

Enrolled
Senate Bill 227

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CHAPTER

AN ACT

Relating to use of information related to trauma injury; amending ORS 431.623 and 431.635.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 431.623 is amended to read:

431.623. (1) The Emergency Medical Services and Trauma Systems Program is created within the Oregon Health Authority for the *[purpose of]* **following purposes:**

- (a) Administering and regulating ambulances[,];
- (b) Training and licensing emergency medical services providers[,];
- (c) Establishing and maintaining emergency medical systems, including trauma systems[,]; and
- (d) Maintaining the Oregon Trauma Registry[*as necessary*] for **purposes related to** trauma reimbursement, system quality assurance and *[ensuring]* cost efficiency.

(2) *[For purposes of ORS 431.575 to 431.619 and ORS chapter 682,]* The duties vested in the authority **under ORS 431.575 to 431.619 and ORS chapter 682** shall be performed by the *[Emergency Medical Services and Trauma Systems]* program.

(3) The program shall be administered by a director.

(4) *[With moneys transferred to the program by ORS 442.625,]* The director of the program shall apply *[those]* moneys **transferred to the program under ORS 442.625** to:

- (a) Developing state and regional standards of care;
- (b) Developing a statewide educational curriculum to teach standards of care;
- (c) Implementing quality improvement programs;
- (d) Creating a statewide data system for prehospital care; and
- (e) Providing ancillary services to enhance *[Oregon's]* **this state's** emergency medical service system.

(5) The director of the program shall adopt rules for the Oregon Trauma Registry[*establishing*]. **Rules adopted under this subsection must establish:**

(a) The information that must be reported by trauma centers **to the program for inclusion in the Oregon Trauma Registry;**

(b) The form and frequency of reporting **information under paragraph (a) of this subsection;** and

(c) Procedures and standards for the administration of the **Oregon Trauma Registry.**

(6) **The director of the program may adopt rules establishing, from information maintained in the Oregon Trauma Registry, a registry of information related to brain injury trauma.**

SECTION 2. ORS 431.635 is amended to read:

431.635. (1) As used in this section, “individually identifiable information” means:

(a) Individually identifiable health information as that term is defined in ORS 179.505; and
(b) Information that could be used to identify a health care provider, ambulance service medical transportation agency or health care facility.

(2) Notwithstanding ORS 431.627, individually identifiable information may be released from the Oregon Trauma Registry:

(a) For use in executive session to conduct specific case reviews by:

(A) The State Trauma Advisory Board or any area trauma advisory board;

(B) The State Emergency Medical Service Committee; or

(C) The Emergency Medical Services for Children Advisory Committee.

(b) To the Oregon Health Authority for purposes related to the administration of public health programs, including:

(A) The establishment of a registry of information related to brain injury trauma as described in ORS 431.623 (6); and

(B) The performance of epidemiological investigations of the causes of and risk factors associated with trauma injuries.

[(b)] (c) [For quality assurance or quality improvement purposes] To an emergency medical services provider or a designated trauma center **for purposes related to quality of service assurance and improvement**, if the information is related to the treatment of an individual by the provider or center.

(d) To the Department of Human Services for purposes related to enabling the department to plan for and provide services to individuals adversely affected by trauma injuries, if the department agrees to use the information only for the purposes described in this paragraph and to maintain the confidentiality of the information.

[(c)] (e) To a person conducting research *[only]* if:

(A) An institutional review board has approved the research in accordance with 45 C.F.R. part 46; and

(B) The person agrees to maintain the confidentiality of the information.

(3) The Oregon Health Authority may release only the minimum amount of individually identifiable information necessary to carry out the purposes for which *[it]* **the information** is released under this section.

Passed by Senate February 19, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 28, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State