

ORS 418.795¹ Confidentiality of information and records

(1) All information and records acquired by a county multidisciplinary child abuse team established under ORS 418.747 (County teams for investigation) or a child fatality review team established under ORS 418.785 (Child Fatality Review Teams) in the exercise of its duties are confidential and may be disclosed only when necessary to carry out the purposes of the child abuse investigation or the child fatality review process.

(2) A member agency of a county multidisciplinary child abuse team or a member of the team may use or disclose protected health information without obtaining an authorization from an individual or a personal representative of the individual if use or disclosure is necessary for public health purposes, including the prevention, investigation and treatment of child abuse.

(3) A child fatality review team shall have access to and subpoena power to obtain all medical records, hospital records and records maintained by any state, county or local agency, including, but not limited to, police investigative data, coroner or medical examiner investigative data and social services records, as necessary to complete a child abuse investigation or a review of a specific fatality under ORS 418.785 (Child Fatality Review Teams).

(4) As used in this section, personal representative and protected health information have the meanings given those terms in ORS 192.556 (Definitions for ORS 192.553 to 192.581). [2005 c.562 §19]

Note: See note under 418.746 (Child Abuse Multidisciplinary Intervention Account).

ANNOTATIONS

Chapter 418

Notes of Decisions

Where plaintiffs brought action under 42 U.S.C. 1983 alleging violation of federal civil rights after defendant Childrens Services Division employees removed plaintiffs child from home following reports of abuse, CSD workers entitled to absolute immunity in investigation, taking child into custody and keeping plaintiffs from visiting child. *Tennyson v. Childrens Services Division*, 308 Or 80, 775 P2d 1365 (1989)

¹ Legislative Counsel Committee, CHAPTER 418—Child Welfare Services,
https://www.oregonlegislature.gov/bills_laws/laws/statutes/2013ors418.html External_link_icon(2013)
(last accessed Apr. 27, 2014).