

SB 216 STAFF MEASURE SUMMARY

Carrier: Rep. Nosse

House Committee On Behavioral Health and Health Care

Action Date: 04/19/23

Action: Do Pass.

Vote: 7-3-1-0

Yeas: 7 - Bowman, Dexter, Diehl, Nelson, Nosse, Pham H, Tran

Nays: 3 - Conrad, Goodwin, Morgan

Exc: 1 - Javadi

Fiscal: No fiscal impact

Revenue: No revenue impact

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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, data collected by Oregon Health Authority (OHA) or Department of Human Services (DHS) 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.

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)
- Reasons for making collected 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 component to meeting this goal is the collection of data on race, ethnicity, language, and disability (REALD); as well as sexual orientation and gender identity (SOGI) 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 clarifies the permitted collection and disclosure of race, ethnicity, language, disability, sexual orientation, and gender identity information by the Oregon Health Authority and Oregon Department of Human Services.