

STAFF MEASURE SUMMARY

House Committee On Health Care

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 04/10/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/23, 04/08, 04/10

Vote:

Yeas: 8 - Buehler, Clem, Greenlick, Hayden, Kennemer, Keny-Guyer, Lively, Nosse

Exc: 1 - Weidner

Prepared By: Sandy Thiele-Cirka, Committee Administrator

WHAT THE MEASURE DOES:

Requires covered entities (i.e., private health insurers, health care providers and health care clearinghouses) that are required to file an annual financial statement with the Department of Consumer and Business Services (DCBS) to also file a protection of health information report demonstrating compliance with federal and state laws protecting individually identifiable health information. Specifies that the report can be a letter and outlines criteria. States the report is confidential. Requires that a health care facility submit a health information report to the Oregon Health Authority (OHA) no later than 120 days following the close of each fiscal year. Requires OHA to prescribe the form for submitting the report.

ISSUES DISCUSSED:

- Recent health care data breaches
- Cost to consumers with data breaches
- Need for ever-changing safeguards
- Current advancements of health information technology
- Proposed amendments

EFFECT OF COMMITTEE AMENDMENT:

Replaces original measure.

BACKGROUND:

According to recent articles, providers across the U.S. have reported health data breaches affecting thousands of patients in recent months. In October 2014, an electronic health record audit showed personal health information from 14 individuals had been compromised. During the investigation, officials found that information from a total of 844 patients had been inappropriately accessed (*iHealthBeat*, 1/28/15). Data accessed between October 2013 and October 2014 (*Healthcare IT News*), indicated that employees improperly viewed: clinical diagnoses; clinical notes; patient demographics; and prescriptions. Additionally, the Health Insurance Portability and Accountability Act (HIPAA) of 1996 mandate the establishment of standards for the privacy of individually identifiable health information.

House Bill 2551-A requires covered entities to report annually on system safeguards for protecting confidentiality of individually identifiable health information.