

## **SB 1570 -1 STAFF MEASURE SUMMARY**

### **Senate Committee On Health Care**

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**Prepared By:** Daniel Dietz, LPRO Analyst

**Meeting Dates:** 2/4, 2/9, 2/11

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#### **WHAT THE MEASURE DOES:**

Directs the Oregon Health Authority to study protections in health care facilities.

Fiscal impact: May have fiscal impact, no statement yet issued.

Revenue impact: May have revenue impact, no statement yet issued.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Replaces the measure. Prohibits health care facilities from allowing federal immigration authorities to enter or access an area of the facility that is not open to the public except by law or court order.

- Defines "facility" as a hospital or federally qualified health center licensed within the state.
- Directs facilities to designate nonpublic areas, where access is controlled or patients receive care.
- Prohibits health care facilities from disclosing information about a person's health or immigration status unless required by law or court order.
- Requires health care facilities to designate an administrator and adopt written policies to respond if federal immigration authorities arrive at the facility, including documentation of the visit, consultation with legal counsel when feasible, review of credentials and/or warrant, monitoring of the federal immigration authority's visit to the facility.
- Requires health care facilities to post where employment notices are customarily displayed a summary of individual rights guaranteed under the constitution and information on available legal services.
- Prohibits health care facilities from retaliating or taking adverse action against any worker who provides a patient with information about constitutional rights or legal services.
- Allows the Oregon Health Authority to revoke the license the license of a facility that fails to comply with provisions of the measure.
- Requires a health care provider within a facility to treat information about citizenship or immigration status as protected health information under state law.

##### **BACKGROUND:**

Federal immigration laws are primarily enforced by the Department of Homeland Security (DHS), which oversees U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE). The primary legal foundation for U.S. immigration enforcement is the Immigration and Nationality Act (INA), at [8 U.S.C. § 1357](#).

Hospitals and federally qualified health centers are licensed under [ORS Chapter 441](#), which provides state agencies with authority to approve, deny, suspend, or revoke facility licenses. State protections for health information are established in ORS 192.553.

Senate Bill 1570-1 establishes requirements for hospitals and federally qualified health centers when federal immigration authorities arrive at these facilities.