

House Bill 2102

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor John A. Kitzhaber for Oregon Health Authority)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Authority to adopt rules consistent with state privacy statutes to govern use and disclosure of electronic health information under strategic health information technology plan. Exempts use and disclosure of health information pursuant to rules adopted by authority from requirements of other state laws.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to health information; and declaring an emergency.

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

4 **SECTION 1. (1) The Oregon Health Authority shall adopt rules to ensure that appropriate**
5 **privacy and security controls govern the use and disclosure of electronic health information**
6 **under the strategic health information technology plan developed pursuant to ORS 413.308**
7 **in order to prevent the sharing of health information for purposes other than patient care**
8 **or as otherwise specifically provided by law. Rules adopted under this section may not con-**
9 **lict with the specific provisions of ORS 179.505 (17), 192.520 or 746.608.**

10 **(2) Notwithstanding any other provision of the laws of this state, electronic health in-**
11 **formation may be used or disclosed in accordance with rules adopted by the authority under**
12 **subsection (1) of this section.**

13 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
15 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.