CHAPTER 52

AN ACT HB 4088

Relating to health; creating new provisions; amending ORS 15.430, 24.500, 33.420, 33.460, 192.345, 435.190, 676.612 and 687.445; and declaring an emergency.

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

INTERSTATE ACTIONS

SECTION 1. Policy regarding legal protections for reproductive or gender-affirming health care activities. (1) "Gender-affirming treatment" and "reproductive health care" have the meanings given those terms in ORS 24.500.

(2) It is the policy of this state that people should be protected under state law to engage in the following activities related to reproductive health care or gender-affirming treatment that is provided by a health care provider who is licensed in this state, who is acting within the health care provider's scope of practice and who provides or attempts to provide the reproductive health care or gender-affirming treatment to a patient who is physically located in this state:

(a) The receipt or attempted receipt of reproductive health care or gender-affirming treatment that is lawful in this state.

(b) The provision or attempted provision of reproductive health care or gender-affirming treatment that is lawful in this state.

(c) The assistance or attempted assistance in the receipt or provision of reproductive health care or gender-affirming treatment that is lawful in this state.

SECTION 2. Nonfugitive extradition. (1) As used in this section, "legally-protected reproductive or gender-affirming health care activities" means one or more of the activities described in section 1 of this 2026 Act.

(2) Except as required by federal law and notwithstanding ORS 133.767, the Governor of this state may not surrender, on demand of the executive authority of any other state, a person in this state charged in such other state for engaging in legally-protected reproductive or gender-affirming health care activities if the Governor is not otherwise required to surrender the person under ORS 133.747.

SECTION 3. Cooperation with federal and interstate investigations. (1) As used in this section:

(a) "Legally-protected reproductive or gender-affirming health care activities" means one or more of the activities described in section 1 of this 2026 Act.

(b) "Public body" means a public body as defined in ORS 174.109 and the Oregon Health and Science University.

(2)(a) Except as provided in ORS 24.500 and 133.747, or as required by federal law, an officer, employee or agent of a public body may not cooperate with, provide information to or otherwise expend or use time, moneys, facilities, property, equipment, personnel or other resources to assist a federal law enforcement agency, a law enforcement agency of another state, a private citizen or a quasi-law enforcement agent in relation to an investigation or inquiry into a legally-protected reproductive or gender-affirming health care activity, if such activity would be lawful if it occurred entirely in this state.

(b) Nothing in this subsection prohibits an officer, employee or agent of a public body from disclosing information that is responsive to an investigation or inquiry described in paragraph (a) of this subsection to the extent the information is available to the general public provided the disclosure is made under the same terms and conditions as the information is made available to the general public.

SECTION 4. ORS 15.430 is amended to read:

15.430. Notwithstanding ORS 15.440, 15.445 and 15.455, Oregon law governs noncontractual claims in the following actions:

(1) Actions in which, after the events giving rise to the dispute, the parties agree to the application of Oregon law.

(2) Actions in which none of the parties raises the issue of applicability of foreign law.

(3) Actions in which the party or parties who rely on foreign law fail to assist the court in establishing the relevant provisions of foreign law after being requested by the court to do so.

(4) Actions filed against a public body of the State of Oregon, unless the application of Oregon law is waived by a person authorized by Oregon law to make the waiver on behalf of the public body.

(5) Actions against an owner, lessor or possessor of land, buildings or other real property situated in Oregon that seek to recover for, or to prevent, injury on that property and arising out of conduct that occurs in Oregon.

(6) Actions between an employer and an employee who is primarily employed in Oregon that arise out of an injury that occurs in Oregon.

(7) Actions for professional malpractice arising from services rendered entirely in Oregon by personnel licensed to perform those services under Oregon law.

(8)(a) Actions against a provider of reproductive health care or gender-affirming treatment[*, as those terms are defined in ORS 24.500,*] if the reproductive health care or gender-affirming treatment at issue was provided **or attempted to be provided** in this state.

(b) Actions against a patient receiving **or attempting to receive** reproductive health care or gender-affirming treatment if the reproductive health care or gender-affirming treatment at issue was [*received*] **provided or attempted to be provided** in this state.

(c) Actions against any person who provides **or attempts to provide** aid, assistance, resources**, encouragement** or support to a person in providing or receiving **or attempting to provide or receive** reproductive health care or gender-affirming treatment **provided** in this state.

(d) For purposes of this subsection, reproductive health care or gender-affirming treatment is provided in the state in which the patient is physically located at the time the services are provided.

(e) As used in this subsection, "reproductive health care" and "gender-affirming treatment" have the meanings given those terms in ORS 24.500.

SECTION 5. ORS 24.500 is amended to read:

24.500. (1) As used in this section:

(a) "Gender-affirming treatment" means a procedure, service, drug, device or product that a physical or behavioral health care provider prescribes to treat an individual for incongruence between the individual's gender identity and the individual's sex assignment at birth.

(b) "Reproductive health" means reproductive processes, functions and systems at all stages of life.

(c) "Reproductive health care" includes family planning and contraception, pregnancy termination services, prenatal, postnatal and delivery care, miscarriage management, fertility care, sterilization services, treatments for sexually transmitted infections and reproductive cancers and any other health care and medical services related to reproductive health.

(2) A law of another state that authorizes a person to bring a civil or criminal action against [*a person that*] **another person who** does any of the following is contrary to the public policy of this state:

(a) [*Receive*] **Receives or attempts to receive** reproductive health care or gender-affirming treatment;

(b) [*Provide or attempt*] **Provides or attempts** to provide reproductive health care or gender-affirming treatment; or

(c) Knowingly [*engage in conduct that aids or abets*] **engages in conduct that aids or encourages or attempts to aid or encourage** the provision of reproductive health care or gender-affirming treatment.

(3) Notwithstanding ORCP 38 C, a person may not request that a clerk of court issue a subpoena for service upon a person to whom a foreign subpoena is directed if the foreign subpoena relates to gender-affirming treatment or reproductive health care services that are permitted under the laws of this state, unless the person requesting the subpoena provides a written declaration that the foreign subpoena relates to:

(a) An out-of-state action founded in tort, contract or statute, for which a similar claim would exist under the laws of this state, brought by a patient or the patient's authorized legal representative, for damages suffered by the patient; or

(b) An out-of-state action founded in contract, and for which a similar claim would exist under the laws of this state, brought or sought to be enforced by a party with a contractual relationship with the person that is the subject of the subpoena.

CONFIDENTIALITY
(Individually Identifiable Information)

SECTION 6. Section 7 of this 2026 Act is added to and made a part of ORS 40.225 to 40.295.

SECTION 7. Privilege regarding reproductive or gender-affirming health care. (1) As used in this section:

(a) "Individually identifiable information" has the meaning given that term in section 9 of this 2026 Act.

(b) "Proceeding" means a judicial or administrative proceeding, other than a proceeding directly related to the Oregon Health Authority's administration of the state medical assistance program or the programs described in ORS 435.230.

(2)(a) The authority or an agent or employee of the authority may not be examined in a proceeding as to the individually identifiable information of an individual that is acquired by the authority in the course of carrying out its duties and responsibilities in administering the state medical assistance program or the programs described in ORS 435.230.

(b) This section does not apply if the individual consents to the examination described in paragraph (a) of this subsection.

SECTION 8. Section 9 of this 2026 Act is added to and made a part of ORS 435.190 to 435.245.

SECTION 9. Confidentiality of individually identifiable information. (1) As used in this section, "individually identifiable information" means any 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.

(2) Except to the extent an individual consents to the information's disclosure, the

individual's individually identifiable information obtained by the authority:

(a) Is confidential and not subject to disclosure under ORS 192.311 to 192.478;

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

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

SECTION 10. ORS 435.190 is amended to read:

435.190. As used in ORS 435.190 to 435.245:

(1) "Contraception" includes:

(a) Steroidal, chemical, physical or barrier, natural or permanent methods for preventing the union of an ovum with the spermatozoon, or for preventing the subsequent implantation of the fertilized ovum in the uterus;

(b) All postcoital methods, drugs or devices to prevent pregnancy; and

(c) Any other process, device or method to prevent pregnancy.

(2) "Legally-protected reproductive or gender-affirming health care activities" means one or more of the activities described in section 1 of this 2026 Act.

[*(2)*] **(3)** "Public body" means a public body as defined in ORS 174.109 and the Oregon Health and Science University.

[*(3)*] **(4)** "Reproductive health" means reproductive processes, functions and systems at all stages of life.

[*(4)*] **(5)** "Reproductive health care" includes family planning and contraception, pregnancy termination services, prenatal, postnatal and delivery care, miscarriage management, fertility care, sterilization services, treatments for sexually transmitted infections and reproductive cancers and any other health care and medical services related to reproductive health.

(Court Records)

SECTION 11. ORS 33.420 is amended to read:

33.420. (1) Except as provided in ORS 109.360, before entering a judgment for a change of name in the case of a minor child, the court shall require that written notice **of the application for the change of name of the minor child** be given to the parents of the child, both custodial and noncustodial, and to any legal guardian of the child.

(2) Notwithstanding subsection (1) of this section, notice of an application for the change of name of a minor child does not need to be given to a parent of the child if the other parent of the child files a verified statement in the change of name proceeding that asserts that the minor child has not resided with the other parent and that the other parent has not contributed or has not tried to contribute to the support of the child.

(3)(a) In a case to determine an application for change of name of a person under ORS 33.410, if an applicant who is a certified adult program participant in the Address Confidentiality Program under ORS 192.826 requests the court to seal the record of the case, the court shall seal the record of the case unless the court issues an order pursuant to a finding of good cause under ORS 192.848.

(b) This subsection does not apply to an adult applicant appearing as a guardian ad litem for a minor child.

[*(4) In a case to determine an application for legal change of sex of a person under ORS 33.460, if an applicant requests the court to seal the record of the case, the court shall seal the record of the case.*]

SECTION 12. ORS 33.460 is amended to read:

33.460. (1) Application for legal change of sex of a person may be heard and determined by any circuit court in this state. A circuit court may order a legal change of sex and enter a judgment indicating the change of sex if the individual attests that the individual has undergone surgical, hormonal or other treatment appropriate for the individual for the purpose of affirming gender identity.

(2) The court may order a legal change of sex and enter the judgment in the same manner as that provided for change of name of a person under ORS 33.410.

(3) Application for simultaneous change of name and legal change of sex may be heard and determined by any circuit court in this state. If a person applies for a change of name under ORS 33.410 at the time the person applies for a legal change of sex under this section, the court may order change of name and legal change of sex at the same time and in the same proceeding.

(4)(a) Except as provided in paragraph (b) of this subsection, a case to determine an application for legal change of sex, including an application for simultaneous change of name and legal change of sex, is confidential, exempt from public disclosure under ORS 192.311 to 192.478 and may not be disclosed except:

(A) To a party in the case or the party's attorney;

(B) To the court;

(C) Pursuant to a court order for good cause shown, and subject to the provisions of ORS 192.324; or

(D) As required by the court to comply with the notice requirement under ORS 33.420.

(b) An applicant may move the court to make the case public or to make the register and certain records in the case public.

(c) The court, upon the motion of the applicant, shall make confidential a case described in this subsection or a register and certain records in the case described in this subsection, if the

case or register and records are not already confidential.

(Public Records Exemptions)

SECTION 13. ORS 192.345 is amended to read:

192.345. The following public records are exempt from disclosure under ORS 192.311 to 192.478 unless the public interest requires disclosure in the particular instance:

(1) Records of a public body pertaining to litigation to which the public body is a party if the complaint has been filed, or if the complaint has not been filed, if the public body shows that such litigation is reasonably likely to occur. This exemption does not apply to litigation which has been concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery or deposition statutes to a party to litigation or potential litigation.

(2) Trade secrets. "Trade secrets," as used in this section, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within an organization and which is used in a business it conducts, having actual or potential commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

(3) Investigatory information compiled for criminal law purposes. The record of an arrest or the report of a crime shall be disclosed unless and only for so long as there is a clear need to delay disclosure in the course of a specific investigation, including the need to protect the complaining party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the record of an arrest or the report of a crime includes, but is not limited to:

(a) The arrested person's name, age, residence, employment, marital status and similar biographical information;

(b) The offense with which the arrested person is charged;

(c) The conditions of release pursuant to ORS 135.230 to 135.290;

(d) The identity of and biographical information concerning both complaining party and victim;

(e) The identity of the investigating and arresting agency and the length of the investigation;

(f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and

(g) Such information as may be necessary to enlist public assistance in apprehending fugitives from justice.

(4) Test questions, scoring keys, and other data used to administer a licensing examination, employment, academic or other examination or testing procedure before the examination is given and if the examination is to be used again. Records establishing procedures for and instructing persons administering, grading or evaluating an examination or testing procedure are included in this exemption, to the extent that disclosure would create a risk that the result might be affected.

(5) Information consisting of production records, sale or purchase records or catch records, or similar business records of a private concern or enterprise, required by law to be submitted to or inspected by a governmental body to allow it to determine fees or assessments payable or to establish production quotas, and the amounts of such fees or assessments payable or paid, to the extent that such information is in a form that would permit identification of the individual concern or enterprise. This exemption does not include records submitted by long term care facilities as defined in ORS 442.015 to the state for purposes of reimbursement of expenses or determining fees for patient care. Nothing in this subsection shall limit the use that can be made of such information for regulatory purposes or its admissibility in any enforcement proceeding.

(6) Information relating to the appraisal of real estate prior to its acquisition.

(7) The names and signatures of employees who sign authorization cards or petitions for the purpose of requesting representation or decertification elections.

(8) Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825, until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under ORS 659A.850.

(9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and 663.180.

(10) Records, reports and other information received or compiled by the Director of the Department of Consumer and Business Services under ORS 697.732.

(11) Information concerning the location of archaeological sites or objects as those terms are defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and the need for the information is related to that Indian tribe's cultural or religious activities. This exemption does not include information relating to a site that is all or part of an existing, commonly known and publicized tourist facility or attraction.

(12) A personnel discipline action, or materials or documents supporting that action.

(13) Fish and wildlife information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and 564.100, regarding the habitat, location or population of any threatened species or endangered species.

(14) Writings prepared by or under the direction of faculty of public educational institutions, in connection with research, until publicly released, copyrighted or patented.

(15) Computer programs developed or purchased by or for any public body for its own use. As used in this subsection, "computer program" means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval and manipulation of data from such computer system, and any associated documentation and source material that explain how to operate the computer program. "Computer program" does not include:

(a) The original data, including but not limited to numbers, text, voice, graphics and images;

(b) Analyses, compilations and other manipulated forms of the original data produced by use of the program; or

(c) The mathematical and statistical formulas which would be used if the manipulated forms of the original data were to be produced manually.

(16) Data and information provided by participants to mediation under ORS 36.256.

(17) Investigatory information relating to any complaint or charge filed under ORS chapter 654, until a final administrative determination is made or, if a citation is issued, until an employer receives notice of any citation.

(18) Specific operational plans in connection with an anticipated threat to individual or public safety for deployment and use of personnel and equipment, prepared or used by a public body, if public disclosure of the plans would endanger an individual's life or physical safety or jeopardize a law enforcement activity.

(19)(a) Audits or audit reports required of a telecommunications carrier. As used in this paragraph, "audit or audit report" means any external or internal audit or audit report pertaining to a telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an affiliated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to make the operations of the entity more efficient, accurate or compliant with applicable rules, procedures or standards, that may include self-criticism and that has been filed by the telecommunications carrier or affiliate under compulsion of state law. "Audit or audit report" does not mean an audit of a cost study that would be discoverable in a contested case proceeding and that is not subject to a protective order; and

(b) Financial statements. As used in this paragraph, "financial statement" means a financial statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390, with a telecommunications carrier, as defined in ORS 133.721.

(20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS 247.967.

(21) The following records, communications and information submitted to a housing authority as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants for and recipients of loans, grants and tax credits:

(a) Personal and corporate financial statements and information, including tax returns;

(b) Credit reports;

(c) Project appraisals, excluding appraisals obtained in the course of transactions involving an interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed of as part of the project, but only after the transactions have closed and are concluded;

(d) Market studies and analyses;

(e) Articles of incorporation, partnership agreements and operating agreements;

(f) Commitment letters;

(g) Project pro forma statements;

(h) Project cost certifications and cost data;

(i) Audits;

(j) Project tenant correspondence requested to be confidential;

(k) Tenant files relating to certification; and

(L) Housing assistance payment requests.

(22) Records or information that, if disclosed, would allow a person to:

(a) Gain unauthorized access to buildings or other property;

(b) Identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with, services; or

(c) Disrupt, interfere with or gain unauthorized access to public funds or to information processing, communication or telecommunication systems, including the information contained in the systems, that are used or operated by a public body.

(23) Records or information that would reveal or otherwise identify security measures, or weaknesses or potential weaknesses in security measures, taken or recommended to be taken to protect:

(a) An individual;

(b) Buildings or other property;

(c) Information processing, communication or telecommunication systems, including the information contained in the systems; or

(d) Those operations of the Oregon State Lottery the security of which are subject to study and evaluation under ORS 461.180 (6).

(24) Personal information held by or under the direction of officials of the Oregon Health and Science University or a public university listed in ORS 352.002 about a person who has or who is interested in donating money or property to the Oregon Health and Science University or a public university, if the information is related to the family of the person, personal assets of the person or is incidental information not related to the donation.

(25) The home address, professional address and telephone number of a person who has or who is interested in donating money or property to a public university listed in ORS 352.002.

(26) Records of the name and address of a person who files a report with or pays an assessment to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.

(27) Information provided to, obtained by or used by a public body to authorize, originate, receive or authenticate a transfer of funds, including but not limited to a credit card number, payment card expiration date, password, financial institution account number and financial institution routing number.

(28) Social Security numbers as provided in ORS 107.840.

(29) The electronic mail address of a student who attends a public university listed in ORS 352.002 or Oregon Health and Science University.

(30) The name, home address, professional address or location of a person that is engaged in, or that provides goods or services for, medical research at Oregon Health and Science University that is conducted using animals other than rodents. This subsection does not apply to Oregon Health and Science University press releases, websites or other publications circulated to the general public.

(31) If requested by a public safety officer, as defined in ORS 181A.355, or a county juvenile department employee who is charged with and primarily performs duties related to the custody, control or supervision of adjudicated youths confined in a detention facility, as defined in ORS 419A.004:

(a) The home address and home telephone number of the public safety officer or county juvenile department employee contained in the voter registration records for the officer or employee.

(b) The home address and home telephone number of the public safety officer or county juvenile department employee contained in records of the Department of Public Safety Standards and Training.

(c) The name of the public safety officer or county juvenile department employee contained in county real property assessment or taxation records. This exemption:

(A) Applies only to the name of the officer or employee and any other owner of the property in connection with a specific property identified by the officer or employee in a request for exemption from disclosure;

(B) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(C) Applies until the officer or employee requests termination of the exemption;

(D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for governmental purposes; and

(E) May not result in liability for the county if the name of the officer or employee is disclosed after a request for exemption from disclosure is made under this subsection.

(32) Unless the public records request is made by a financial institution, as defined in ORS 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records described in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought by an individual described in paragraph (b) of this subsection using the procedure described in paragraph (c) of this subsection:

(a) The home address, home or cellular telephone number or personal electronic mail address contained in the records of any public body that has received the request that is set forth in:

(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction, substitution of trustee, easement, dog license, marriage license or military discharge record that is in the possession of the county clerk; or

(B) Any public record of a public body other than the county clerk.

(b) The individual claiming the exemption from disclosure must be a district attorney, a deputy district attorney, the Attorney General or an assistant attorney general, the United States Attorney for the District of Oregon or an assistant United States attorney for the District of Oregon, a city attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages in the prosecution of criminal matters.

(c) The individual claiming the exemption from disclosure must do so by filing the claim in writing with the public body for which the exemption from disclosure is being claimed on a form prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall list the public records in the possession of the public body to which the exemption applies. The exemption applies until the individual claiming the exemption requests termination of the exemption or ceases to qualify for the exemption.

(33) The following voluntary conservation agreements and reports:

(a) Land management plans required for voluntary stewardship agreements entered into under ORS 541.973; and

(b) Written agreements relating to the conservation of greater sage grouse entered into voluntarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

(34) Sensitive business records or financial or commercial information of the State Accident Insurance Fund Corporation that is not customarily provided to business competitors. This exemption does not:

(a) Apply to the formulas for determining dividends to be paid to employers insured by the State Accident Insurance Fund Corporation;

(b) Apply to contracts for advertising, public relations or lobbying services or to documents related to the formation of such contracts;

(c) Apply to group insurance contracts or to documents relating to the formation of such contracts, except that employer account records shall remain exempt from disclosure as provided in ORS 192.355 (35); or

(d) Provide the basis for opposing the discovery of documents in litigation pursuant to the applicable rules of civil procedure.

(35) Records of the Department of Public Safety Standards and Training relating to investigations

conducted under ORS 181A.640 or 181A.870 (6), until the department issues the report described in ORS 181A.640 or 181A.870.

(36) A medical examiner's report, autopsy report or laboratory test report ordered by a medical examiner under ORS 146.117.

(37) Any document or other information related to an audit of a public body, as defined in ORS 174.109, that is in the custody of an auditor or audit organization operating under nationally recognized government auditing standards, until the auditor or audit organization issues a final audit report in accordance with those standards or the audit is abandoned. This exemption does not prohibit disclosure of a draft audit report that is provided to the audited entity for the entity's response to the audit findings.

(38)(a) Personally identifiable information collected as part of an electronic fare collection system of a mass transit system.

(b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public records that have attributes of anonymity that are sufficient, or that are aggregated into groupings that are broad enough, to ensure that persons cannot be identified by disclosure of the public records.

(c) As used in this subsection:

(A) "Electronic fare collection system" means the software and hardware used for, associated with or relating to the collection of transit fares for a mass transit system, including but not limited to computers, radio communication systems, personal mobile devices, wearable technology, fare instruments, information technology, data storage or collection equipment, or other equipment or improvements.

(B) "Mass transit system" has the meaning given that term in ORS 267.010.

(C) "Personally identifiable information" means all information relating to a person that acquires or uses a transit pass or other fare payment medium in connection with an electronic fare collection system, including but not limited to:

(i) Customer account information, date of birth, telephone number, physical address, electronic mail address, credit or debit card information, bank account information, Social Security or taxpayer identification number or other identification number, transit pass or fare payment medium balances or history, or similar personal information; or

(ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use, or similar travel information.

(39)(a) If requested by a civil code enforcement officer:

(A) The home address and home telephone number of the civil code enforcement officer contained in the voter registration records for the officer.

(B) The name of the civil code enforcement officer contained in county real property assessment or taxation records. This exemption:

(i) Applies only to the name of the civil code enforcement officer and any other owner of the property in connection with a specific property identified by the officer in a request for exemption from disclosure;

(ii) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(iii) Applies until the civil code enforcement officer requests termination of the exemption;

(iv) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for governmental purposes; and

(v) May not result in liability for the county if the name of the civil code enforcement officer is disclosed after a request for exemption from disclosure is made under this subsection.

(b) As used in this subsection, "civil code enforcement officer" means an employee of a public body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances relating to land use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treatment and disposal or the state building code.

(40) Audio or video recordings, whether digital or analog, resulting from a law enforcement officer's operation of a video camera worn upon the officer's person that records the officer's interactions with members of the public while the officer is on duty. When a recording described in this subsection is subject to disclosure, the following apply:

(a) Recordings that have been sealed in a court's record of a court proceeding or otherwise ordered by a court not to be disclosed may not be disclosed.

(b) A request for disclosure under this subsection must identify the approximate date and time of an incident for which the recordings are requested and be reasonably tailored to include only that material for which a public interest requires disclosure.

(c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a manner as to render the faces of all persons within the recording unidentifiable.

(41) The contents of tips reported to a tip line, as defined in ORS 339.329. However, personally identifiable information, as defined in ORS 339.329, is not subject to public interest balancing under this section and remains exempt from disclosure except as provided in ORS 339.329.

(42) Residential addresses of individuals with intellectual or developmental disabilities residing in adult foster homes as defined in ORS 443.705 or residential training facilities or residential training homes as those terms are defined in ORS 443.400.

(43) The name, **image, home telephone number,** home address, professional address or location of an individual who is [*authorized to provide physical and behavioral health care services in this state and who provides*] **engaged in the provision of** reproductive and gender-affirming health care services.

MALPRACTICE INSURANCE AND LICENSING

SECTION 14. ORS 676.612, as operative until July 1, 2026, is amended to read:

676.612. (1) Subject to ORS 676.616 and 687.445, and in the manner prescribed in ORS chapter 183 for contested cases and as specified in ORS 675.385, 676.660, 676.685, 676.745, 676.777, 676.825, 678.780, 680.535, 681.733, 681.755, 687.445, 688.734, 688.836, 690.167, 690.407, 691.477, 694.147 and 700.111, the Health Licensing Office may refuse to issue or renew, may suspend or revoke or may otherwise condition or limit an authorization or may discipline or place on probation an authorization holder for commission of the prohibited acts listed in subsection (2) of this section.

(2) A person subject to the authority of a board, council or program listed in ORS 676.565 commits a prohibited act if the person engages in:

(a) Fraud, misrepresentation, concealment of material facts or deception in applying for or obtaining an authorization to practice in this state, or in any written or oral communication to the office concerning the issuance or retention of the authorization.

(b) Using, causing or promoting the use of any advertising matter, promotional literature, testimonial, guarantee, warranty, label, insignia or any other representation, however disseminated or published, that is false, misleading or deceptive.

(c) Making a representation that the authorization holder knew or should have known is false or misleading regarding skill or the efficacy or value of treatment or remedy administered by the authorization holder.

(d) Practicing under a false, misleading or deceptive name, or impersonating another authorization holder.

(e) Permitting a person other than the authorization holder to use the authorization.

(f) Practicing with a physical or mental condition that presents an unreasonable risk of harm to the authorization holder or to the person or property of others in the course of performing the authorization holder's duties.

(g) Practicing while under the influence of alcohol, cannabis, controlled substances or other skill-impairing substances, or engaging in the illegal use of controlled substances or other skill-impairing substances so as to create a risk of harm to the person or property of others in the course of performing the duties of an authorization holder.

(h) Failing to properly and reasonably accept responsibility for the actions of employees.

(i) Employing, directly or indirectly, any suspended, uncertified, unlicensed or unregistered person to practice a regulated occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565.

(j) Unprofessional conduct, negligence, incompetence, repeated violations or any departure from or failure to conform to standards of practice in performing services or practicing in a regulated occupation or profession subject to the authority of the boards, councils and programs listed under ORS 676.565.

(k) **Except as provided in ORS 687.445,** conviction of any criminal offense, subject to ORS 670.280. A copy of the record of conviction, certified by the clerk of the court entering the conviction, is conclusive evidence of the conviction. A plea of no contest or an admission of guilt is a conviction for purposes of this paragraph.

(L) Failing to report any adverse action, as required by statute or rule, taken against the authorization holder by another regulatory jurisdiction or any peer review body, health care institution, professional association, governmental agency, law enforcement agency or court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action as described in this section.

(m) Violation of a statute regulating an occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565.

(n) Violation of any rule regulating an occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565.

(o) Failing to cooperate with the office in any investigation, inspection or request for information.

(p) Selling or fraudulently obtaining or furnishing an authorization to practice in a regulated occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565, or aiding or abetting such an act.

(q) Selling or fraudulently obtaining or furnishing any record related to practice in a regulated occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565, or aiding or abetting such an act.

(r) Failing to pay an outstanding civil penalty or fee that is due or failing to meet the terms of any order issued by the office that has become final.

(3) For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the office may require the fingerprints of a person who is:

(a) Applying for an authorization;

(b) Applying for renewal of an authorization; or

(c) Under investigation by the office.

(4) If the office places an authorization holder on probation under subsection (1) of this section, the office, in consultation with the appropriate board, council or program, may determine and at any time modify the conditions of the probation.

(5) If an authorization is suspended, the authorization holder may not practice during the term of suspension. Upon the expiration of the term of suspension, the authorization may be reinstated by the office if the conditions of suspension no longer exist and the authorization holder has satisfied all requirements in the relevant statutes or administrative rules for issuance, renewal or reinstatement.

SECTION 15. ORS 676.612 is amended to read:

676.612. (1) Subject to ORS 676.616 and 687.445, and in the manner prescribed in ORS chapter 183 for contested cases and as specified in ORS 675.385, 676.660, 676.685, 676.745, 676.777, 676.825, 678.780,

679.720, 680.535, 681.733, 681.755, 687.445, 688.734, 688.836, 690.167, 690.407, 691.477, 694.147 and 700.111, the Health Licensing Office may refuse to issue or renew, may suspend or revoke or may otherwise condition or limit an authorization or may discipline or place on probation an authorization holder for commission of the prohibited acts listed in subsection (2) of this section.

(2) A person subject to the authority of a board, council or program listed in ORS 676.565 commits a prohibited act if the person engages in:

(a) Fraud, misrepresentation, concealment of material facts or deception in applying for or obtaining an authorization to practice in this state, or in any written or oral communication to the office concerning the issuance or retention of the authorization.

(b) Using, causing or promoting the use of any advertising matter, promotional literature, testimonial, guarantee, warranty, label, insignia or any other representation, however disseminated or published, that is false, misleading or deceptive.

(c) Making a representation that the authorization holder knew or should have known is false or misleading regarding skill or the efficacy or value of treatment or remedy administered by the authorization holder.

(d) Practicing under a false, misleading or deceptive name, or impersonating another authorization holder.

(e) Permitting a person other than the authorization holder to use the authorization.

(f) Practicing with a physical or mental condition that presents an unreasonable risk of harm to the authorization holder or to the person or property of others in the course of performing the authorization holder's duties.

(g) Practicing while under the influence of alcohol, cannabis, controlled substances or other skill-impairing substances, or engaging in the illegal use of controlled substances or other skill-impairing substances so as to create a risk of harm to the person or property of others in the course of performing the duties of an authorization holder.

(h) Failing to properly and reasonably accept responsibility for the actions of employees.

(i) Employing, directly or indirectly, any suspended, uncertified, unlicensed or unregistered person to practice a regulated occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565.

(j) Unprofessional conduct, negligence, incompetence, repeated violations or any departure from or failure to conform to standards of practice in performing services or practicing in a regulated occupation or profession subject to the authority of the boards, councils and programs listed under ORS 676.565.

(k) **Except as provided in ORS 687.445,** conviction of any criminal offense, subject to ORS 670.280. A copy of the record of conviction, certified by the clerk of the court entering the conviction, is conclusive evidence of the conviction. A plea of no contest or an admission of guilt is a conviction for purposes of this paragraph.

(L) Failing to report any adverse action, as required by statute or rule, taken against the authorization holder by another regulatory jurisdiction or any peer review body, health care institution, professional association, governmental agency, law enforcement agency or court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action as described in this section.

(m) Violation of a statute regulating an occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565.

(n) Violation of any rule regulating an occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565.

(o) Failing to cooperate with the office in any investigation, inspection or request for information.

(p) Selling or fraudulently obtaining or furnishing an authorization to practice in a regulated occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565, or aiding or abetting such an act.

(q) Selling or fraudulently obtaining or furnishing any record related to practice in a regulated occupation or profession subject to the authority of the boards, councils and programs listed in ORS 676.565, or aiding or abetting such an act.

(r) Failing to pay an outstanding civil penalty or fee that is due or failing to meet the terms of any order issued by the office that has become final.

(3) For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the office may require the fingerprints of a person who is:

(a) Applying for an authorization;

(b) Applying for renewal of an authorization; or

(c) Under investigation by the office.

(4) If the office places an authorization holder on probation under subsection (1) of this section, the office, in consultation with the appropriate board, council or program, may determine and at any time modify the conditions of the probation.

(5) If an authorization is suspended, the authorization holder may not practice during the term of suspension. Upon the expiration of the term of suspension, the authorization may be reinstated by the office if the conditions of suspension no longer exist and the authorization holder has satisfied all requirements in the relevant statutes or administrative rules for issuance, renewal or reinstatement.

SECTION 16. ORS 687.445 is amended to read:

687.445. **(1)** In the manner prescribed in ORS chapter 183 for contested cases and in consultation with the Health Licensing Office **and subject to subsection (2) of this section**, the State Board of Direct Entry Midwifery may impose a form of discipline specified in ORS 676.612 and 676.992 (1) and (2) against any person practicing direct entry midwifery for any of the grounds listed in ORS 676.612 and for any violation of the provisions of ORS 687.405 to

687.495 or the rules adopted under ORS 687.405 to 687.495.

(2) The board may not suspend or revoke a person's license to practice direct entry midwifery, or refuse to grant a license to a person to practice direct entry midwifery, because of a conviction or disciplinary action resulting solely from the person's provision of a reproductive or gender-affirming health care service that is otherwise lawful in this state but unlawful in the jurisdiction in which the person provided the service, so long as the service provided was performed in accordance with the standard of care applicable to the service.

MISCELLANEOUS

SECTION 17. Applicability. The amendments to ORS 33.420 and 33.460 by sections 11 and 12 of this 2026 Act apply to an application for change of name, application for legal change of sex or application for simultaneous change of name and legal change of sex that is filed with the court on or after July 1, 2026, and, upon motion of the applicant, to an application for legal change of sex or application for simultaneous change of name and legal change of sex that was filed with the court before July 1, 2026.

SECTION 18. Delayed operative date. (1) The amendments to ORS 33.420 and 33.460 by sections 11 and 12 of this 2026 Act become operative on July 1, 2026.

(2) The Judicial Department may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the department to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the department by the amendments to ORS 33.420 and 33.460 by sections 11 and 12 of this 2026 Act.

SECTION 19. Captions. The unit and section captions used in this 2026 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2026 Act.

SECTION 20. Emergency. This 2026 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect on its passage.

Approved by the Governor March 31, 2026
Filed in the office of Secretary of State March 31, 2026
Effective date March 31, 2026