

February 26, 2019

Re: Senate Bill 684 – OAHHS Supports with amendments

Chair Prozanski and Members of the Senate Committee on Judiciary:

Thank you for the opportunity to testify on Senate Bill 684. On behalf of Oregon's 62 hospitals and health care systems, and the patients and communities they serve, we can support SB 684 **with amendments**. SB 684 specifies requirements for covered entities that own, license, maintain, store, manage, collect, process, acquire or otherwise possess personal information, and for vendors that provide services to covered entities, to notify consumers of breach of security.

OAHHS believes the intent of this legislation is to create a "catchall" for hospital data that isn't protected health data under HIPAA. For instance, credit card data from a hospital gift shop or employee data that isn't directly connected to HIPAA data. Technically, this data wouldn't require a hospital to comply with federal HIPAA data breach requirements.

OAHHS can support SB 684 with the following amendments:

- 1) Exempt a hospital from the Oregon data breach law if it treats all personal data within its operation the way it treats data subject to HIPAA. Hospitals agree to provide notice to the Attorney General for breaches that involve 250 impacted individuals.
- 2) Align the timeframe for reporting with current hospital reporting requirements under HIPAA.

Thank you for your consideration of our amendment request.

Thank you,



Kevin Campbell
Government Affairs Representative
Oregon Association of Hospitals and Health Systems