

Senate Bill 1558

Sponsored by Senators GELSER, KNOPP, Representative LININGER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits disclosure of records of college or university student health center, mental health center or counseling center, or records of health professional retained by college or university to provide health care, mental health care or counseling services to students, to other individuals, offices or entities within, affiliated with or acting on behalf of college or university. Provides exceptions. Declares that health records, mental health records or counseling records of students may not be considered student records by college or university.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to student health records; and declaring an emergency.

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

4 **SECTION 1. (1) A public or private college or university health center, mental health**
5 **center or counseling center that provides health care, mental health care or counseling**
6 **services to students, or a health professional retained by a college or university to provide**
7 **health care, mental health care or counseling services to students, may not disclose any re-**
8 **ords of health care, mental health care or counseling provided to a student to any other**
9 **person, office or entity within the college or university, affiliated with the college or uni-**
10 **versity or acting on behalf of the college or university, except:**

11 (a) For treatment, payment or health care operations, if the disclosure is permitted by
12 and in compliance with 45 C.F.R. 164.506;

13 (b) Pursuant to a lawfully issued subpoena mandating production of the records at issue
14 and for which an applicable privilege against disclosure is not asserted; or

15 (c) To the student or with the written consent of the student.

16 (2) Any records of health care, mental health care or counseling provided to a student
17 of a college or university may not be considered student records by the college or university.

18 **SECTION 2. This 2016 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**
20 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.