

Submitter: Bob Sowdon  
On Behalf Of:  
Committee: Senate Committee On Judiciary  
Measure, Appointment or Topic: HB4088  
Chairman and Committee chairs

HB 4088 – Declares this state’s policy to protect engagement in certain activities relating to reproductive health care and gender-affirming treatment. The Act says that it is the policy of this state to make sure people are allowed to get certain kinds of health care, including care for their bodies and gender identity. The Act also makes changes to laws about helping the federal government and other states in cases arising involving this kind of care, makes some records and information private and says that midwives who give this kind of care will not get in trouble if they follow the rules. The new law starts right away.

AMENDMENT -4 States that nothing in the measure prohibits disclosing information in response to an investigation if the information is available to the general public, and under the same terms and conditions as the information would be made available to the general public.

Thank you

For confidentiality of individually identifiable information, it removes the requirement that the health care activity was paid for in whole or part by the Oregon Health Authority.

Allows individually identifiable information to be shared if the individual consents. Under the public records law, broadens protection from disclosure of a person’s name, home address, professional address, or location to also include an image and home telephone of persons engaged in the provision of reproductive and gender-affirming health care services.

Modifies effective date for applications to the court for name change and /or change to sex to July 1, 2026. The remainder of the measure takes effect on passage.

Policy on Reproductive and Gender-Affirming Care: The state declares it is the policy to protect individuals engaging in lawful reproductive or gender-affirming health care activities within Oregon.

Non-Extradition: The Governor cannot extradite individuals charged in other states for engaging in legally-protected reproductive or gender-affirming health care activities.

Prohibition on Cooperation: Public bodies cannot cooperate with federal or out-of-state law enforcement agencies in investigations related to legally-protected reproductive or gender-affirming health care activities.

Jurisdiction and Confidentiality: The law establishes that Oregon law governs certain legal actions involving reproductive or gender-affirming care provided in the state. It also mandates confidentiality for certain records related to these services.

Protection for Midwives: Direct-entry midwives who provide reproductive or gender-affirming care in compliance with Oregon law are protected from disciplinary action based on actions taken in other jurisdictions.

“People” has no age limit and intends to include children.