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TO: The Honorable Jennifer Williamson, Chair
House Committee on Rules

FROM: Jennifer Woodward, State Registrar
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SUBJECT: HB 2101 Sunsets certain exemptions from disclosure for public records

Chair Williamson and members of the committee; I am Jennifer Woodward, State Registrar, Public Health Division, Oregon Health Authority. I am here today to provide information on House Bill 2101 that repeals many statutes that exempt records from public records disclosure. My testimony today will focus specifically on repealing the statutes that are part of ORS 432 Vital Statistics.

Opening vital records to public disclosure will be a breach of confidentiality for Oregonians, may put many Oregonians at risk of identity theft, and puts the state at great risk for fraudulent use of these legal documents.

The laws governing Oregon's vital records and statistics have been in place since 1903 and ensure that the legal documents establishing a vital event and the data gathered from those documents remain confidential. Repealing ORS 432.250, 432.350 and 432.360 will make all vital records and data from vital records open to public disclosure and available to anyone requesting the records or the data files. The records and data would become public records on January 2, 2028. The records that would become public include: adoptions, births, deaths, fetal deaths, induced termination of pregnancies, marriages, divorces, Oregon Registered Domestic Partnerships and dissolution of Domestic Partnerships. The bill states that to remain exempt from public records law, a Legislative joint committee must review the laws and approve continuing exemption no less than every six years.

Without specific laws restricting access to vital records, any individual can get a person's birth record, as an example, and then use it however they wish including establishing a new identity or multiple identities. The birth record is considered the breeder document for establishing an identity since is it used to get a driver's license, Social Security number and passport, to name a few. Death records have identifying information of the decedent and family members, as well as social security numbers and causes of death. If death records were open to public disclosure, anyone would be able to get the record, see the information and share it. Marriage and divorce records also have identifying information. This law also opens adoption records to anyone who requests them. The adoption records held by the state vital records office are also known as pre-adoption birth records. Pre-adoption birth records include the birth mother's name and other information. These records would be available to the public if this bill passes.

I strongly encourage the committee to keep the state's vital records confidential and secure.

Thank you for this opportunity to testify. I am happy to be a resource to the committee