

Enrolled
Senate Bill 275

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CHAPTER

AN ACT

Relating to access to individually identifiable health information; amending ORS 192.576; and declaring an emergency.

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

SECTION 1. ORS 192.576 is amended to read:

192.576. (1) In the case of an individual appealing the denial of Social Security disability benefits, a covered entity shall upon request provide *[one copy of individually identifiable health information free of charge to the individual or the individual's personal representative. At the election of the individual or representative, the individually identifiable]* **to the individual or the individual's personal representative, free of charge, one copy of the individual's health information created after the date that the individual alleged as the onset of disability in the individual's initial application for Social Security disability benefits and before the date of the administrative hearing. At the election of the individual or the individual's personal representative, the health information shall be provided in paper or electronic format.**

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

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

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

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

(a) The request for copies is made by a person other than the individual or the individual's personal representative; or

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

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

Passed by Senate April 19, 2017

Repassed by Senate June 19, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 14, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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Dennis Richardson, Secretary of State