

SB703 Relies on EXISTING LAW and process (45 CFR 164.508)

A consumer can choose to comply with this bill, with a pen and a piece of paper... No additional new technology, company, or government bureaucracy or infrastructure is required...

HIPAA COMPLIANT AUTHORIZATION FOR THE RELEASE OF PATIENT INFORMATION PURSUANT TO 45 CFR 164.508

TO: _____
Name of Healthcare Provider

Street Address _____

City, State and Zip Code _____

RE: Patient Name: _____

Date of Birth: _____

I authorize and request the review and evaluation in connection with record custody of all covered and protected medical information including:

- All medical records, notes, office notes, face sheets, and emergency room treatment notes, social work discharge summaries, request correspondence, test results, photographs, videotapes, and X-rays.
- All physical, occupational, and dental records.
- All disability, Medicaid or Medicare records.
- All employment, personnel, and performance records.
- All autopsy, laboratory, histology, radiology, bone scan, myelogram, or nuclear medicine results, via CD-ROM or other electronic means.
- All pharmacy/prescription records, including handwritten prescriptions.
- All billing records including records of billing to third parties.

I understand the information to be sexually transmitted disease, acute

80th OREGON LEGISLATIVE ASSEMBLY-2019 Regular Session

Senate Bill 703

Sponsored by Senator PROZANSKI, Representatives GOMBERG, HOLVEY, Senators BEYER, BOQUIST, COURTNEY, DEMBROW, FAGAN, FREDERICK, GOLDEN, KNOPP, LINTHicum, MANNING JR, MONNES, ANDERSON, RILEY, ROHLAN, STEINER, HAYWARD, TAYLOR, THATCHER, WAGNER, Representatives ALONSO, LEON, EVANS, HERNANDEZ, LEIF, LIVELY, MEEK, NOBLE, NOSE, PILESO, POWER, PRUSAK, REARDIN, SALINAS, SANCHEZ, SCHOUTEN, SOLLMAN, STARK, WILDE, WILSON, WITT (at the request of "He/Manity")

SUMMARY

The following summary is not prepared by the sponsor 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.

Prohibits commercial sale of health information by covered entity, business associate, subcontractor, as defined by Health Insurance Portability and Accountability Act of 1996, or other third party, without authorization of individual whose health information would be included in sale. Makes violation of prohibition unlawful practice. Becomes operative January 1, 2021.

A BILL FOR AN ACT

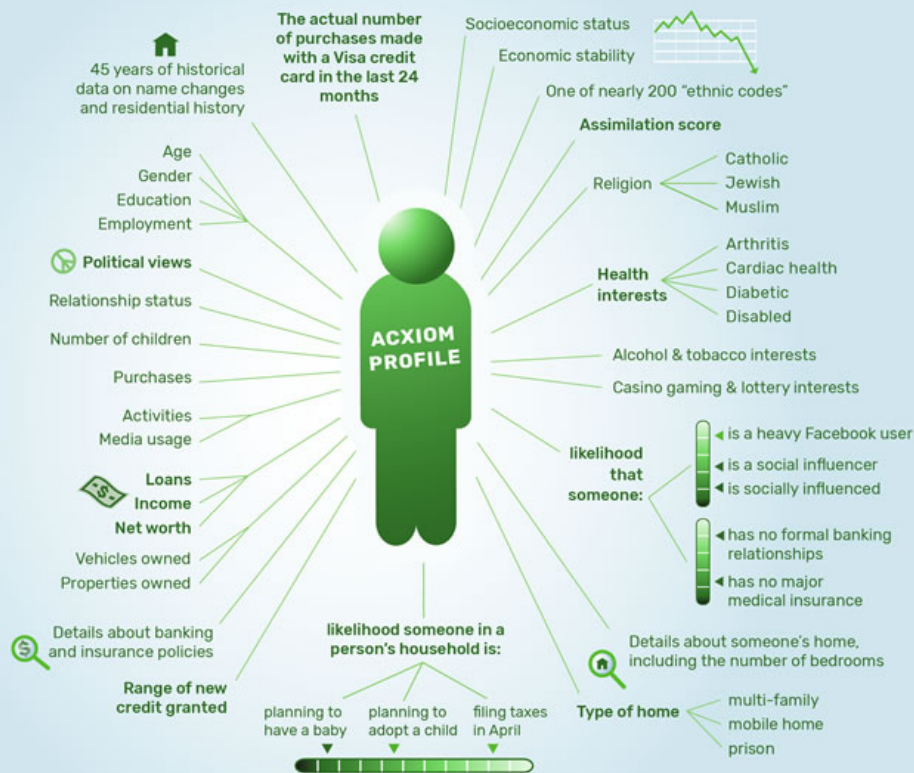
- 1 Relating to the sale of health information; creating new provisions; and amending ORS 646.608.
- 2 Whereas the Health Insurance Portability and Accountability Act of 1996 (HIPAA) protects the
- 3 privacy and security of the protected health information of an individual and affords the individual
- 4 the right to access, amend and obtain an accounting of disclosures of the individual's protected
- 5 health information; and
- 6 Whereas HIPAA balances these protections and individual rights with the need to avoid the
- 7 creation of unnecessary barriers to the access of quality health care; and
- 8 Whereas, notwithstanding individuals' expectations that protected health information will be
- 9 used and disclosed as necessary to treat them, to bill for treatment and, to some extent, to operate
- 10 a covered entity's health care business, protected health information is often used for purposes un-
- 11 related to treatment, payment or health care operations of the covered entity; and
- 12 Whereas companies that provide services on behalf of covered entities that give them and their
- 13 contractors access to protected health information, routinely de-identify individuals' protected health
- 14 information in order to sell the information in de-identified form to third parties for remuneration;
- 15 and
- 16 Whereas after protected health information has been de-identified, it is no longer protected by
- 17 or subject to HIPAA; however, the de-identification process itself is a use of protected health in-
- 18 formation that may only be performed under limited circumstances and for limited purposes under
- 19 HIPAA; and
- 20 Whereas an individual may authorize a use or disclosure of the individual's protected health
- 21 information that is not otherwise permitted by HIPAA, such as for the de-identification of protected
- 22 health information for the purpose of commercial sale; and
- 23 Whereas the individual who authorizes the de-identification of the individual's protected health
- 24 information for the purpose of commercial sale should have the right to assert a property interest
- 25 in the health information such that the individual may receive remuneration in connection with the
- 26 commercial sale; now, therefore,
- 27

NOTE: Matter in boldfaced type is an amended section; matter in italic and brackets is existing law to be omitted. New sections are in boldfaced type.

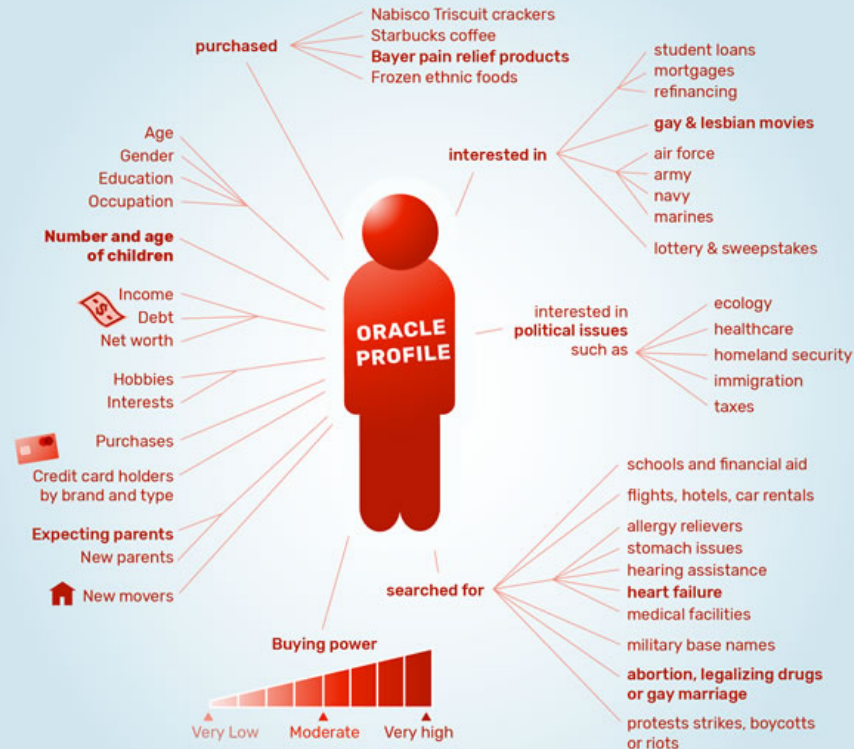
LC 1905

DATA BROKERS HAVE EXTENSIVE PROFILE INFORMATION ON ENTIRE POPULATIONS

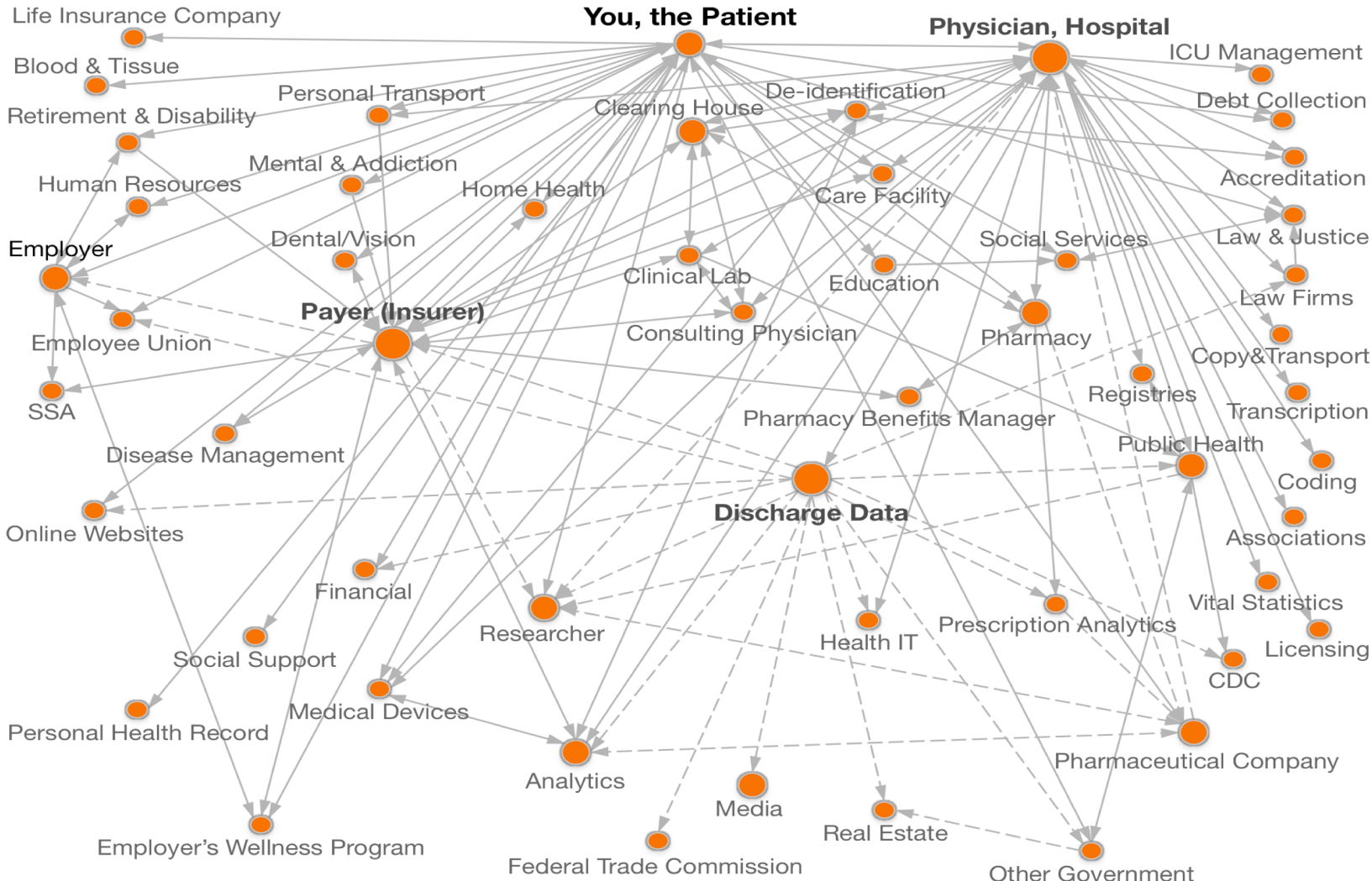
Examples of data on consumers provided by Acxiom and Oracle



Acxiom provides of up 3,000 attributes and scores on 700 million people in the US, Europe, and other regions.



Oracle sorts people into thousands of categories and provides > 30,000 attributes on 2 billion consumer profiles



Below is demonstration of the matchup of the state health information with a newspaper story. [\[source\]](#).

Record	*****
Hospital	162: Sacred Heart Medical Center in Providence
Admit Type	1: Emergency
Type of Stay	
Length of Stay	6 days
Discharge Date	Oct-2011
Discharge Status	under the care of an health service organization
Charges	\$71708.47
Payers	1: Medicare 6: Commercial insurance 625: Other government sponsored patients
Emergency Codes	E8162: motor vehicle traffic accident due to loss of control; loss control mv-mocycl
Diagnosis Codes	S0843: closed fracture of other specified part of pelvis 51851: pulmonary insufficiency following trauma & surgery 2764: hyposmolality & or hyponatremia 78057: tachycardia 2851: acute hemorrhagic anemia
Age in Years	60
Age in Months	720
Gender	Male
ZIP	98851
State Reside	WA
race/ethnicity	Non-Hispanic

MAN 60 THROWN FROM MOTORCYCLE
A 60-year-old Soap Lake man was hospitalized Saturday afternoon after he was thrown from his motorcycle. Ronald Jameson was riding his 2003 Harley-Davidson north on Highway 25, when he failed to negotiate a curve to the left. His motorcycle became airborne before landing in a wooded area. Jameson was thrown from the bike; he was wearing a helmet during the 12:24 p.m. incident. He was taken to Sacred Heart Hospital. The police cited speed as the cause of the crash. [News Review 10/18/2011]

A growing industry

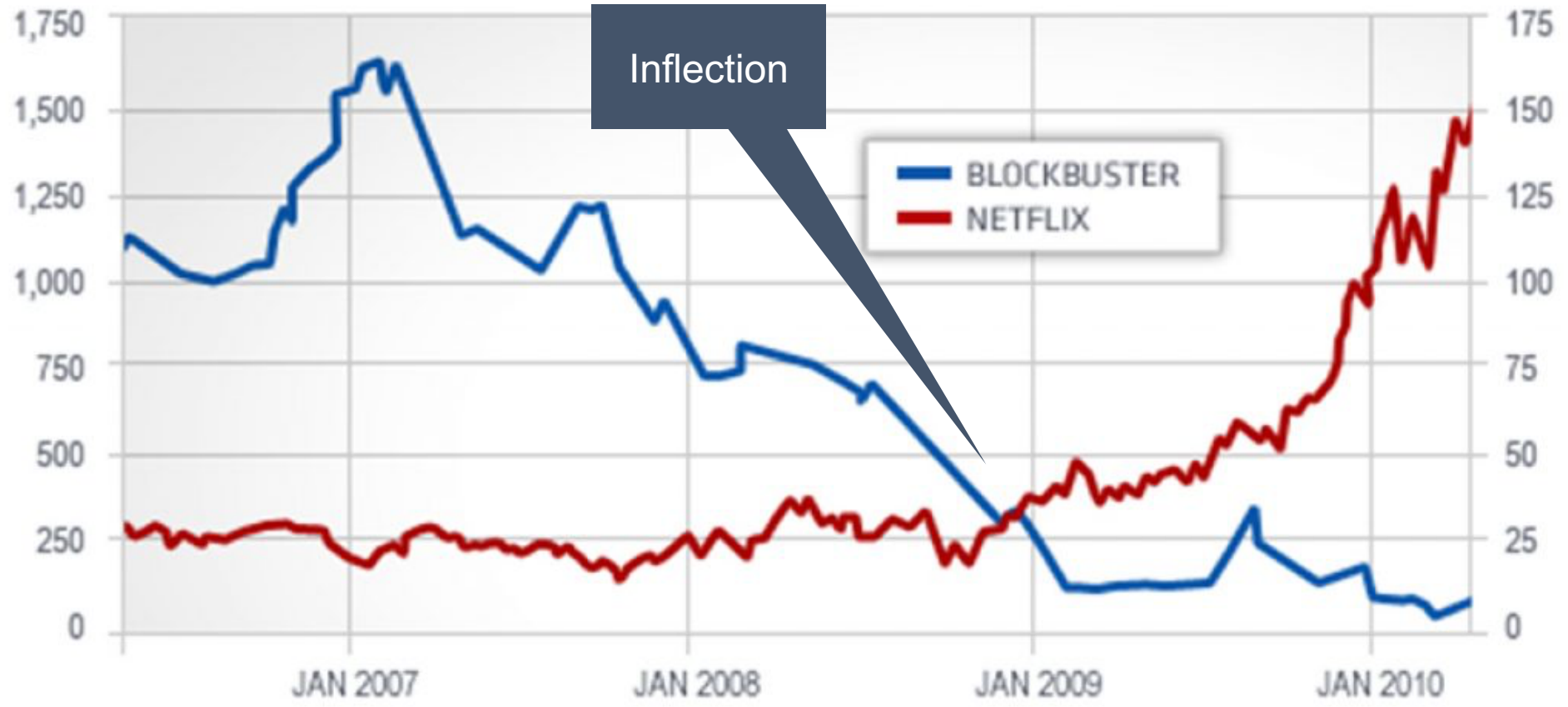


Unity Health Score

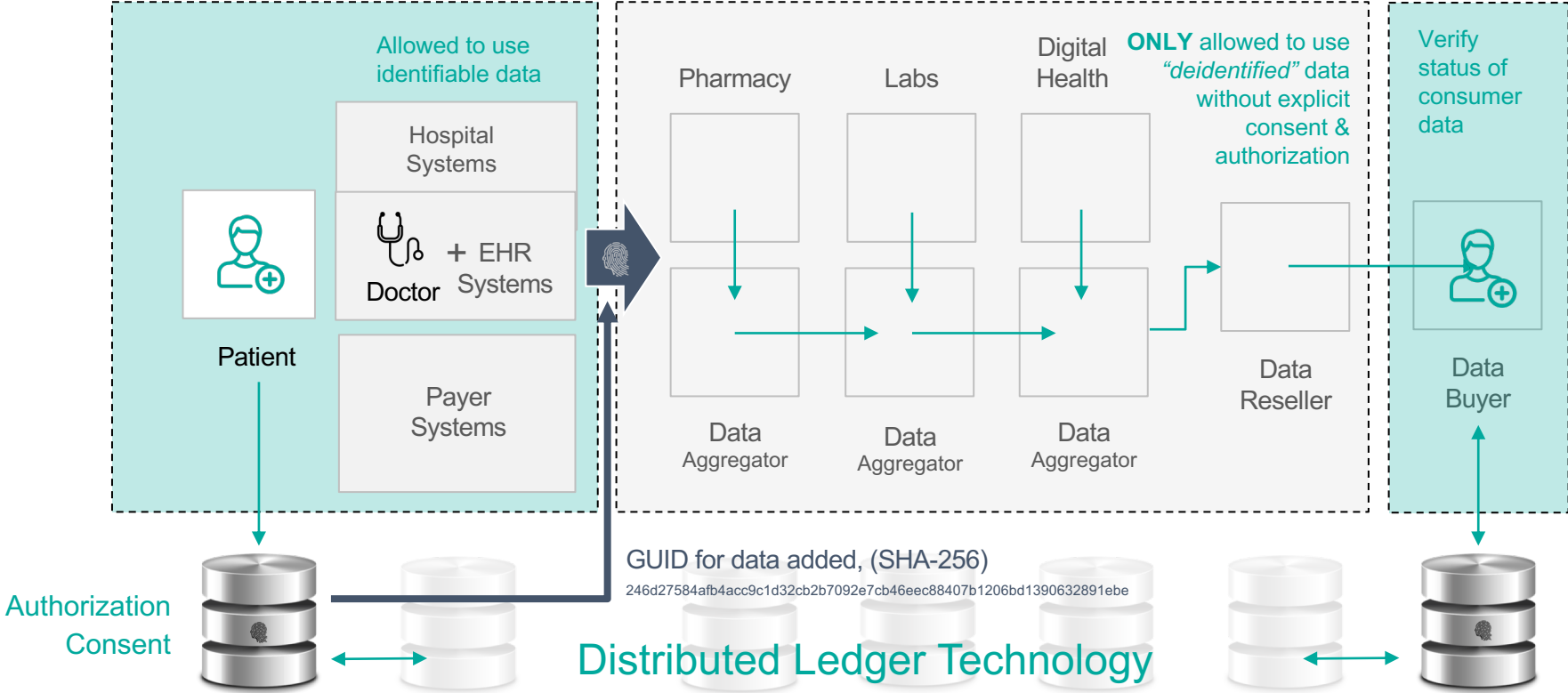


BLOCKBUSTER VS. NETFLIX

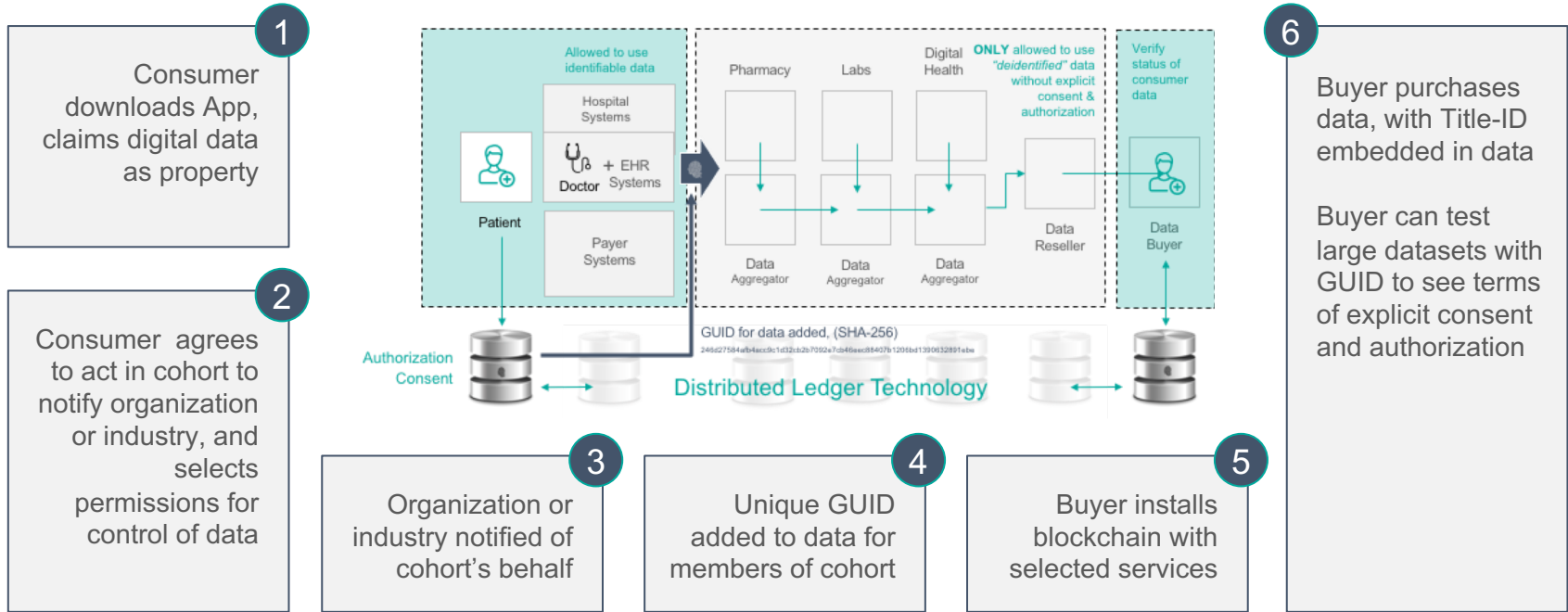
A Five Year Comparision



Solution Architecture



Solution Architecture



Buyers may use healthcare record with explicit consent and authorization