



Samaritan  
Health Services

From the desk  
of Senator Anderson  
SB 781

## PLEASE SUPPORT SB781:

- ✓ Patient-centered access to lab results
- ✓ Alignment with the Federal 21<sup>st</sup> Century Cures Act

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### THE ISSUE:

ORS 438.430 conflicts with the “Information Blocking” provisions of the 21<sup>st</sup> Century Cures act passed by congress in 2016, by **requiring a seven-day waiting period before releasing results after receiving a request from the patient**, unless authorized for immediate release by the ordering doctor, dentist, or other person:

- (3) A clinical laboratory shall provide the results of a test, examination or analysis of a specimen submitted by a patient in writing to the patient:
  - (a) **Not sooner than seven days after receiving a request for the results from the patient**; or
  - (b) Immediately upon receiving authorization from the doctor, dentist or other person who requested the test, examination or analysis to provide the results to the patient. [1969 c.685 §21; 2001 c.104 §174; 2003 c.376 §1; 2009 c.583 §1]

While we believe well-intended and appropriate for its time, **the 7-day waiting period required in 438.430 is now an unnecessary barrier** between an individual and their personal information. Additionally, the delay does not account for today’s expectations that a person likely has of near-instant access to their personal information. Those same evolutions have also advanced modern standards of practice and information management to prioritize an individual’s ability to access their medical records and history.

### THE SOLUTION:

Working with internal stakeholders and incorporating laboratory and provider input, we drafted SB781 to responsibly modernize lab results and related reporting processes. **SB781 addresses our concerns by removing the 7-day delay in favor of a reasonable and consistent standard, while protecting the rights and safety of the patient:**

- Includes the eight federal exemptions to “information blocking”, providing lab/provider clarity;
- Removes arbitrary timeline; allows labs/providers a standard that accounts for varying processes;
- Requires patient safety/privacy protections for a potentially serious condition or diagnosis.