's not clear from the constitutionally-required statement of public necessity why the exemptions for discussions relating to personnel, contracting, and rates are needed. We respectfully suggest, then, that HB 699 be amended to delete the litigation exemption and provide more specificity regarding the scope of the remaining exemptions and the public necessity supporting those exemptions.

Thank you for your consideration of our concerns, Rep. Mercado. If you or your staff have any questions, please don't hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Cary Pigman, Chair, House Health Market Reform Subcommittee