

**SB 216 STAFF MEASURE SUMMARY****Carrier:** Sen. Campos**Senate Committee On Health Care**


---

**Action Date:** 03/01/23  
**Action:** Do pass.  
**Vote:** 3-2-0-0  
**Yeas:** 3 - Campos, Gorsek, Patterson  
**Nays:** 2 - Bonham, Hayden  
**Fiscal:** No fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Daniel Dietz, LPRO Analyst  
**Meeting Dates:** 2/1, 2/6, 2/8, 2/15, 3/1

---

**WHAT THE MEASURE DOES:**

Creates an exception to ORS 181A.823, which prohibits public agencies from collecting data about an individual's immigration or citizenship status or country of birth, so that the Oregon Health Authority (OHA) and the Department of Human Services (DHS) may collect data related to national origin in accordance with standards adopted by an advisory committee. Prohibits personal data collected by OHA and DHS related to race, ethnicity, language, disability, sexual orientation, and gender identity from being disclosed as a public record, allowing for release of data only if it is anonymized and aggregated. Takes effect on the 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- Collection and use of data including race, ethnicity, language, and disability (REALD) and sexual orientation and gender identity (SOGI)
- Privacy of data shared by patients with providers

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Health Authority (OHA) set a goal of eliminating health disparities by 2030 including those based on race, ethnicity, language, or disability (REALD) and sexual orientation or gender identity (SOGI). Oregon law (ORS 413.164) allows REALD and SOGI data to be released only if anonymized and aggregated but does not specifically prohibit the disclosure of personal REALD and SOGI data as public records. Oregon law (ORS 181A.823) restricts public agencies from collecting data related to immigration, citizenship status, or country of birth.

Senate Bill 216 allows the Oregon Health Authority and the Department of Human Services to collect data related to national origin consistent with standards adopted by an advisory committee, and prohibits disclosure of collected data related to race, ethnicity, language, disability, sexual orientation, and gender identity as a public record.