

Requested by Senator THATCHER

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4088**

1 On page 2 of the printed A-engrossed bill, line 24, delete “, a private cit-
2 izen” and delete “an investigation or”.

3 In line 25, delete “inquiry” and insert “a federal or interstate investi-
4 gation”.

5 On page 4, delete lines 26 through 40 and insert:

6 **“SECTION 9. Confidentiality of individually identifiable informa-**
7 **tion.** (1) As used in this section, ‘individually identifiable
8 information’ means any oral or written health information in any
9 form or medium that is identifiable to an individual, including demo-
10 graphic information that identifies the individual, or for which there
11 is a reasonable basis to believe the information can be used to identify
12 an individual, and that relates to applications for or receipt of legally
13 protected reproductive or gender-affirming health care activities paid
14 for in part or in whole by the Oregon Health Authority.

15 **“(2) Individually identifiable information obtained by the authority:**

16 **“(a) Is confidential and not subject to disclosure under ORS 192.311**
17 **to 192.478;**

18 **“(b) May be disclosed only as necessary and directly connected with**
19 **the administration of the state medical assistance program or the**
20 **authority’s duties and responsibilities under ORS 435.230; and**

21 **“(c) Is confidential, nondiscoverable and inadmissible in any judicial**

1 or administrative proceeding that is not directly connected with the
2 authority's administration of the state medical assistance program or
3 the programs described in ORS 435.230.

4 “(3) Nothing in this section prohibits the authority from including
5 data derived from information related to a legally protected reproduc-
6 tive or gender-affirming health care activity in the limited use data
7 sets included in the comprehensive health care information system
8 developed under ORS 442.373, provided the following direct identifiers
9 of the individual or of relatives, employers or household members of
10 the individual are excluded:

11 “(a) Names;

12 “(b) Postal address information, other than town or city, state and
13 zip code;

14 “(c) Telephone numbers;

15 “(d) Facsimile numbers;

16 “(e) Email addresses;

17 “(f) Social Security numbers;

18 “(g) Medical record numbers;

19 “(h) Health plan beneficiary numbers;

20 “(i) Account numbers;

21 “(j) Certificate or license numbers;

22 “(k) Vehicle identifiers and serial numbers, including license plate
23 numbers;

24 “(L) Device identifiers and serial numbers;

25 “(m) Internet universal resource locators;

26 “(n) Internet Protocol address numbers;

27 “(o) Biometric identifiers, including finger and voice prints; and

28 “(p) Full face photographic images and any comparable images.”

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