

Requested by Senator GELSER BLOUIN

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 823**

1 On page 2 of the printed A-engrossed bill, line 14, after “subsection” in-  
2 sert “and subsection (5) of this section”.

3 Delete lines 32 through 34.

4 In line 35, delete “(H)” and insert “(G)”.

5 On page 3, after line 15, insert:

6 “(5)(a) Upon written request, the department shall provide the victim or  
7 alleged victim with information regarding any access to the completed abuse  
8 investigation report the department has provided under subsection (4)(a) of  
9 this section, including the name of the person who requested to inspect the  
10 report, the date or dates the person was allowed to inspect the report and  
11 the information the department redacted under subsection (4)(c) of this sec-  
12 tion from the report the person was allowed to inspect.

13 “(b) Upon request, the department shall provide a copy of a completed  
14 abuse investigation report to the victim or the victim’s representative. The  
15 department may not redact a copy of the completed abuse investigation re-  
16 port provided under this subsection except as required to protect the  
17 confidentiality of individually identifiable health information, as defined in  
18 ORS 192.556, of an individual other than the victim. Nothing in this section  
19 prohibits the victim or victim’s representative from further disclosing a  
20 completed abuse investigation report.

21 “(6) The department shall adopt rules for the administration of subsection

1 (4) of this section. At a minimum, the rules must:

2 “(a) Establish processes and procedures to ensure that the completed  
3 abuse investigation report is maintained by the requester in a secure manner  
4 and that the report is not rereleased by a person not otherwise authorized  
5 to rerelease the report.

6 “(b) Allow the department to require that the inspection take place in a  
7 controlled environment if the department determines that a person other  
8 than an involved party could reasonably ascertain the identity of the victim  
9 or alleged victim, despite redactions of personally identifiable information,  
10 and:

11 “(A) The report relates to an incident that occurred at a program that is  
12 licensed by the Oregon Health Authority as a psychiatric residential treat-  
13 ment center or a substance use disorder program; or

14 “(B) The report includes sensitive information, including explicit de-  
15 scriptions of the details of a sexual assault or sexual abuse or specific in-  
16 formation about a victim’s medical condition, other than information  
17 describing an injury or condition resulting from the abuse.

18 “(c) Ensure that the method by which records may be inspected is not  
19 unduly burdensome for the requester to inspect the materials, taking into  
20 consideration the person’s circumstances and the sensitivity of the completed  
21 abuse investigation report.”.

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