

A-Engrossed
House Bill 2092

Ordered by the Senate May 23
Including Senate Amendments dated May 23

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., 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.

Requires Oregon Health Authority to establish and administer injury and violence prevention program.

Continuously appropriates moneys received by gift, grant or donation to authority for purpose of administering program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to a prevention program administered by the Oregon Health Authority; appropriating
3 money; and declaring an emergency.

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

5 **SECTION 1. (1) Subject to available funding, including gifts, grants or donations, the**
6 **Oregon Health Authority shall establish and administer a statewide injury and violence pre-**
7 **vention program. In administering the program, the authority may:**

8 (a) **Collect and analyze data on injury and violence, including but not limited to data from**
9 **death certificates, emergency department records, hospitalization records, medical examiner**
10 **and coroner records and police reports and surveys;**

11 (b) **Develop and revise, as necessary, a comprehensive state plan for injury and violence**
12 **prevention;**

13 (c) **Provide technical support and training to communities, local health departments,**
14 **state and local agencies, organizations and individuals;**

15 (d) **Prepare an annual report on injury and violence in Oregon;**

16 (e) **Conduct special studies of, collect data on and monitor and evaluate activities related**
17 **to the risk factors, protective factors, causes and prevention of morbidity and mortality re-**
18 **sulting from injury that occurs as a result of unintentional or undetermined causes, nonfatal**
19 **self-harming behavior, suicide, assault or homicide;**

20 (f) **Work with researchers to enhance knowledge about reducing injury and violence in**
21 **Oregon;**

22 (g) **Develop collaborative relationships with other state agencies and private and com-**
23 **munity organizations for the purpose of establishing programs that promote injury and vi-**
24 **olence prevention;**

25 (h) **Provide information to assist in the development of institutional and public policies**
26 **that will reduce injury and violence;**

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.

1 (i) Collaborate with local public health authorities, persons providing emergency medical
2 services, hospitals, law enforcement agencies, research institutions and other organizations
3 to conduct studies of, collect data on and monitor and evaluate activities related to the
4 causes and prevention of injury and violence;

5 (j) Publish compilations of data and reports about injury and violence, provided that the
6 data and reports do not identify individual cases or sources of information; and

7 (k) Adopt rules as necessary to carry out this section.

8 (2) Notwithstanding subsection (1) of this section, the authority may not require a hos-
9 pital, as defined in ORS 442.015, to report data to the authority under this section unless the
10 authority is otherwise authorized to require the hospital to report the data to the authority
11 under other state or federal law.

12 (3)(a) Except as provided in paragraph (c) of this subsection, all data collected pursuant
13 to this section is:

14 (A) Confidential and not subject to public disclosure law under ORS 192.410 to 192.505; and

15 (B) Privileged.

16 (b) Except as required by the administration or enforcement of the public health laws
17 of this state or rules adopted under the public health laws of this state, a public health offi-
18 cial, employee or agent may not be examined in an administrative or judicial proceeding as
19 to the existence or content of data collected pursuant this section.

20 (c) The authority shall adopt rules under which confidential data collected pursuant to
21 this section may be requested by a third party for the purpose of conducting research and
22 studies for the public good. Research and studies conducted using confidential data collected
23 pursuant to this section must be reviewed and approved by a committee established for the
24 protection of human research subjects pursuant to 45 C.F.R. 46.

25 (4) A person who furnishes information to the authority for a purpose described in this
26 section is not civilly or criminally liable for any loss, damage or injury arising out of the
27 furnishing of that information to the authority.

28 (5) The authority may accept gifts, grants or donations from any public or private source
29 for the purpose of carrying out this section. Funds received under this subsection shall be
30 deposited in the Oregon Health Authority Fund established under ORS 413.101 and are con-
31 tinuously appropriated to the authority for the purposes of carrying out this section.

32 **SECTION 2.** This 2013 Act being necessary for the immediate preservation of the public
33 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
34 on its passage.