

# D R A F T

## SUMMARY

Prohibits disclosure of records of college or university student health center, mental health center or counseling center, or records of health professional retained by college or university to provide health care, mental health care or counseling services to students, to other individuals, offices or entities within, affiliated with or acting on behalf of college or university. Provides exceptions. Declares that health records, mental health records or counseling records of students may not be considered student records by college or university.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to student health records; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. (1) A public or private college or university health center, mental health center or counseling center that provides health care, mental health care or counseling services to students, or a health professional retained by a college or university to provide health care, mental health care or counseling services to students, may not disclose any records of health care, mental health care or counseling provided to a student to any other person, office or entity within the college or university, affiliated with the college or university or acting on behalf of the college or university, except:**

**(a) For treatment, payment or health care operations, if the disclosure is permitted by and in compliance with 45 C.F.R. 164.506;**

**(b) Pursuant to a lawfully issued subpoena mandating production of the records at issue and for which an applicable privilege against**

1 **disclosure is not asserted; or**

2 **(c) To the student or with the written consent of the student.**

3 **(2) Any records of health care, mental health care or counseling**  
4 **provided to a student of a college or university may not be considered**  
5 **student records by the college or university.**

6 **SECTION 2. This 2016 Act being necessary for the immediate pres-**  
7 **ervation of the public peace, health and safety, an emergency is de-**  
8 **clared to exist, and this 2016 Act takes effect on its passage.**

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