

A-Engrossed Senate Bill 275

Ordered by the Senate April 17
Including Senate Amendments dated April 17

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Health Care for Oregon Medical Association)

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.

[Permits] **Requires** covered entity to [deny request for] **provide** copy of health information regarding individual who is appealing denial of Social Security disability benefits **for period from date of initial application to date of administrative hearing. Permits entity to deny copy of health information** if requested by person other than individual or individual's personal representative without valid written authorization signed by individual. Permits covered entity to charge reasonable fee for duplicate copies of health information or for health information requested by person other than individual or individual's personal representative.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to access to individually identifiable health information; amending ORS 192.576; and de-
3 claring an emergency.

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

5 **SECTION 1.** ORS 192.576 is amended to read:

6 192.576. (1) In the case of an individual appealing the denial of Social Security disability bene-
7 fits, a covered entity shall upon request provide [*one copy of individually identifiable health infor-*
8 *mation free of charge to the individual or the individual's personal representative. At the election of the*
9 *individual or representative, the individually identifiable*] **to the individual or the individual's per-**
10 **sonal representative, free of charge, one copy of the individual's health information created**
11 **after the date of the individual's initial application for Social Security disability benefits and**
12 **before the date of the administrative hearing. At the election of the individual or the**
13 **individual's personal representative, the health information shall be provided in paper or elec-**
14 **tronic format.**

15 **(2) A covered entity may deny a request for a copy of health information if:**

16 **(a) The covered entity has already provided one copy of the health information to the**
17 **individual or the individual's personal representative; or**

18 **(b) The request is made by a person other than the individual or the individual's personal**
19 **representative and the requester has not presented a valid authorization for the release of**
20 **information.**

21 **(3) A covered entity may charge a fee for providing copies of health information, as**
22 **provided in ORS 192.563, if:**

23 **(a) The request for copies is made by a person other than the individual or the**

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.

1 **individual's personal representative; or**

2 **(b) The covered entity has already provided to the individual or the individual's personal**
3 **representative one copy of the information.**

4 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
6 **on its passage.**

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