

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	10 - 0 - 0
Yeas:	Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	0
Prepared By:	Cheyenne Ross, Counsel
Meeting Dates:	3/1, 3/22, 3/29

WHAT THE MEASURE DOES: Permits court to disclose confidential information about protected person upon written request and showing of good cause in protective proceeding. Allows access to information by attorney considering representation of protected person, or by person appointed or seeking appointment as fiduciary. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Practical effect of limiting access to information to inspection only results in added cost and inconvenience
- Need for “party” to explicitly include those who have interest in proceedings and those deciding whether to represent someone with interest in proceedings
- Nonsubstantive effect of amendment removing form of order

EFFECT OF COMMITTEE AMENDMENT: Deletes certifications from written request for information.

BACKGROUND: Private information obtained by the Department of Human Services about persons who are the subject of protective proceedings is kept confidential by the court, and access is currently limited to inspection by the parties only. House Bill 2683 A comes from the Elder Law Section of the Oregon State Bar and permits access to the information to those considering representation or appointment.