

Enrolled
Senate Bill 163

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CHAPTER

AN ACT

Relating to disclosure of protected health information; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 192.518 to 192.526.

SECTION 2. (1) Notwithstanding ORS 179.505, a state health plan or a prepaid managed care health services organization may disclose the protected health information of an individual listed in subsection (2) of this section, without obtaining an authorization from the individual or a personal representative of the individual, to another prepaid managed care health services organization for treatment activities of a prepaid managed care health services organization when the prepaid managed care health services organization is providing behavioral or physical health care services to the individual.

(2) The protected health information that may be disclosed pursuant to subsection (1) of this section includes the following, as defined by the Department of Human Services by rule:

- (a) Oregon Health Plan member name;
- (b) Medicaid recipient number;
- (c) Performing provider number;
- (d) Hospital provider name;
- (e) Attending physician;
- (f) Diagnosis;
- (g) Date or dates of service;
- (h) Procedure code;
- (i) Revenue code;
- (j) Quantity of units of service provided; or
- (k) Medication prescription and monitoring.

(3) As used in this section, "prepaid managed care health services organization" has the meaning given that term in ORS 414.736.

SECTION 3. Upon an individual's enrollment in a state health plan or a prepaid managed care health services organization, the plan or organization shall disclose to the individual the information that may be disclosed or exchanged under section 2 of this 2007 Act. The plan or organization must obtain a signed acknowledgment that the individual has been informed of the provisions of this section and section 2 of this 2007 Act and the specific information

that may be disclosed or exchanged under section 2 of this 2007 Act without the individual's authorization.

SECTION 4. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by Senate March 5, 2007

Received by Governor:

Repassed by Senate June 15, 2007

.....M,....., 2007

Approved:

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Secretary of Senate

.....M,....., 2007

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President of Senate

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Governor

Passed by House June 8, 2007

Filed in Office of Secretary of State:

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Speaker of House

.....M,....., 2007

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Secretary of State