

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 397 - 1**79th Oregon Legislative Assembly – 2017 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Kim To
Reviewed by: John Borden, Laurie Byerly, Linda Ames, Julie Neburka, Doug Wilson, Steve Bender,
Michelle Deister
Date: 2/13/2017

Measure Description:

Directs Department of Human Services to convene work group to develop common client confidentiality release form to be used by public bodies and community organizations to enable and facilitate appropriate sharing of confidential information.

Government Unit(s) Affected:

Department of Human Services (DHS), Oregon Health Authority (OHA), Department of Justice (DOJ), Oregon Youth Authority (OYA), Department of Corrections, Employment Department, Oregon State Police (OSP), Oregon Judicial Department (OJD), Department of Education

Analysis:

Senate Bill 397:

1. Requires the Department of Human Services (DHS), as soon as practicable, to convene and provide support to a work group to create a standard client confidentiality release form to be used by entities that provide social services (healthcare, mental health services, substance abuse treatment services, education services, juvenile justice services, adult correctional services, employment services, human services) to allow for appropriate sharing of confidential information.
2. Directs the Department of Justice (DOJ) to review state laws and identify statutes that could be modified to better facilitate communications among entities that provide social services. DOJ is required to submit any legislative proposals for these modifications to the 2019 Legislative Assembly. In addition, DOJ must develop and maintain a guide setting forth the applicable laws according to discipline, including but not limited to the release of information by child welfare agencies, law enforcement, juvenile justice agencies, circuit courts, schools, mental health treatment providers, health care providers, substance abuse treatment providers and human services providers. This guide must be available on the DOJ website by December 31, 2018 and must be updated annually. DOJ must also make efforts to notify affected entities of the availability of the guide by January 1, 2019.

The - 1 clarifies language regarding the definition of “public bodies” and removes circuit courts from the guide the DOJ is required to create.

The Department of Human Services and the Oregon Health Authority estimates the staffing and related costs of supporting the workgroup to be approximately \$83,776 General Fund, and DOJ reports that the work required by this bill is the equivalent of 305 billing hours or \$60,390 Other Funds in the 2017-19 biennium and 40 billing hours or \$7,920 Other Funds for each biennium thereafter. At this time, these three agencies will reprioritize the duties and responsibilities of existing staff to do the work required to comply with the provisions of this bill.

It is anticipated that representatives from the Oregon Judicial Department, the Department of Education, the Oregon Youth Authority (OYA), the Department of Corrections, the Employment Department, and the Oregon State Police (OSP) will serve on the workgroup. This fiscal assumes that participation in the workgroup will have minimal impact on these entities. Each of these agencies will reprioritize duties and responsibilities of existing staff to allow participation in the workgroup.