



SENATE MAJORITY OFFICE

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Patient privacy bill approved in Oregon Senate

HB 2758 will allow patients to keep sensitive medical information private

SALEM – The Oregon Senate approved HB 2758 this morning, legislation that will help protect the privacy of health care consumers. The bill will ensure that Oregonians who are covered by another person’s insurance policy have the option to request that private health care communications be sent to the patient, not the policy-holder.

“Without protections for confidentiality, individuals are effectively uninsured and may delay care or forego services altogether because they are afraid of someone else receiving their medical information. This is unacceptable,” said Senator Elizabeth Steiner Hayward (D-Beaverton), a family physician. “This bill will be especially helpful for Oregonians who want to seek help for mental health issues, but are worried about the stigma that often accompanies mental health care.”

House Bill 2758 allows insurance consumers to request to redirect their “Explanation of Benefits” and other health care communications to a different address than the policy holder’s. An Explanation of Benefits generally includes detailed information about the patient, provider, and services rendered. Insurance companies routinely send an Explanation of Benefits, and sometimes other documents, directly to the policy-holder after a health care visit by any enrollee on the plan, which can inadvertently compromise an individual’s privacy by disclosing their sensitive medical information. This legislation will allow patients, providers, and insurance carriers to better protect patient privacy, by creating an opt-in system for patients to use when they need to keep their information confidential.

“Without clear confidentiality protections, teens and young adults insured on their parents’ health plan may be deterred from seeking care and this presents serious public health concerns,” said Senator Laurie Monnes Anderson (D-Gresham), chair of the Senate Health Care Committee and a retired public health nurse. “This bill will also be especially valuable for victims of domestic violence. During our committee hearing, we heard numerous stories about vulnerable patients who needed this key confidentiality protection.”

The practice of sending an Explanation of Benefits or other health care communications to a policy-holder can make accessing health care dangerous for a survivor of domestic violence and her children when they are on an abusive partner’s plan, as the information in an Explanation of Benefits can lead to a survivor being tracked or otherwise put at risk by an abusive partner. HB 2758 will change the law so that patients have the option to have those details sent to them, and not to someone else.

The bill will now go to the Governor for her consideration.

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