

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2551**

1 On page 1 of the printed bill, line 2, after “information” delete the rest  
2 of the line and delete line 3 and insert a period.

3 Delete lines 5 through 31 and delete pages 2 through 6 and insert:

4 **“SECTION 1. Section 2 of this 2015 Act is added to and made a part  
5 of the Insurance Code.**

6 **“SECTION 2. (1) As used in this section:**

7 **“(a) ‘Covered entity’ has the meaning given that term in ORS  
8 192.556 but excludes state agencies.**

9 **“(b) ‘Protected health information’ has the meaning given that  
10 term in ORS 192.556.**

11 **“(2) A covered entity that is required to file an annual financial  
12 statement under ORS 731.574 shall file with the Department of Con-  
13 sumer and Business Services, along with the financial statement, a  
14 protection of health information report. The report may be in the  
15 form of a letter, must be signed by the chief executive officer of the  
16 covered entity and must:**

17 **“(a) State the responsibility of the covered entity’s management to  
18 establish and maintain adequate safeguards and procedures for pro-  
19 tecting the confidentiality of personally identifiable and protected  
20 health information that the covered entity retains in electronic and  
21 hard copy form;**

22 **“(b) Contain assurances that the signing officer has disclosed to the**

1 governing board of the covered entity:

2 “(A) All significant deficiencies in the design or operation of  
3 recordkeeping systems or controls that could adversely affect the  
4 covered entity’s ability to protect the confidentiality of personally  
5 identifiable and protected health information;

6 “(B) Any breaches of the security of personally identifiable and  
7 protected health information, whether material or not, that involve  
8 management or other employees who have a significant role in the  
9 covered entity’s recordkeeping systems or controls; and

10 “(C) All necessary steps that have been taken to address deficien-  
11 cies in the design or operation of recordkeeping systems or controls  
12 and to resolve any material weaknesses identified to or by the covered  
13 entity’s auditors; and

14 “(c) Contain assurances that the signing officer has identified for  
15 the governing board of the covered entity any material weaknesses in  
16 the recordkeeping systems or controls.

17 “(3) The protection of health information report is confidential and  
18 not subject to disclosure under ORS 192.410 to 192.505.

19 “SECTION 3. Section 4 of this 2015 Act is added to and made a part  
20 of ORS chapter 441.

21 “SECTION 4. (1) As used in this section, ‘protected health infor-  
22 mation’ has the meaning given that term in ORS 192.556.

23 “(2) A health care facility shall file with the Oregon Health Au-  
24 thority a protection of health information report no later than 120  
25 days following the close of each fiscal year. The report may be in the  
26 form of a letter, must be signed by the chief executive officer of the  
27 facility and must:

28 “(a) State the responsibility of the health care facility’s manage-  
29 ment to establish and maintain adequate safeguards and procedures  
30 for protecting the confidentiality of personally identifiable and pro-

1 tected health information that the facility retains in electronic and  
2 hard copy form;

3 “(b) Contain an assurance that there is ongoing evaluation and  
4 monitoring of the effectiveness of the safeguards and procedures in  
5 protecting the confidentiality of personally identifiable and protected  
6 health information;

7 “(c) Contain assurances that the signing officer has disclosed to the  
8 board of directors of the facility:

9 “(A) All significant deficiencies in the design or operation of  
10 recordkeeping systems or controls that could adversely affect the  
11 facility’s ability to protect the confidentiality of personally identifiable  
12 and protected health information;

13 “(B) Any breaches of the security of personally identifiable and  
14 protected health information, whether material or not, that involve  
15 management, staff or employees of the facility who have a significant  
16 role in the facility’s recordkeeping systems or controls; and

17 “(C) All necessary steps that have been taken to address deficien-  
18 cies in the design or operation of recordkeeping systems or controls  
19 and to resolve any material weaknesses identified by the facility; and

20 “(d) Contain assurances that the signing officer has identified for  
21 the board any material weaknesses in the recordkeeping systems or  
22 controls.

23 “(3) The authority may adopt all rules necessary to carry out the  
24 provisions of this section.

25 “(4) The protection of health information report is confidential and  
26 not subject to disclosure under ORS 192.410 to 192.505.”.

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