

HB 3139 A STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Prepared By: C. Ross, Counsel

Meeting Dates: 5/18, 5/20, 5/20

WHAT THE MEASURE DOES:

Specifies when a mental health care provider may disclose relevant health information about a minor without the minor's consent, including when a minor is determined to be a serious and imminent suicide risk. Requires disclosure of relevant information and active safety planning with the minor's parent, legal guardian or other individuals the provider reasonably believes may be able to prevent or reduce suicide risk in cases of serious and imminent risk when inpatient treatment is not necessary or practicable. Specifies when a mental health care provider is not required to disclose a minor's treatment and diagnosis information.

House committee: unanimous

House floor: unanimous

No fiscal or revenue impact

ISSUES DISCUSSED:

- Work of several stakeholders
- Consistency with best practices
- Narrow disclosures when clinically appropriate; when risk is serious and imminent
- Necessity, urgency of safety planning, especially with elevated risk
- Encouraging providers to disclose when appropriate; disclosures already permitted if determined to be in youth's best interest
- Unique, case-by-case circumstances for each youth, and each family; particular vulnerability of LGBTQ+ youth
- Obtaining youth consent if possible; informing youth if/when information is shared and with whom

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to the Oregon Health Authority (OHA), suicide was the second leading cause of death among individuals age 10 to 24 in 2018. Treatment providers currently exercise discretion whether to inform parents when a minor receives suicide assessment, intervention, treatment, or support services.

House Bill 3139 A specifies conditions and imposes requirements on providers to disclose certain health information to parents or guardians without a minor's consent, when the minor receives suicide assessment, intervention, treatment, or support services.