

Senate Bill 275

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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**.

Permits covered entity to deny request for copy of health information regarding individual who is appealing denial of Social Security disability benefits 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
9 of the individual or **individual's personal** representative, the individually identifiable health infor-
10 mation shall be provided in paper or electronic format.

11 **(2) A covered entity may deny a request for a copy of individually identifiable health in-**
12 **formation if:**

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

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

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

20 **(a) The request for copies is made by a person other than the individual or the personal**
21 **representative; or**

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

24 **SECTION 2.** This 2017 Act being necessary for the immediate preservation of the public
25 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
26 on its passage.
27

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.