

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 703**

1 On page 1 of the printed bill, line 2, after the first semicolon delete the
2 rest of the line and insert “and declaring an emergency.”.

3 Delete lines 3 through 27.

4 On page 2, delete lines 2 through 45 and delete pages 3 through 10 and
5 insert:

6 **“SECTION 1. (1) The Task Force on Protecting Health Information**
7 **is established.**

8 **“(2) The task force consists of 16 members appointed as follows:**

9 **“(a) One member appointed by the President of the Senate;**

10 **“(b) One member appointed by the Senate Minority Leader;**

11 **“(c) One member appointed by the Speaker of the House of Repre-**
12 **sentatives;**

13 **“(d) One member appointed by the House Minority Leader;**

14 **“(e) One member with expertise in data security appointed by the**
15 **Attorney General;**

16 **“(f) The following members appointed by the Governor:**

17 **“(A) One individual from the Department of Consumer and Busi-**
18 **ness Services who has expertise in consumer health data and data**
19 **breaches;**

20 **“(B) One individual from the Oregon Health Authority with exper-**
21 **tise in health information and data;**

1 “(C) One individual from the American Civil Liberties Union or
2 other organization that advocates for individuals’ rights to privacy;

3 “(D) One individual representing a large hospital;

4 “(E) One individual representing a small hospital;

5 “(F) Two individuals representing licensed health care providers;

6 “(G) Two individuals representing the technology industry, one with
7 expertise in data security and one with expertise in blockchain tech-
8 nology; and

9 “(H) Two public members with divergent backgrounds and experi-
10 ence.

11 “(3) The task force shall:

12 “(a) Research and study various options for the use protected health
13 information for commercial purposes and the sale of protected health
14 information, including the use and sale of information from which
15 personally identifying information has been removed;

16 “(b) Review processes for safeguarding protected health information
17 without restricting an individual’s ability to use the individual’s own
18 information as the individual chooses; and

19 “(c) Study and recommend whether an individual should have a
20 property right or a privacy right in the individual’s health informa-
21 tion, whether or not protected.

22 “(4) The task force may examine models used in other states or
23 countries to recognize an individual’s right to the individual’s health
24 data.

25 “(5) A majority of the voting members of the task force constitutes
26 a quorum for the transaction of business.

27 “(6) Official action by the task force requires the approval of a
28 majority of the voting members of the task force.

29 “(7) The task force shall elect one of its members to serve as
30 chairperson.

1 “(8) If there is a vacancy for any cause, the appointing authority
2 shall make an appointment to become immediately effective.

3 “(9) The task force shall meet at times and places specified by the
4 call of the chairperson or of a majority of the voting members of the
5 task force.

6 “(10) The task force may adopt rules necessary for the operation
7 of the task force.

8 “(11) The task force shall submit a report in the manner provided
9 by ORS 192.245, and may include recommendations for legislation, to
10 the interim committees of the Legislative Assembly related to the ju-
11 diciary no later than December 1, 2019.

12 “(12) The Legislative Policy and Research Office shall provide staff
13 support to the task force.

14 “(13) Members of the Legislative Assembly appointed to the task
15 force are nonvoting members of the task force and may act in an ad-
16 visory capacity only.

17 “(14) Members of the task force who are not members of the Leg-
18 islative Assembly may be reimbursed for actual and necessary travel
19 expenses incurred by the member in the performance of the member’s
20 official duties in the manner and amount provided in ORS 292.495.

21 “(15) All agencies of state government, as defined in ORS 174.111,
22 are directed to assist the task force in the performance of the duties
23 of the task force and, to the extent permitted by laws relating to
24 confidentiality, to furnish information and advice the members of the
25 task force consider necessary to perform their duties.

26 “SECTION 2. Section 1 of this 2019 Act is repealed on December 31,
27 2020.

28 “SECTION 3. This 2019 Act being necessary for the immediate
29 preservation of the public peace, health and safety, an emergency is
30 declared to exist, and this 2019 Act takes effect on its passage.”.

