

Enrolled
Senate Joint Memorial 4

Sponsored by Senators STEINER HAYWARD, MONNES ANDERSON; Senator SHIELDS (Presession filed.)

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-eighth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas the State of Oregon has begun transforming its health care delivery model to improve access to health care and provide Oregonians with better health care and better health outcomes at a lower cost; and

Whereas focusing on prevention of chronic diseases is a key strategy to improving health outcomes; and

Whereas the State of Oregon has invested in a coordinated care model that is community-based and designed to coordinate services to improve patient care while also achieving economies of scale and scope; and

Whereas the ability to share client information among state agency programs and local government and nonprofit providers is critical to providing better health services and outcomes efficiently; and

Whereas federal and state regulations governing client confidentiality and the sharing of health records impact the state's ability to maximize the efforts of the coordinated care model; and

Whereas 42 C.F.R. part 2 prohibits sharing of information among health care providers of persons undergoing treatment for substance abuse; and

Whereas 42 C.F.R. part 2, which has served as a cornerstone of this state's publicly funded treatment service system since 1975, recognizes that patients may be afraid to enter into treatment without privacy guarantees due to intense and entrenched discrimination; and

Whereas current privacy protections contained in 42 C.F.R. part 2 help prevent patients from losing their jobs, from being evicted from public housing and from losing custody of their children, as well as from other forms of discrimination; and

Whereas the rapid pace of health reform, coupled with ongoing state and federal initiatives to implement health information technology systems, presents exciting opportunities for the prevention, treatment and recovery fields as efforts are made to increase communication and collaboration within the health care system; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

That we, the members of the Seventy-eighth Legislative Assembly, respectfully urge Congress to pass legislation that would better align 42 C.F.R. part 2 with the Health Insurance Portability and Accountability Act by allowing health care providers for a patient to share treatment information while maintaining protections against disclosure and discrimination; and be it further

Resolved, That such legislation would allow states to maintain strong confidentiality protections and still deliver coordinated care and administer electronic health records; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to the Senate Majority Leader, to the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

Adopted by Senate March 12, 2015

Lori L. Brocker, Secretary of Senate

Peter Courtney, President of Senate

Adopted by House May 19, 2015

Tina Kotek, Speaker of House