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Date: March 1, 2023

To: Senate Human Services Committee

RE: SB 823

Chair Blouin and Members of the Committee,

As physicians working on a daily basis with the state's most vulnerable youth, we feel that new legislation must be scrutinized to make sure it meets the principle of "Do No Harm".

The final OTIS reports that SB823 intends to release to the requesting public contain intimate details about the lives of young patients who have not consented to the release of their stories. While SB 823 requires names and certain information to be redacted from the reports it does not meet standards for de-identification and will allow easy identification of victims, witnesses, and reporters. A privacy violation of this sort for a minor can produce a permanent serious harm as these stories are then available for release to news outlets and social media.

We are also concerned that this bill will do harm to staff working at child caring agencies by releasing sensitive information that staff have obtained from children in a context that was understood to be private and under HIPAA protection to the general public. This creates moral injury for staff and increases fearfulness about participating in abuse and neglect reporting. This may negatively impact our significant ongoing struggle to recruit and retain child mental health workers.

Our physician organization is opposed to SB 823 as it would open the door to serious privacy violations for youth and families being served and also for child-caring providers.

For the reasons listed above, we suggest the legislature convene an appropriate committee to review the entirety of child abuse & neglect reporting processes to ensure our youth, families, and providers' privacy is sufficiently protected.

Thank you for your consideration,

Oregon Council of Child & Adolescent Psychiatry
Executive Committee