

State of Florida – Department of Health

The following provides the State with the authority to obtain records and documents necessary for the determination of consumer food purchases during investigation of foodborne illnesses within their jurisdiction. Questions regarding specific situations, the documents that can be requested, or the statutory citations listed should be directed to the authorized State agency. You may access contact information for the state agency on the Directory of State and Local Officials webpage at:

<http://dslo.afdo.org>

Florida Administrative Code

§ 64D-3.028 Definitions “*Sensitive Situation*” – A setting in which the presence of a case would increase significantly the probability of spread of the diagnosed or suspected disease or condition and would, therefore, constitute a public health hazard. Examples of such settings are: schools, child-care facilities, hospitals and other patient-care facilities, food storage, food processing establishments or food outlets.

§ 64D-3.041 Epidemiological Investigations. (1) The Department and its authorized representatives, when deemed necessary to protect the public’s health, may conduct epidemiological investigations and follow-up to confirm the diagnosis, treatment and causes of any disease or condition to determine appropriate methods of outbreak and communicable disease control. Such investigations shall be considered official duties of the Department and may include, but are not limited to:

(a) Review of pertinent, relevant medical records by authorized representatives of the Department, if necessary to confirm the diagnosis; to investigate causes; to identify other related cases in an area, community, or workplace; to determine if a person with a reportable notifiable disease or condition has received adequate treatment to render themselves non-infectious or if exposed has received prophylaxis, if appropriate. Such review of records may occur without patient consent and shall be conducted at reasonable times and with such notice as is deemed reasonable under the circumstances.

(2) Information gathered in the course of an epidemiological investigation and follow-up shall be confidential to the degree permitted under the provisions of Sections 119.0712, 381.0031(6), 384.29, and 392.65, F.S.

2011 Florida Statutes

§ 570.15 Access to places of business and vehicles: (1)(a) Any duly authorized employee of the department shall have full access at all reasonable hours to inspect:

1. All:

a. Places of business;which are used or could be used in the production, manufacture, storage, sale, or transportation within the state of any food product; any

agricultural, horticultural, or livestock product; or any article or product with respect to which any authority is conferred by law on the department; and

2. All records or documents pertaining thereto.