



**Date:** March 20, 2015

**To:** House Committee on Human Services and Housing  
Alissa Keny-Guyer, Chair  
Carla Piluso, Vice Chair  
Duane Stark, Vice Chair

**From:** Sharon Harmon  
Executive Director, Oregon Humane Society

**Re:** House Bill 2694

Established in 1868, the Oregon Humane Society is the state's largest and oldest animal welfare organization with over 50,000 supporters statewide. We are not affiliated with any local or national organization.

**We are here today to ask for your support of HB 2694.**

In October of 2014 an agent from Department of Human Services responded to a home and found piles of decomposing trash seven feet high. The home was inhabited by two people living among the filth along with multiple cats, one of which was suffering from a severe eye infection. In December of 2014, Department of Human Services investigated a report of a 77 year old man in poor health with possible dementia living in a filthy trailer reeking of ammonia. The investigation discovered that the landlord kept her animals in the elderly man's trailer because she did not want them living in her own house. The elderly man did not understand why he was forced to live with the animals.

Just like any other individual who, by way of their profession, encounters victims of interpersonal violence or neglect, social workers are confronted with the cross over between human crime and animal crime on a regular basis. The OHS Investigations Department works frequently with the small number of DHS agents who feel comfortable cross reporting on a consistent basis. The frequency with which we hear from those few contacts tells us that there must be many more agents in the field who are witnessing the simultaneous intersection of human and animal crime but are unsure or uncomfortable with reporting the animal crime in addition to addressing the human element of their cases.

While we support this bill as it is written, we also want to encourage the legislature to take it one step further. Social workers are also regulated by HIPAA and it would be easier for them to reconcile their obligations under HIPAA but imparting a mandatory reporting duty in this bill. If a state law is contrary to a HIPAA regulation then HIPAA supersedes the state law. As the bill reads now, if a social worker learns from a client, through the course of counseling or treating

them, that they are abusing the family dog then HIPAA's privacy regulations prohibit disclosure of that information to anyone (including law enforcement). HIPAA does make an exception for disclosure to law enforcement when "required by law." If this bill made reporting mandatory then that would cause it to fall under the HIPAA exception of "required by law." This would prevent a social worker having to choose between their professional ethics and their personal ethics in reporting animal crime.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Harmon". The signature is fluid and cursive, with the first name being more prominent.

Sharon Harmon  
Executive Director, Oregon Humane Society  
sharon@oregonhumane.org  
(503) 416-2992