

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Human Services and Early Childhood

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

SUBSEQUENT REFERRAL TO: None

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Cheyenne Ross, Administrator

Meeting Dates: 5/5

WHAT THE MEASURE DOES: Allows Department of Human Services or Oregon Health Authority to request financial institution to release specified information regarding deposit accounts held by deceased persons. Creates exception to prohibited release of private financial records.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: The Department of Human Services (DHS) and the Oregon Health Authority (OHA) are permitted to seek recovery of funds paid through supplemental income program assistance (ORS 411.708), general assistance (ORS 411.795), and medical assistance (ORS 416.350) upon the death of the recipient under certain conditions. Financial institutions may satisfy OHA and DHS from the account of a deceased person under certain conditions and in specific situations when those agencies are seeking recovery. Financial institutions must hold a deceased person’s funds for 75 days before releasing them to heirs, which allows time for claims to be made.

OHA and DHS report that many financial institutions release funds without waiting the required 75 days and do not provide information as to the amounts released and to whom, leaving the agencies with little recourse. House Bill 2415-A amends statutes governing private financial records so that financial institutions may release specific information and records upon request and notice from OHA and DHS, such as account balances, and the names of persons who have received funds from an account on or after the account holder’s death, so the agencies can determine whether to pursue recovery of funds.