

February 18, 2019

Re: Senate Bill 703 – OAHHS Opposes

Chair Floyd Prozanski and Members of the Senate Committee on Judiciary:

On behalf of Oregon's 62 acute care hospitals and health care systems, and the patients and communities they serve, we oppose Senate Bill 703. This legislation could significantly impact the flow of vital, de-identified, HIPAA-compliant information.

Existing HIPPA regulations prohibit the sale of personally identifiable data without authorization and allows for de-identifiable used for specific purposes including research analyses, clinical trials, and epidemiology studies. Senate Bill 703 would prohibit the use of both identifiable and de-identifiable data unless brokered through an entity.

Senate Bill 703 could result in considerable unintended consequences including:

- Creating increased cost and confusion for patients at the point of care
- Potential waivers of patient protection under HIPPA by requiring individual consent for sharing de-identified data without restrictions on how data may be used
- Slowing access to critical data needed for clinical trials and research
- Creating unnecessary delays in diagnostic testing by prohibiting sharing of data between laboratories, health care providers and patients
- Setting a standard for using state law as a vehicle to create demand for proprietary products

Senate Bill 703 is a vendor-driven bill that creates a legal framework for a technology company to broker the sale of health information. We urge this committee to oppose Senate Bill 703.

Respectfully,



Andi Easton
Vice President of Government Affairs
Oregon Association of Hospitals and Health Systems