

# House Bill 4147

Sponsored by Representatives WALTERS, BOWMAN, Senator PATTERSON, Representative NELSON, Senator GELSER BLOUIN; Representatives ANDERSEN, EVANS, FRAGALA, GRAYBER, NATHANSON, NOSSE, TRAN, WISE, Senators CAMPOS, FREDERICK, GOLDEN, MEEK, PHAM K, PROZANSKI, REYNOLDS, TAYLOR (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells the Oregon Health Authority to create a report about large employers that have employees who get health care from the state. Takes effect 91 days after the session ends. (Flesch Readability Score: 66.3).

Requires the Oregon Health Authority to collaborate with the Department of Human Services and the Employment Department to submit an annual report that identifies employers that employ 50 or more employees in this state and that have employees or dependents of the employees who are medical assistance recipients.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to medical assistance; creating new provisions; amending ORS 657.665; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

### **SECTION 1.** As used in sections 1 to 5 of this 2026 Act:

(1) **"Dependent"** means the spouse or child of an employee.

(2)(a) **"Employee"** means any person, including noncitizens and minors, employed for remuneration or under any contract of hire, written or oral, express or implied, by an employer.

(b) **"Employee"** does not mean any person who volunteers or donates services performed for no remuneration or without expectation or contemplation of remuneration as the adequate consideration for the services performed for a religious or charitable institution or a governmental entity.

(3)(a) **"Employer"** means a person who employs 50 or more employees in this state.

(b) **"Employer"** does not mean the State of Oregon or a political subdivision thereof or any county, city, district, authority, public corporation or entity and any of their instrumentalities organized and existing under law or charter.

(4) **"Health benefit plan"** has the meaning given that term in ORS 743B.005.

(5) **"Medical assistance"** has the meaning given that term in ORS 414.025.

(6) **"Medical assistance recipient"** means a recipient of medical assistance from any program operated by the Oregon Health Authority, including the Cover All People program established in ORS 414.231.

(7) **"Protected health information"** has the meaning given that term in ORS 192.556.

**SECTION 2.** (1) Not later than January 15 of each year, the Oregon Health Authority, in collaboration with the Department of Human Services and the Employment Department,

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 shall submit a report to the interim committees of the Legislative Assembly related to health  
 2 care, in the manner provided by ORS 192.245, and to the Legislative Fiscal Officer, that in-  
 3 cludes the following information for the preceding calendar year:

4 (a) For each employer in this state that has employees or dependents of the employees  
 5 who are medical assistance recipients:

6 (A) The name of the employer;

7 (B) A description of the industry in which the employer does business in this state, using  
 8 the North American Industry Classification System code associated with the employer;

9 (C) The total number of employees employed by the employer in this state;

10 (D) Whether the employer offers a health benefit plan to its employees and employees'  
 11 dependents and, if so, whether the health benefit plan is self-funded or fully insured;

12 (E) The total number of medical assistance recipients who are an employee of the em-  
 13 ployer;

14 (F) The total number of medical assistance recipients who are a dependent of an em-  
 15 ployee of the employer;

16 (G) The cost of providing medical assistance to the employees or dependents; and

17 (H) Quarterly wage data or hours worked categories pertaining to the employees.

18 (b) Aggregated statewide information regarding:

19 (A) The total number of medical assistance recipients who are employees or dependents;

20 (B) The total number of medical assistance recipients who are employees or dependents,  
 21 distributed by employer size;

22 (C) The total number of medical assistance recipients who are employees or dependents,  
 23 distributed by industry;

24 (D) The total number of medical assistance recipients who are employees or dependents,  
 25 distributed by region; and

26 (E) The demographics of medical assistance recipients who are employees or dependents.

27 (c) Analysis of trends related to the number of medical assistance recipients who are  
 28 employees or dependents, as compared to earlier years.

29 (d) A summary of the 20 employers with the highest total number of medical assistance  
 30 recipients who are an employee of the employer or a dependent of an employee.

31 (2) A report required under this section may not include any personally identifiable in-  
 32 formation or protected health information of an employee or dependent whose information  
 33 is included in the report.

34 (3) The collection, storage and release of health care data and other information under  
 35 sections 1 to 5 of this 2026 Act is subject to the privacy regulations of the federal Health  
 36 Insurance Portability and Accountability Act.

37 **SECTION 3.** The Oregon Health Authority shall publish a report described in section 2  
 38 of this 2026 Act on the authority's website no later than 10 days after the authority submits  
 39 the report as required under section 2 of this 2026 Act.

40 **SECTION 4.** The Oregon Health Authority, the Department of Human Services and the  
 41 Employment Department may enter into an interagency agreement for the purpose of car-  
 42 rying out duties and responsibilities under sections 1 to 5 of this 2026 Act. An interagency  
 43 agreement under this section must include provisions for:

44 (1) Good faith cooperation among the authority, the Department of Human Services and  
 45 the Employment Department to enable the authority to carry out its duties and responsibil-

ities under law or under the agreement;

(2) The sharing of resources and information necessary for the authority to carry out its duties and responsibilities under law or under the agreement, to the extent permitted by law; and

(3) Ensuring the privacy and security of information shared under the agreement.

**SECTION 5.** (1) The Oregon Health Authority shall adopt rules necessary to carry out the duties and responsibilities of the authority under sections 1 to 5 of this 2026 Act. The rules must include procedures for ensuring the privacy and security of protected health information and personally identifiable information that is collected, stored or released under sections 1 to 5 of this 2026 Act, including ensuring that the use of data or information under sections 1 to 5 of this 2026 Act is compliant with applicable federal and state privacy laws.

(2) The Department of Human Services and the Employment Department may adopt rules necessary to carry out the provisions of sections 1 to 5 of this 2026 Act.

**SECTION 6.** ORS 657.665 is amended to read:

657.665. (1) Except as provided in subsections (2) to (5) of this section, all information in the records of the Employment Department pertaining to the administration of the unemployment insurance, employment service and workforce and labor market information programs:

(a) Is confidential and for the exclusive use and information of the Director of the Employment Department in administering the unemployment insurance, employment service and workforce and labor market information programs in Oregon.

(b) May not be used in any court action or in any proceeding pending in the court unless the director or the state is a party to the action or proceeding or unless the proceeding concerns the establishment, enforcement or modification of a support obligation and support services are being provided by the Division of Child Support or the district attorney pursuant to ORS 25.080.

(c) Is exempt from disclosure under ORS 192.311 to 192.478.

(2) The Employment Department shall disclose information:

(a) To any claimant or legal representative, at a hearing before an administrative law judge, to the extent necessary for the proper presentation of an unemployment insurance claim.

(b) Upon request to the United States Secretary of Labor. The Employment Department shall disclose the information in a form and containing the information that the United States Secretary of Labor may require. The information disclosed is confidential and may not be used for any other purpose.

(c) Pursuant to section 303(a)(7) of the Social Security Act, upon request to any agency of the United States charged with the administration of public works or assistance through public employment. Under this paragraph, the Employment Department shall disclose the name, address, ordinary occupation and employment status of each recipient of unemployment insurance benefits and a statement of the recipient's right to further benefits under this chapter. The information disclosed is confidential and may not be used for any other purpose.

(d) Pursuant to section 303(c)(1) of the Social Security Act, to the Railroad Retirement Board. Under this paragraph, the Employment Department shall disclose unemployment insurance records. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the board.

(e) Pursuant to section 303(d) of the Social Security Act, upon request to officers and employees of the United States Department of Agriculture and to officers or employees of any state Supplemental Nutrition Assistance Program agency for the purpose of determining an individual's eligibil-

ity for or the amount of supplemental nutrition assistance. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the United States Department of Agriculture.

(f) Pursuant to section 303(e)(1) and (2)(A)(ii) of the Social Security Act, to state or local child support enforcement agencies enforcing child support obligations under Title IV-D of the Social Security Act for the purposes of establishing child support obligations, locating individuals owing child support obligations and collecting child support obligations from those individuals. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the child support enforcement agency.

(g) Pursuant to sections 303(f) and 1137 of the Social Security Act, to agencies participating in the income and eligibility verification system for the purpose of verifying an individual's eligibility for benefits, or the amount of benefits, under unemployment insurance, temporary assistance for needy families, Medicaid, the Supplemental Nutrition Assistance Program, Supplemental Security Income, child support enforcement or Social Security programs. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the requesting agency.

(h) Pursuant to section 303(h) of the Social Security Act and section 3304(a)(16)(B) of the Federal Unemployment Tax Act, to the United States Department of Health and Human Services National Directory of New Hires. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the United States Department of Health and Human Services.

(i) Pursuant to section 303(i) of the Social Security Act, to officers and employees of the United States Department of Housing and Urban Development and to representatives of a public housing agency for the purpose of determining an individual's eligibility for benefits, or the amount of benefits, under a housing assistance program of the United States Department of Housing and Urban Development. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the United States Department of Housing and Urban Development or the public housing agency.

(j) Pursuant to regulations of the United States Secretary of Health and Human Services issued under section 3304(a)(16)(A) of the Federal Unemployment Tax Act, and except as required by section 303 of the Social Security Act, to the state, a political subdivision or a federally recognized Indian tribe that has signed an agreement with the Department of Human Services to administer Part A of Title IV of the Social Security Act for the purpose of determining an individual's eligibility for assistance, or the amount of assistance, under a program funded under Part A of Title IV of the Social Security Act. The information disclosed is confidential and may not be used for any other purpose.

(k) Upon request, to the United States Attorney's Office. Under this paragraph, the Employment Department may disclose an individual's employment and wage information in response to a federal grand jury subpoena or for the purpose of collecting civil and criminal judgments, including restitution and special assessment fees. The information disclosed is confidential and may not be used for any other purpose. The costs of disclosing information under this paragraph shall be paid by the United States Attorney's Office.

(3) The Employment Department may disclose information secured from employing units:

(a) To state agencies, federal agencies, local government agencies, public universities listed in ORS 352.002 and the Oregon Health and Science University established under ORS 353.020, to the

1 extent necessary to properly carry out governmental planning, performance measurement, program  
2 analysis, socioeconomic analysis or policy analysis functions performed under applicable law. The  
3 information disclosed is confidential and may not be disclosed by the agencies or universities in any  
4 manner that would identify individuals, claimants, employees or employing units. If the information  
5 disclosed under this paragraph is not prepared for the use of the Employment Department, the costs  
6 of disclosing the information shall be paid by the agency or university requesting the information.

7 (b) As part of a geographic information system. Points on a map may be used to represent eco-  
8 nomic data, including the location, employment size class and industrial classification of businesses  
9 in Oregon. Information presented as part of a geographic information system may not give specific  
10 details regarding a business's address, actual employment or proprietary information. If the infor-  
11 mation disclosed under this paragraph is not prepared for the use of the Employment Department,  
12 the costs of disclosing the information shall be paid by the party requesting the information.

13 (c) In accordance with ORS 657.673.

14 (4) The Employment Department may:

15 (a) Disclose information to public employees in the performance of their duties under state or  
16 federal laws relating to the payment of unemployment insurance benefits, the provision of employ-  
17 ment services and the provision of workforce and labor market information.

18 (b) At the discretion of the Director of the Employment Department and subject to an intera-  
19 gency agreement, disclose information to public officials in the performance of their official duties  
20 administering or enforcing laws within their authority and to the agents or contractors of public  
21 officials. The public official shall agree to assume responsibility for misuse of the information by  
22 the official's agent or contractor.

23 (c) Disclose information pursuant to an informed consent, received from an employer or claim-  
24 ant, to disclose the information.

25 (d) Disclose information to partners under the federal Workforce Innovation and Opportunity  
26 Act for the purpose of administering state workforce programs under the Act. The information dis-  
27 closed is confidential and may not be used for any other purpose. The costs of disclosing information  
28 under this paragraph shall be paid by the requesting partner.

29 (e) Disclose the names and addresses of employing units to the Bureau of Labor and Industries  
30 for the purpose of disseminating information to employing units. The names and addresses disclosed  
31 are confidential and may not be used for any other purpose. If the information disclosed under this  
32 paragraph is not prepared for the use of the Employment Department, the costs of disclosing the  
33 information shall be paid by the bureau.

34 (f) Disclose information to the Commissioner of the Bureau of Labor and Industries for the  
35 purpose of performing duties under ORS 279C.800 to 279C.870, 658.005 to 658.245 or 658.405 to  
36 658.511 or ORS chapter 652, 653 or 659A. The information disclosed may include the names and ad-  
37 dresses of employers and employees and payroll data of employers and employees. The information  
38 disclosed is confidential and may not be used for any other purpose. If the information disclosed  
39 under this paragraph is not prepared for the use of the Employment Department, the costs of dis-  
40 closing the information shall be paid by the bureau.

41 (g) Disclose information required under ORS 657.660 (3) and (4) to the Public Employees Re-  
42 tirement System for the purpose of determining the eligibility of members of the retirement system  
43 for disability under ORS chapters 238 and 238A. The information disclosed is confidential and may  
44 not be used for any other purpose. The costs of disclosing information under this paragraph shall  
45 be paid by the Public Employees Retirement System.

1 (h) Disclose to the Oregon Business Development Commission and the Oregon Business Devel-  
2 opment Department information required by the commission and the department in performing their  
3 duties under ORS 285A.050 and 285B.630 to verify changes in employment levels following direct  
4 employer participation in department programs or indirect participation through municipalities un-  
5 der ORS 285B.410 to 285B.482. The information disclosed to the commission and the department may  
6 include an employer's employment level, total subject wages payroll and whole hours worked. The  
7 information disclosed is confidential and may not be used for any other purpose. The commission  
8 and the department may not disclose the information in any manner that would identify an employ-  
9 ing unit or employee except to the extent necessary to carry out the commission's and the  
10 department's duties under ORS 285A.050 and 285B.630. If the information disclosed under this para-  
11 graph is not prepared for the use of the Employment Department, the costs of disclosing the infor-  
12 mation shall be paid by the commission or the Oregon Business Development Department.

13 (i) Disclose information to the Department of Revenue for the purpose of performing its duties  
14 under ORS 293.250 or under the revenue and tax laws of this state, or for the purpose of using in-  
15 formation reported by employers and claimants to detect potential identity theft or fraudulent  
16 claims. The information disclosed may include the names and addresses of employers and employees  
17 and payroll data of employers and employees. The information disclosed is confidential and may not  
18 be disclosed by the Department of Revenue in any manner that would identify an employing unit  
19 or employee except to the extent necessary to carry out the department's duties under ORS 293.250  
20 or in auditing or reviewing any report or return required or permitted to be filed under the revenue  
21 and tax laws administered by the department. The Department of Revenue may not disclose any in-  
22 formation received to any private collection agency or for any other purpose. If the information  
23 disclosed under this paragraph is not prepared for the use of the Employment Department, the costs  
24 of disclosing the information shall be paid by the Department of Revenue.

25 (j) Disclose information to the Department of Consumer and Business Services for the purpose  
26 of performing its duties under ORS chapters 654 and 656. The information disclosed may include the  
27 name, address, number of employees and industrial classification code of an employer and payroll  
28 data of employers and employees. The information disclosed is confidential and may not be disclosed  
29 by the Department of Consumer and Business Services in any manner that would identify an em-  
30 ploying unit or employee except to the extent necessary to carry out the department's duties under  
31 ORS chapters 654 and 656, including administrative hearings and court proceedings in which the  
32 Department of Consumer and Business Services is a party. If the information disclosed under this  
33 paragraph is not prepared for the use of the Employment Department, the costs of disclosing the  
34 information shall be paid by the Department of Consumer and Business Services.

35 (k) Disclose information to the Construction Contractors Board for the purpose of performing  
36 its duties under ORS chapter 701. The information disclosed to the board may include the names and  
37 addresses of employers and status of their compliance with this chapter. If the information disclosed  
38 under this paragraph is not prepared for the use of the Employment Department, the costs of dis-  
39 closing the information shall be paid by the board.

40 (L) Disclose information to the State Fire Marshal to assist the State Fire Marshal in carrying  
41 out duties under ORS 453.307 to 453.414. The information disclosed may include the name, address,  
42 telephone number and industrial classification code of an employer. The information disclosed is  
43 confidential and may not be disclosed by the State Fire Marshal in any manner that would identify  
44 an employing unit except to the extent necessary to carry out duties under ORS 453.307 to 453.414.  
45 If the information disclosed under this paragraph is not prepared for the use of the Employment

1 Department, the costs of disclosing the information shall be paid by the Department of the State Fire  
2 Marshal.

3 (m) Disclose information to the Higher Education Coordinating Commission for the purpose of  
4 performing the commission's duties under ORS chapter 348 and Title IV of the Higher Education  
5 Act of 1965. The information disclosed may include the names and addresses of employers and em-  
6 ployees and payroll data of employers and employees. The information disclosed is confidential and  
7 may not be disclosed by the commission in any manner that would identify an employing unit or  
8 employee except to the extent necessary to carry out the commission's duties under ORS chapter  
9 348 or Title IV of the Higher Education Act of 1965. If the information disclosed under this para-  
10 graph is not prepared for the use of the Employment Department, the costs of disclosing the infor-  
11 mation shall be paid by the commission.

12 (n) Disclose information to the Department of Transportation to assist the Department of  
13 Transportation in carrying out the duties of the Department of Transportation relating to collection  
14 of delinquent and liquidated debts, including taxes, under ORS 184.610 to 184.665, 184.670 to 184.733  
15 and 805.263, ORS chapter 319 and the Oregon Vehicle Code. The information disclosed may include  
16 the names and addresses of employers and employees and payroll data of employers and employees.  
17 The information disclosed is confidential and may not be disclosed by the Department of Transpor-  
18 tation in any manner that would identify an employing unit or employee except to the extent nec-  
19 essary to carry out the Department of Transportation's duties relating to collection of delinquent  
20 and liquidated debts or in auditing or reviewing any report or return required or permitted to be  
21 filed under the revenue and tax laws administered by the Department of Transportation. The De-  
22 partment of Transportation may not disclose any information received to any private collection  
23 agency or for any other purpose. If the information disclosed under this paragraph is not prepared  
24 for the use of the Employment Department, the costs of disclosing the information shall be paid by  
25 the Department of Transportation.

26 (o) Disclose information to the Department of Human Services and the Oregon Health Authority  
27 to assist the Department of Human Services and the Oregon Health Authority in the collection of  
28 debts that the Department of Human Services and the Oregon Health Authority are authorized by  
29 law to collect. The information disclosed may include the names, addresses and payroll data of em-  
30 ployers and employees. The information disclosed is confidential and may not be disclosed by the  
31 Department of Human Services or the Oregon Health Authority in a manner that would identify an  
32 employing unit or employee except to the extent necessary for the collection of debts as described  
33 in this paragraph. The Department of Human Services and the Oregon Health Authority may not  
34 disclose information received under this paragraph to a private collection agency or use the infor-  
35 mation for a purpose other than the collection of debts as described in this paragraph. If the infor-  
36 mation disclosed under this paragraph is not prepared for the use of the Employment Department,  
37 the costs of disclosing the information shall be paid by the Department of Human Services or the  
38 Oregon Health Authority.

39 (p) Disclose to the Alcohol and Drug Policy Commission information required by the commission  
40 in evaluating and measuring the performance of substance use prevention, substance use disorder  
41 treatment and recovery support services programs under ORS 430.223 or the impact of the programs  
42 on employment. The information disclosed to the commission may include total subject wages payroll  
43 and whole hours worked. The information disclosed under this paragraph is confidential and may  
44 not be used for any other purpose. The commission may not disclose the information in any manner  
45 that would identify an employing unit or employee except to the extent necessary to carry out the

commission's duties under ORS 430.223. If the information disclosed under this paragraph is not prepared for the use of the Employment Department, the costs of disclosing the information shall be paid by the commission.

(q) Disclose to any person establishment level information secured pursuant to this chapter from federal, state and local government agencies, public universities listed in ORS 352.002 or the Oregon Health and Science University established under ORS 353.020. If the information disclosed under this paragraph is not prepared for the use of the Employment Department, the costs of disclosing the information shall be paid by the person requesting the information.

(r) Disclose to any person the industrial classification code assigned to an employing unit. If the information disclosed under this paragraph is not prepared for the use of the Employment Department, the costs of disclosing the information shall be paid by the person requesting the information.

(s) Disclose information to the State Treasurer useful for the purpose of performing the State Treasurer's duties under ORS 98.302 to 98.436, 98.992 and 116.253 and the role of an estate administrator under ORS 113.235. The information disclosed is confidential and may not be used by the State Treasurer for any other purpose. If the information disclosed is not prepared for the use of the Employment Department, the costs of disclosing the information shall be paid by the State Treasurer.

**(t) Disclose information to the Oregon Health Authority and the Department of Human Services to assist the authority and the department in carrying out duties and responsibilities under sections 1 to 5 of this 2026 Act. The information disclosed may include the number of employees and industrial classification code of an employer and the names, addresses and payroll data of employers and employees. The information disclosed is confidential and may not be used for any other purpose. The authority and the department may not disclose the information in any manner that would identify an employer or employee except to the extent necessary to carry out the authority's and department's duties under sections 1 to 5 of this 2026 Act.**

(5) The Employment Department may make public all decisions of the Employment Appeals Board.

(6) Any officer appointed by or any employee of the Director of the Employment Department who discloses confidential information, except with the authority of the director, pursuant to rules or as otherwise required by law, may be disqualified from holding any appointment or employment with the Employment Department.

(7) Any person or any officer or employee of an entity to whom information is disclosed by the Employment Department under this section who divulges or uses the information for any purpose other than that specified in the provision of law or agreement authorizing the use or disclosure may be disqualified from performing any service under contract or disqualified from holding any appointment or employment with the state agency that engaged or employed that person, officer or employee. The Employment Department may immediately cancel or modify any information sharing agreement with an entity when a person or an officer or employee of that entity discloses confidential information, other than as specified in law or agreement.

**SECTION 7. This 2026 Act takes effect on the 91st day after the date on which the 2026 regular session of the Eighty-third Legislative Assembly adjourns sine die.**