

**PROPOSED AMENDMENTS TO
HOUSE BILL 2551**

1 On page 1 of the printed bill, line 2, after “information” delete the rest
2 of the line and delete line 3 and insert a period.

3 Delete lines 5 through 31 and delete pages 2 through 6 and insert:

4 **“SECTION 1. Section 2 of this 2015 Act is added to and made a part**
5 **of the Insurance Code.**

6 **“SECTION 2. (1) A covered entity, as defined in ORS 192.556, that**
7 **is required to file an annual financial statement under ORS 731.574**
8 **shall file with the Department of Consumer and Business Services,**
9 **along with the financial statement, a protection of health information**
10 **report. The report may be in the form of a letter, must be signed by**
11 **the chief executive officer of the covered entity and must:**

12 **“(a) State the responsibility of the covered entity’s management to**
13 **establish and maintain adequate safeguards and procedures for pro-**
14 **tecting the confidentiality of personally identifiable and protected**
15 **health information that the covered entity retains in electronic and**
16 **hard copy form;**

17 **“(b) Contain assurances that the signing officer has disclosed to the**
18 **governing board of the covered entity:**

19 **“(A) All significant deficiencies in the design or operation of**
20 **recordkeeping systems or controls that could adversely affect the**
21 **covered entity’s ability to protect the confidentiality of personally**
22 **identifiable and protected health information;**

1 **“(B) Any breaches of the security of personally identifiable and**
2 **protected health information, whether material or not, that involve**
3 **management or other employees who have a significant role in the**
4 **covered entity’s recordkeeping systems or controls; and**

5 **“(C) All necessary steps that have been taken to address deficien-**
6 **cies in the design or operation of recordkeeping systems or controls**
7 **and to resolve any material weaknesses identified to or by the covered**
8 **entity’s auditors; and**

9 **“(c) Contain assurances that the signing officer has identified for**
10 **the governing board of the covered entity any material weaknesses in**
11 **the recordkeeping systems or controls.**

12 **“(2) The protection of health information report is confidential and**
13 **not subject to disclosure under ORS 192.410 to 192.505.**

14 **“SECTION 3. Section 4 of this 2015 Act is added to and made a part**
15 **of ORS chapter 441.**

16 **“SECTION 4. (1) A health care facility shall file with the Oregon**
17 **Health Authority a protection of health information report no later**
18 **than 120 days following the close of each fiscal year. The report may**
19 **be in the form of a letter, must be signed by the chief executive officer**
20 **of the facility and must:**

21 **“(a) State the responsibility of the health care facility’s manage-**
22 **ment to establish and maintain adequate safeguards and procedures**
23 **for protecting the confidentiality of personally identifiable and pro-**
24 **TECTED health information that the facility retains in electronic and**
25 **hard copy form;**

26 **“(b) Contain an assurance that an assessment has been conducted,**
27 **since December 31 of the preceding year, of the effectiveness of the**
28 **safeguards and procedures in protecting the confidentiality of per-**
29 **sonally identifiable and protected health information;**

30 **“(c) Contain assurances that the signing officer has disclosed to the**

1 **board of directors of the facility:**

2 **“(A) All significant deficiencies in the design or operation of**
3 **recordkeeping systems or controls that could adversely affect the**
4 **facility’s ability to protect the confidentiality of personally identifiable**
5 **and protected health information;**

6 **“(B) Any breaches of the security of personally identifiable and**
7 **protected health information, whether material or not, that involve**
8 **management, staff or employees of the facility who have a significant**
9 **role in the facility’s recordkeeping systems or controls; and**

10 **“(C) All necessary steps that have been taken to address deficien-**
11 **cies in the design or operation of recordkeeping systems or controls**
12 **and to resolve any material weaknesses identified by the facility; and**

13 **“(d) Contain assurances that the signing officer has identified for**
14 **the board any material weaknesses in the recordkeeping systems or**
15 **controls.**

16 **“(2) The authority may adopt all rules necessary to carry out the**
17 **provisions of this section.**

18 **“(3) The protection of health information report is confidential and**
19 **not subject to disclosure under ORS 192.410 to 192.505.”.**

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