

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 145

By COMMITTEE ON HEALTH CARE

June 7

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “192.690,”.

2 In line 3, after “677.677” insert “; and prescribing an effective date”.

3 On page 2, line 23, delete “report to the board and provide” and insert “submit a written report  
4 to the board containing”.

5 After line 32, insert:

6 “(3) The council and the medical director may not disclose any information concerning a  
7 licensee, other than the report required under subsection (2) of this section, without the written  
8 consent of the licensee or subject to a valid court order.”.

9 In line 34, after “records” insert “and meetings”.

10 In line 37, after the period insert “Case reviews, deliberations and communications regarding  
11 any participant in the program are exempt from the provisions of ORS 192.610 to 192.690.”.

12 In line 39, after “677.415” insert a period and delete the rest of the line and line 40.

13 After line 45, insert:

14 “(4) Except as otherwise provided in ORS 677.615 to 677.677, disclosures of client records, in-  
15 cluding but not limited to mental health records, by members, employees, contractors and past or  
16 present clients of the council are subject to 42 C.F.R. part 2, sections 2.1 through 2.67. For the  
17 purposes of this subsection, medical health records and communications regarding mental health  
18 treatment shall be treated with the same confidentiality protections as alcohol and drug abuse pa-  
19 tient records under 42 C.F.R. part 2, sections 2.1 through 2.67.”.

20 On page 3, after line 14, insert:

21 “**SECTION 8.** ORS 192.690 is amended to read:

22 “192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the State Board of  
23 Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conduct-  
24 ing hearings on contested cases in accordance with the provisions of ORS chapter 183, the review  
25 by the Workers’ Compensation Board or the Employment Appeals Board of similar hearings on  
26 contested cases, meetings of the state lawyers assistance committee operating under the provisions  
27 of ORS 9.568, **meetings of the Health Professionals Program Supervisory Council established**  
28 **under ORS 677.615**, meetings of the personal and practice management assistance committees op-  
29 erating under the provisions of ORS 9.568, the county multidisciplinary child abuse teams required  
30 to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality re-  
31 view teams required to review child fatalities in accordance with the provisions of ORS 418.785, the  
32 peer review committees in accordance with the provisions of ORS 441.055, mediation conducted un-  
33 der ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science Uni-  
34 versity Board of Directors or its designated committee regarding candidates for the position of  
35 president of the university or regarding sensitive business, financial or commercial matters of the

1 university not customarily provided to competitors related to financings, mergers, acquisitions or  
2 joint ventures or related to the sale or other disposition of, or substantial change in use of, signif-  
3 icant real or personal property, or related to health system strategies, or to Oregon Health and  
4 Science University faculty or staff committee meetings.

5 “(2) Because of the grave risk to public health and safety that would be posed by misappropri-  
6 ation or misapplication of information considered during such review and approval, ORS 192.610 to  
7 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting  
8 Council pursuant to ORS 469.530.

9 **“SECTION 9. This 2007 Act takes effect on January 1, 2009.”.**

10