

SB 216 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Meeting Dates: 4/17, 4/19

WHAT THE MEASURE DOES:

Exempts from prohibition on public body's inquiring into or collecting information about individual's country of birth such data collected by Oregon Health Authority (OHA) or Department of Human Services (ODHS) in accordance with uniform standards adopted by authority for collection of data on race, ethnicity, preferred spoken and written languages, disability status (REALD), sexual orientation and gender identity (SOGI). Prohibits disclosure of individually identifiable data collected in accordance with uniform standards adopted by OHA for collection of data on REALD and SOGI. Takes effect on 91st day following adjournment sine die.

FISCAL: No fiscal impact

REVENUE: No revenue impact

SENATE VOTE: Ayes, 16; Nays, 13; Excused, 1

ISSUES DISCUSSED:

- House Bill 2134 (2013) and race, ethnicity, language, and disability (REALD) reporting requirements
- Gaps in confidentiality protections in Health Insurance Portability and Accountability Act (HIPAA) and reasons for making REALD and SOGI data confidential

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Health Authority (OHA) has established a strategic goal to eliminate health inequities by 2030. A critical component to meeting this goal is the collection of data on race, ethnicity, language, and disability (REALD); as well as sexual orientation or gender identity (SOGI) in order to identify and address health disparities. Oregon law currently allows REALD and SOGI data to be released only if anonymized and aggregated, but does not specifically prohibit the disclosure of personal REALD and SOGI data as public records.

Senate Bill 216 would clarify the permitted collection and disclosure of race, ethnicity, language, disability, sexual orientation, and gender identity information by the Oregon Health Authority and Department of Human Services.