

**PRELIMINARY STAFF MEASURE SUMMARY****CARRIER:**

Senate Committee on Senate Health Care

**REVENUE: No revenue impact (A version)****FISCAL: Fiscal statement issued (A version)****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Zena Rockowitz, Administrator**Meeting Dates:** 5/18, 5/27

**WHAT THE MEASURE DOES:** Specifies additional conditions under which protected health information may be disclosed by a healthcare provider that does not subject the provider to civil liability. Clarifies additional conditions under which a healthcare provider may disclose protected health information for an individual being treated for mental illness, without obtaining an authorization from the individual or a personal representative. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- High rates of suicide in Oregon
- Communication between providers and caregivers
- Coordination with resources in community
- Clarification of Health Insurance Portability and Accountability Act (HIPAA)

**EFFECT OF COMMITTEE AMENDMENT: -A4 Amendment:** Adds that health care provider who makes disclosure in specified circumstances is not subject to civil liability. **-A5 Amendment:** Names legislation Susanna Gabay Act.

**BACKGROUND:** The Health Insurance Portability and Accountability Act (HIPAA) of 1996 is the law to make it easier for individuals to keep health insurance, protect the confidentiality and security of their healthcare information and to help the healthcare industry. Protected health information (PHI) is information relating to an individual's health status, healthcare or payment for healthcare. Generally, this includes any part of an individual's medical record and/or payment history.