



AMERICAN CIVIL LIBERTIES UNION

Oregon

February 2, 2026
House Committee on Judiciary
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Support of House Bill 4088

Dear Chair Kropf, Vice-Chair Chotzen, Vice-Chair Wallan and members of the committee,

Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union of Oregon (ACLU of Oregon). The ACLU of Oregon is a nonprofit, nonpartisan organization dedicated to preserving and enhancing civil rights and civil liberties, with more than 50,000 members and donor supporters statewide.

- **Oregonians overwhelmingly believe that personal healthcare decisions should be made by individuals and our healthcare providers – not by politicians and the government**

Along with the majority of Oregonians across the state, ACLU of Oregon's members share these core values:

- We stand with our health care providers who deliver lawful and essential health care.
- We believe that everyone deserves access to medically-necessary, lawful health care, free from interference, stigma, or surveillance.
- We believe that everyone has the right to have their private, personal health information protected when seeking legally-protected health care.
- We believe that personal health care decisions should be made by individuals and our healthcare providers — not by politicians and the government.

- **The federal government and out-of-state actors are increasingly escalating threats against providers and patients who are providing and receiving lawful health care in Oregon.**

Unfortunately, the federal government and out-of-state actors are increasingly threatening essential, lawful health care in Oregon:

- During 2025, the Trump administration aggressively attacked reproductive, sexual, and gender-affirming, health and rights across the country. The White House attacked abortion access, threatened patient privacy and safety, attempted to deny abortion access in emergency situations, weaponized federal Medicaid dollars, attacked contraception, and attacked trans rights and health care.

- During 2025, there were 1,022 anti-trans bills introduced across the United States, and 126 of these bills were passed. As of January 2026, the ACLU is tracking 96 healthcare restriction bills across the U.S. that target the LGBTQ+ community.
- The Trump administration's attacks – often issued as presidential executive orders or federal agency memoranda and directives – weaponize misinformation, inaccurate language, and inflammatory rhetoric to create stigma, confusion, and fear around essential reproductive and gender-affirming health care. These actions rely on anti-science, and transphobic language to undermine the patient autonomy and erase the identities of targeted communities.
- Currently, multiple states have passed laws or used other strategies to criminalize or threaten to criminalize, investigate, or retaliate against people and organizations for providing, receiving, or supporting access to abortion, reproductive health care, and trans health care.

As these threats escalate, Oregon has a responsibility to protect our health care providers and their ability to lawfully practice medicine, and to protect patients' ability to receive legal health care without fear of government retaliation or privacy intrusions.

- **HB 4088 is a commonsense bill that strengthens protections for healthcare providers and patients who provide or receive lawful health care in Oregon.**

HB 4088 strengthens Oregon laws to protect health care providers and patients from federal government and out-of-state investigations or prosecutions of lawful, essential health care in Oregon. It also strengthens critical privacy protections.

Similar to laws passed by other states, HB 4088 strengthens Oregon law by:

- Prohibiting public agencies in Oregon from cooperating with federal and out-of-state actions that investigate legal reproductive or gender-affirming health care provided in Oregon.
- Prohibiting extraditions of non-fugitive healthcare providers or patients who provide or receive legal health care in Oregon.

HB 4088 expands existing licensing protections to include midwives so they are not penalized by the licensing board for providing health care that is lawful in Oregon. This is consistent with current Oregon law that already provides licensing and malpractice insurance protections for many health care providers.

HB 4088 strengthens privacy protections to cover images and phone numbers for all those who engage in legal reproductive and gender-affirming health care in Oregon, including clinic managers, medical assistants, and peer support staff. Current Oregon law provides privacy protections for health care providers, but does not explicitly protect their images and phone numbers and does not cover all healthcare staff who need these protections.

HB 4088 restricts the Oregon Health Authority from disclosing individually-identifiable information of patients seeking reproductive and gender-affirming health care in Oregon.

HB 4088 strengthens privacy protections by ensuring that all name and gender marker changes that are filed at the same time become confidential records once filed in the court — restricting public view of these records. Current Oregon law allows individuals to request court records be sealed for gender marker changes. Confidentiality of records allows an individual to access their own records as needed.

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Medical information and decisions should be kept between patients and their health care providers. It is unacceptable for the federal government or other states to try to interfere or threaten Oregon providers and patients who are providing and receiving health care that is legal in Oregon. HB 4088 reinforces the privacy and legal protections already in place to keep personal information out of government hands.

By passing HB 4088, Oregon has the vital opportunity to join the growing firewall of states that have strengthened state-level protections for healthcare providers and patients who are subject to abusive attacks by the federal government and out-of-state actors.

The ACLU of Oregon strongly urges your support for House Bill 4088 and asks you to pass it out of committee.

Respectfully,

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