

HB 4088-5
(LC 49)
2/9/26 (LAS/ps)

Requested by Representative DIEHL

**PROPOSED AMENDMENTS TO
HOUSE BILL 4088**

- 1 On page 1 of the printed bill, line 3, delete “435.190.”.
- 2 On page 2, line 21, delete “, a private citizen” and “an investigation or”.
- 3 In line 22, delete “inquiry” and insert “a federal or interstate investigation”.
- 4 On page 4, delete lines 17 through 45.
- 5 On page 5, delete lines 1 through 4 and insert:
“SECTION 9. Confidentiality of individually identifiable information.
- 6 **(1) As used in this section:**
“(a) ‘Individually identifiable information’ means any oral or written health information in any form or medium that is identifiable to an individual, including demographic information that identifies the individual, or for which there is a reasonable basis to believe the information can be used to identify an individual, and that relates to applications for or receipt of legally protected reproductive or gender-affirming health care activities paid for in part or in whole by the Oregon Health Authority.
- 7 **“(b) ‘Legally protected reproductive or gender-affirming health care activities’ means one or more of the activities described in section 1 of this 2026 Act.**
- 8 **“(2) Individually identifiable information obtained by the authority:**
- 9 **“(a) Is confidential and not subject to disclosure under ORS 192.311**

1 to 192.478;

2 **“(b) May be disclosed only as necessary and directly connected with**
3 **the administration of the state medical assistance program or the**
4 **authority’s duties and responsibilities under ORS 435.230; and**

5 **“(c) Is confidential, nondiscoverable and inadmissible in any judicial**
6 **or administrative proceeding that is not directly connected with the**
7 **authority’s administration of the state medical assistance program or**
8 **the programs described in ORS 435.230.**

9 **“(3) Nothing in this section prohibits the authority from including**
10 **data derived from information related to a legally protected reproductive**
11 **or gender-affirming health care activity in the limited use data**
12 **sets included in the comprehensive health care information system**
13 **developed under ORS 442.373, provided the following direct identifiers**
14 **of the individual or of relatives, employers or household members of**
15 **the individual are excluded:**

16 **“(a) Names;**

17 **“(b) Postal address information, other than town or city, state and**
18 **zip code;**

19 **“(c) Telephone numbers;**

20 **“(d) Facsimile numbers;**

21 **“(e) Email addresses;**

22 **“(f) Social Security numbers;**

23 **“(g) Medical record numbers;**

24 **“(h) Health plan beneficiary numbers;**

25 **“(i) Account numbers;**

26 **“(j) Certificate or license numbers;**

27 **“(k) Vehicle identifiers and serial numbers, including license plate**
28 **numbers;**

29 **“(L) Device identifiers and serial numbers;**

30 **“(m) Internet universal resource locators;**

“(n) Internet Protocol address numbers;

“(o) Biometric identifiers, including finger and voice prints; and

“(p) Full face photographic images and any comparable images.

“NOTE: Section 10 was deleted by amendment. Subsequent sections were

5 not renumbered.”.

On page 12, delete lines 26 through 33.

On page 16, after line 14, insert:

“SUNSET

“SECTION 17. Repeals. Sections 1 to 3 and 6 to 9 of this 2026 Act are repealed on January 2, 2030.”.

In line 18, delete “17” and insert “18”.

In line 25, delete “18” and insert “19”.

In line 28, delete “19” and insert “20”.