

## HOUSE AMENDMENTS TO HOUSE BILL 2137

By COMMITTEE ON HUMAN SERVICES

April 27

1 On page 1 of the printed bill, delete lines 5 through 27 and insert:

2 **“SECTION 2. (1) The Department of Human Services, for the purpose of providing pro-**  
3 **ective services as that term is defined in ORS 410.040, may petition for a protective order**  
4 **under this chapter. When the department, or a petitioning attorney with whom the depart-**  
5 **ment has contracted, petitions for a protective order under this section, the department**  
6 **shall disclose to the court or to the petitioning attorney only a minimum amount of infor-**  
7 **mation about the person who is the subject of the petition, including protected health, men-**  
8 **tal health, financial, substantiated abuse and legal information, as is reasonably necessary**  
9 **to prevent or lessen a serious and imminent threat to the health or safety of the person who**  
10 **is the subject of the petition or protective order.**

11 **“(2) When a petition for a protective order is filed under this chapter by a person other**  
12 **than the Department of Human Services, or when a protective order has already been en-**  
13 **tered, the department, for the purpose of providing protective services as that term is de-**  
14 **finied in ORS 410.040, may disclose to a court protected health, mental health, financial,**  
15 **substantiated abuse and legal information about the person who is the subject of the petition**  
16 **or protective order, or about a person who has petitioned for appointment, or who has been**  
17 **appointed, as a fiduciary for a protected person under this chapter. The department may**  
18 **disclose such information without authorization from the person or fiduciary if the disclo-**  
19 **sure is made in good faith and with the belief that the disclosure is the minimum amount**  
20 **of information about the person or fiduciary as is reasonably necessary to prevent or lessen**  
21 **a serious and imminent threat to the health or safety of the person who is the subject of the**  
22 **petition or protective order.**

23 **“(3) All confidential and protected health, mental health, financial, substantiated abuse**  
24 **and legal information disclosed under this section must remain confidential and be sealed by**  
25 **the court. All sealed information must not be disclosed to any person except upon request**  
26 **of the person or fiduciary who is the subject of the petition or protective order, or pursuant**  
27 **to court order.**

28 **“(4) As used in this section, ‘protected health information’ has the meaning given that**  
29 **term in ORS 192.519.”.**

30 On page 2, delete lines 1 through 8.

31