

SB 1570 A -A12 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 2/26

WHAT THE MEASURE DOES:

The measure directs hospitals to establish designated public and nonpublic areas and designate an administrator to respond when law enforcement authorities arrive. It takes effect on the 91st day after sine die.

Detailed Summary:

- Defines “law enforcement”
- Directs hospitals to designate nonpublic areas, where access is controlled or patients receive care
- Requires hospitals to designate an administrator to respond when a law enforcement officer arrives at the hospital
- Prohibits hospitals and federally qualified health centers from retaliating or taking adverse action against any worker who provides a patient with information published by a state agency about constitutional rights or legal services
- Permits an employee who alleges a violation to file a complaint with the Bureau of Labor and Industries (BOLI)
- Prohibits hospitals from disclosing information about a person’s health or immigration status for law enforcement purposes, unless required by law or court order
- Requires a health care provider within a hospital to treat information about citizenship or immigration status as protected health information under state law

Fiscal impact: May have fiscal impact, no statement yet issued.

Revenue impact: May have revenue impact, no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A12 Replaces Section 1. Defines "law enforcement authority" as federal, state, or local law enforcement. Excludes the police department established within Oregon Health and Sciences University. Directs hospitals to maintain written policies to address how to respond if law enforcement arrives at the hospital, including identifying an administrator to respond when law enforcement arrives. Directs hospitals to designate nonpublic areas, where entry or access is controlled, including patient rooms. Prohibits hospitals from disclosing citizenship or immigration status to law enforcement except as required by state or federal law or by court order.

BACKGROUND:

Federal immigration laws are primarily enforced by the U.S. Department of Homeland Security, which oversees U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement. The primary legal foundation for U.S. immigration enforcement is the Immigration and Nationality Act, at [8 U.S.C. Section 1357](#). Local and state police authorities are described in [Oregon Revised Statutes \(ORS\) Chapter 133](#) and [ORS Chapter 181A](#) generally. Hospitals and federally qualified health centers are licensed under [ORS Chapter 441](#). State protections for health information are established in ORS 192.553.