

STAFF MEASURE SUMMARY

Senate Committee On Health Care

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 05/27/15

Action: Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)

Meeting Dates: 05/18, 05/27

Vote:

Yeas: 5 - Knopp, Kruse, Monnes Anderson, Shields, Steiner Hayward

Prepared By: Zena Rockowitz, Committee Administrator

WHAT THE MEASURE DOES:

Creates conditions under which protected health information may be disclosed by a healthcare provider without obtaining an authorization from the individual or a personal representative. Specifies information that may be disclosed by healthcare provider for an individual being treated for mental illness. Specifies that healthcare provider making disclosure is not subject to any civil liability. 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:

Adds that healthcare provider who makes disclosure is not subject to any civil liability. Names legislation Susanna Blake 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.