

HOUSE COMMITTEE ON
AUDIT & HUMAN SERVICES BUDGET REFORM COMMITTEE

February 18, 2003 Hearing Room 50
3:00PM Tapes 30 - 31

MEMBERS PRESENT: Rep. Ben Westlund, Chair
Rep. Steve March, Vice-Chair
Rep. Jeff Kruse
Rep. Jeff Merkley
Rep. Alan Bates

MEMBER EXCUSED: Rep. Randy Miller
Rep. Susan Morgan, Vice Chair

GUEST MEMBERS: Rep. Laurie Monnes Anderson
Rep. Gordon Anderson
Rep. Mitch Greenlick
Rep. Carolyn Tomei

STAFF PRESENT: Rick Berkobien, Committee Administrator
Kelly Fuller, Committee Assistant

INVITED TESTIMONY: Gwen Dayton, Association of Hospitals and Health Care Systems
Paul Frisch, Oregon Medical Association

ISSUES HEARD: Informational Meeting
“Medical Privacy in the Hospital and Physician Office Settings: How the
Federal Privacy Regulation will Impact Healthcare Delivery in Oregon after
April 14, 2003”

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
Tape 30, A		
005	Chair Westlund	Calls meeting to order and introduces Gwen Dayton, Association of Hospitals and Health Care Systems and Paul Frisch, Oregon Medical Association and opens informational meeting.
<u>INFORMATIONAL MEETING</u>		
010	Paul Frisch	Begins presentation with a slide show and gives his handouts. (EXHIBIT A)
269	Rep. Anderson	Asks what the budget for enforcement HIPAA (Health Insurance Portability Accountability Act) is.
271	Frisch	Responds with the budget figures for HIPAA.
275	Rep. Greenlick	Asks if there is anything in your materials that HIPAA in enforcing that you would not have toured offices and commented on years ago.
283	Frisch	Responds about HIPAA then and now.
300	Rep. Bates	Asks a question about employees getting into other employees medical files.

329	Dayton	Comments about employees on getting into other employees files.
334	Frisch	Makes comments about policies and procedures under HIPAA.
351	Dayton	Begins her presentation with an brief overview of how the system works. (EXHIBIT B)
TAPE 31,A		
083	Kruse	Asks questions about what you can get over the phone when there is an emergency.
095	Dayton	Responds and continues.
116	Rep. Kruse	Gives a scenario about someone coming in and needing information.
145	Dayton	Responds about the information you can give and continues presentation.
177	Rep. Bates	Asks if you have to get permission from the patient to give the blood information out.
180	Dayton	Responds that she doesn't think so.
189	Frisch	Makes comments about what is required by law.
194	Dayton	Discusses making disclosures mandatory as the law.
210	Kruse	Makes comments about blood alcohol levels if pulled over.
220	Dayton	Answers about the blood samples and continues presentation
320	Rep. Kruse	Comments that you are assuming you don't have to get permission to release his information.
328	Dayton	Comments about releasing information.
343	Rep. Greenlick	Makes comments about privacy issues
350	Dayton	Comments that this raises the minimum necessity issue and elaborates.
359	Rep. Greenlick	Asks who owns the data, is it owned by the hospital or the patient.
370	Dayton	Talks about patients rights to access information.
380	Frisch	Talks about how they were trying to give the patient more input into how their information is used.
393	Greenlick	Asks if the hospital can use it for anything that is not prohibited.
399	Frisch	Makes comments about the major grounds for discipline.
405	Dayton	Continues and discusses patient rights.
TAPE 30, B		
001	Dayton	Continues.
042	Frisch	Talks about his presentation for tomorrow.
073	Rep. Kruse	Asks questions about what a small physicians office will do if they get someone with another language into their offices and don't have interpreting.
080	Frisch	Comments and responds to the question about interpreters.
095	Rep. Kruse	Asks if there is anything the legislature can do to change the HIPAA rules now.
100	Dayton	Comments that HIPAA rules are now cast in stone.
103	Rep. Kruse	Asks if they have any estimates about what this is going to cost.
122	Chair Westlund	Asks how much will this cost in Oregon only.
128	Frisch	Responds with estimated costs.
130	Chair Westlund	Wants to know where this came from and what is the history of this.
135	Dayton	Relates her comments about the history of HIPAA.
143	Frisch	Elaborates with his comments about the history of HIPAA.
177	Rep. March	Would like more information about Oregon laws and any costs how this relates to the Oregon Health Plan.
	Chair Westlund	Closes the informational meeting and adjourns 4:43 pm

EXHIBIT SUMMARY

A – Informational, Oversized Exhibit, HIPAA Binder, Paul Frisch

B – Informational, Oregon Association of Hospitals and Health Systems, Paul Frisch, 21 pp