

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 18-06-05-03

IN THE MATTER OF AMENDING LANE  
MANUAL CHAPTER 2 TO UPDATE THE  
PROVISIONS PERTAINING TO PUBLIC  
RECORDS LAW TO CONFORM WITH 2017  
LEGISLATIVE CHANGES (LM 2.160 – 2.170)

The Board of County Commissioners of Lane County **ORDERS** as follows:

Lane Manual Chapter 2 is amended by removing, substituting or adding the following sections:

**REMOVE THESE SECTIONS**

2.160  
2.162  
2.165  
2.170

**INSERT THESE SECTIONS**

2.160  
2.162  
2.165  
2.170

If any section, subsection, sentence, clause, phrase or portion of this Order or the referenced Lane Manual provisions is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions.

Said sections are attached hereto as Exhibit A and incorporated herein by reference. The purpose of these substitutions is to update the provisions pertaining to Public Records Law to conform with the 2017 legislative changes.

**ADOPTED** this 5th day of June 2018.



Jay Bozievich, Chair  
Lane County Board of Commissioners

## EXHIBIT A

2.150

Lane Manual

2.162

(4) The Office of Legal Counsel will advise the County Archives Officer of any changes in Oregon statutes or administrative rules relating to the retention and destruction of records. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 89-3-15-4, 3.15.89; 78-11-29-6, 12.6.78, 17-09-12-01, 9.12.17)*

### INSPECTION OF PUBLIC RECORDS AND REQUESTS FOR INFORMATION

#### 2.150 Policy Statement.

It is the policy of Lane County that the public has a right to inspect any public record maintained by the County, consistent with Oregon Public Records Law (ORS Chapter 192). Pursuant to this policy:

(1) Responses to public requests for inspection of records and information should be done as soon as practicable and without unreasonable delay. Reasonable delays in responding may occur depending upon the nature of the request, workload and staffing of the office which must respond and other factors.

(2) To the extent practicable, the County will make certain public record information of general interest available on one or more County websites, while providing protection from disclosure of personal information in the manner described in LM 2.187 to 2.189. *(Revised by Order No. 76-5-26-8; Effective 12.26.76; 08-2-20-2, 2.20.08; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

#### 2.155 Purpose.

The purpose of the rules contained in LM 2.150 to 2.175 is to establish a written procedure for making and responding to public record requests. *(Revised by Order No. 76-5-26-8; Effective 12.26.76; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

#### 2.160 Definitions.

As used in LM 2.150 through 2.175, the following terms have the meanings stated here:

Certified copy. A reproduction of a public record furnished by the County which is inscribed with a notation by the County employee reproducing the record, including the employee's signature, date and the words "Certified Copy." If the public record is not suitable for reproduction, a facsimile may be prepared and the notation "Certified Facsimile Copy," signature and date inscribed.

Copy. A reproduction of a public record made at the request of a member of the general public.

Custodian of records. The person responsible for maintaining public records and furnishing a proper and reasonable facility for making memoranda or abstracts from the records during normal business hours.

Exempt records. Those records specified in ORS 192.345, 192.355, and records that are exempt under any other section of the Oregon Revised Statutes. Exempt records also include records that the County Counsel has determined exempt from public inspection.

Fees. Those costs charged for providing copies of public records or requested information. Fees are calculated to reimburse the County for actual costs in making such records or information available.

Public. The "public" includes any natural person, corporation, partnership, firm or association.

Public record. A public record is any information that:

- (1) Is prepared, owned, used or retained by a state agency or political subdivision and,
- (2) Is necessary to satisfy the fiscal, legal and administrative or historical policy requirements or needs of the state agency or political subdivision.

Public Records Officer. The Public Records Officer is the County employee or employees designated pursuant to ORS 192.324 for receipt of public records requests.

Request for information. A request for limited or specified pieces of information extracted from one or more records. *(Revised by Order No. 76-5-26-8, Effective 12.26.76; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

#### 2.162 Responses to Public Records Requests.

(1) A response to a public record request must be made as soon as practicable and without unreasonable delay. If the record is readily available for inspection, the records may be provided for

inspection in accordance with the procedures in LM 2.165. If the record is not readily available at the office where the request is made, a written public records request must be made as provided in LM 2.163.

(2) The County may request additional information or clarification from the requester for the purpose of expediting the response.

(3) In accordance with ORS 192.324(2), the response must acknowledge receipt within five business days after receiving the request or complete the response to the request. The acknowledgement must include one of the following:

(a) A statement that the County does not possess, or is not the custodian of, the public record.

(b) Copies of all requested public records for which the County does not claim an exemption from disclosure under Oregon law.

(c) A statement that the County is the custodian of at least some of the requested public records, an estimate of the time the County requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay as a condition of receiving the public records.

(d) A statement that the County is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the County within a reasonable time.

(e) A statement that the County is uncertain whether the County possesses the public record and that the County will search for the record and make an appropriate response as soon as practicable.

(f) A statement that state or federal law prohibits the County from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanction. A statement under this paragraph must include a citation to the state or federal law relied upon by the County in making the statement.

(4) If the County asserts that one or more requested records are exempt from public disclosure, the County must include a statement that the requester may seek review of the County's determination pursuant to ORS 192.401, 192.411, 192.415, 192.418, 192.422, 192.427, and 192.431. *(Revised by Order No. 08-2-20-2, Effective 2.20.08; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

### **2.163 Procedures for Public Records Requests.**

The County will make available to the public the written procedures for making public records requests. These procedures must be posted on the County's website and available at the Board of Commissioners' Office.

#### **(1) Form and Method of Requests.**

(a) Certain County offices maintain particular records generally available to the public, such as the Assessment & Taxation office, Deeds & Records office, Sheriff's Office, and the Customer Service Center. Such records may be requested directly at these offices.

(b) Other public records requests must be made in writing. The written request may be submitted using a completed copy of the form contained in the Oregon Attorney General's Public Records and Meetings Manual (a copy of which is available on the County's website or from the Public Records Officer at the address below). A request may also be made in another written manner, so long as the request contains all of the information required on the Attorney General's form.

(c) Written public records requests must be submitted by email to the Public Records Officer at [publicrecords@co.lane.or.us](mailto:publicrecords@co.lane.or.us) or in writing to:

Public Records Officer  
Lane County Office of Legal Counsel  
125 E. 8th Avenue  
Eugene, Oregon 97401

Requests made in any manner other than those stated in this section can and will require more time for a response.

(2) A person making a request may ask that the copies of the documents be produced in a specific format, such as compact disc, providing that the person pays the fee charged for this service.

(3) Fees must be calculated to reimburse the County for the actual costs of making records or information available. Fees must include the full cost of the staff providing the information, calculated at an hourly rate; plus 2.5% (to cover costs associated with building, maintenance, utilities, etc.); and copying fees as established in this section. Staff costs are to be computed on a quarter-hour basis. Other costs that may be included in the fees are:

(a) Staff time spent to locate, review, segregate, and/or redact exempt materials from requested records,

(b) Staff time spent to copy, certify, or mail records or supervise inspection of original documents.

(c) Staff time spent to search for and review records, even if the located records are subsequently determined to be exempt from disclosure or no records can be found.

(d) Supplies and materials used to produce information on audio tapes, video tapes, microfilm, magnetic tape, photo paper, CD, DVD, or other media,

(4) If fees are estimated to exceed \$25, the Public Records Officer will inform the person making the request of the amount of the fees and may not proceed until receiving confirmation from the person making the request that the person agrees to pay the fees. If the requester fails to pay the fee within 60 days of the date on which the County informed the requester of the fee, or fails to pay the fee within 60 days of the date on which the County informed the requester of the denial of a fee waiver, the County shall close the request, pursuant to ORS 192.329(3)(b).

(5) Prior to delivery of the requested public record, the person making the request must pay the fees.

(6) Fixed copying costs are

(a) Copies (black and white).....	\$ 0.25 per page
(b) Copies (color).....	\$ 1.50 per page
(c) Copies (11 x 17 in black and white).....	\$ 1.50 per page
(d) Copying or Recording information to a CD.....	\$ 10.00 per CD
(e) Copy of Annual Budget (per copy).....	\$ 35.00

(7) The Office of Legal Counsel should be consulted if there is any question about whether a document is exempt from disclosure or should nevertheless be disclosed. Absent unusual circumstances, such as litigation, the decision on whether to disclose is made by the Public Records Officer or the County Administrator. *(Revised by Order No. 8-2-20-2, Effective 2.20.08; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

**2.165 Procedures for Inspection of Public Records.**

The following procedures are required in responding to requests for inspection of public records.

(1) To the extent possible requests for inspection of public records should be honored at the time the request is made, or as soon thereafter as practicable and without unreasonable delay.

(2) Requests to inspect public records should clearly identify specific records desired for inspection. The request must be made in writing, unless a writing is unnecessary to understand the request and provide the response.

(3) Records may not be removed by the public from the office where they are maintained, unless a procedure that protects and ensures the integrity of the records during removal has been established.

(4) No written notes, comments, or marks, may be made on any public record by any member of the public.

(5) A logging system for keeping track of original records made available to a member of the public must be maintained by each office for those records to be examined by the public or transferred to other County offices in the course of official County business. The system must:

(a) Clearly identify the records examined and the names of all individuals reviewing the record,

(b) Contain such information or notation as is necessary to determine whether the records are returned intact,

(c) Record the amount of time the records are in the public's possession,

(d) Contain a determination that the records were returned intact, and a record of any damage or markings thereon.

(6) An appropriate location within each office must be used for public review of records, which should be so situated as to permit monitoring by a County employee assigned responsibility for such monitoring.

(7) Departments may establish additional guidelines to maintain security of records in their possession.

(8) A person with a disability is entitled to a reasonable accommodation to enable that person to access public records, such as providing an enlarged version of the record, without additional charge. *(Revised by Order No. 83-9-27-3; Effective 9.27.83; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

### **2.170 Procedure for Requests for Information.**

The following guidelines apply to requests for information. A request for information may be received by itself, or may supplement a records inspection request.

(1) Responses to requests for information is not mandated by law, and should be made with concern for maintaining normal County services.

(2) Oral requests for information should be answered at the time of the request if the information can be supplied quickly, without undue disruption of normal activities, in a convenient form, without lengthy explanation or costs.

(3) When a request for information can be answered more efficiently and appropriately by public inspection of records, the person making the request should be directed to the Public Records Officer.

(4) Requests that require research, evaluation, documentation, discussion, collation of materials from various sources, disruption of normal work or significant staff time must be submitted in writing. A fee may be charged for such requests using the methods described in LM 2.163 (2) through (5) above.

(5) The decision to supply information in response to requests for information is at the discretion of the Department receiving the request. Consideration should be given to Lane County's spirit of open government, but with concern for the type and amount of information requested and the costs and staff time required and with recognition of the benefits of cooperation with other governmental agencies, associations, groups, and individuals.

(6) A decision not to supply requested information should be made only after full consideration of the circumstances involved in the request and the response. *(Revised by Order No. 83-9-27-3, Effective 9.27.83; 76-5-26-8; 5.26.76; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

### **2.175 Grievance.**

Any person or persons who believe themselves aggrieved as a result of the application of the procedures established in LM 2.150 through 2.170 may appeal to the County Administrator or the Board. *(Revised by Order No. 93-3-31-7; Effective 3.31.93, 17-09-12-01, 9.12.17)*

## **PROTECTION OF PERSONAL INFORMATION**

### **2.182 Policy Regarding HIPAA**

It is Lane County's policy to support implementation of the federal Health Insurance Portability and Accountability Act (HIPAA) as it applies to health care functions and activities of certain Lane County Departments. This federal law and its implementing regulations promote patients' trust in the health care system by providing national standards protecting the privacy and security of their private health information and providing them rights to control access to such information. The uniform standards, code sets, and identifiers for carrying out administrative financial health transactions on line were designed to promote efficiency and flexibility in patient's receiving health care services and in billing and receiving

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authorized by Oregon law. Destruction of records that fall outside the scope of the State Archives administrative rule must be approved in writing by both the County Archives Officer and County Counsel. A record of destruction must include a description of the records destroyed, including the inclusive dates of the records, and the date of destruction of the records.

(3) County Archives Officer. The Director of Operations is appointed the County Archives Officer, and is responsible for maintaining, retaining, and destroying public records in compliance with Oregon law.

(4) The Office of Legal Counsel will advise the County Archives Officer of any changes in Oregon statutes or administrative rules relating to the retention and destruction of records. *(Revised by Order No. 98-4-1-11, Effective 4.1.98; 89-3-15-4, 3.15.89; 78-11-29-6, 12.6.78, 17-09-12-01, 9.12.17)*

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(2) To the extent practicable, the County will make certain public record information of general interest available on one or more County websites, while providing protection from disclosure of personal information in the manner described in LM 2.187 to 2.189. *(Revised by Order No. 76-5-26-8; Effective 12.26.76; 08-2-20-2, 2.20.08; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

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The purpose of the rules contained in LM 2.150 to 2.175 is to establish a written procedure for making and responding to public record requests. *(Revised by Order No. 76-5-26-8; Effective 12.26.76; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

#### 2.160 Definitions.

As used in LM 2.150 through 2.175, the following terms have the meanings stated here:

Certified copy. A reproduction of a public record furnished by the County which is inscribed with a notation by the County employee reproducing the record, including the employee's signature, date and the words "Certified Copy." If the public record is not suitable for reproduction, a facsimile may be prepared and the notation "Certified Facsimile Copy," signature and date inscribed.

Copy. A reproduction of a public record made at the request of a member of the general public.

Custodian of records. The person responsible for maintaining public records and furnishing a proper and reasonable facility for making memoranda or abstracts from the records during normal business hours.

Exempt records. Those records specified in ORS 192.~~501~~**345**, 192.~~502-355~~, and ~~those records that are exempt under any other section of the Oregon Revised Statutes~~. **Exempt records also include records** that the County Counsel has determined exempt from public inspection.

Fees. Those costs charged for providing copies of public records or requested information. Fees are calculated to reimburse the County for actual costs in making such records or information available.

Public. The "public" includes any natural person, corporation, partnership, firm or association.

Public record. A public record is any information that:

- (1) Is prepared, owned, used or retained by a state agency or political subdivision and,

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(2) Is necessary to satisfy the fiscal, legal and administrative or historical policy requirements or needs of the state agency or political subdivision.

Public Records Officer. The Public Records Officer is the County employee or employees designated pursuant to ORS 192.440-324 for receipt of public records requests.

Request for information. A request ~~that does not ask to examine an existing public record in the form the record is maintained or can readily be produced, but~~ for limited or specified pieces of information extracted from one or more records. *(Revised by Order No. 76-5-26-8, Effective 12.26.76; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

### 2.162 Responses to Public Records Requests.

(1) A response to a public record request must be made as soon as practicable and without unreasonable delay. If the record is readily available for inspection, the records may be provided for inspection in accordance with the procedures in LM 2.165. If the record is not readily available at the office where the request is made, a written public records request must be made as provided in LM 2.163.

(2) The County may request additional information or clarification from the requester for the purpose of expediting the response.

(3) In accordance with ORS 192.440324(2), the response must acknowledge receipt **within five business days after receiving the request or complete the response to** the request. ~~and~~ **The acknowledgement** must include one of the following:

(a) A statement that the County does not possess, or is not the custodian of, the public record.

(b) Copies of all requested public records for which the County does not claim an exemption from disclosure under Oregon law.

(c) A statement that the County is the custodian of at least some of the requested public records, an estimate of the time the County requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay as a condition of receiving the public records.

(d) A statement that the County is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the County within a reasonable time.

(e) A statement that the County is uncertain whether the County possesses the public record and that the County will search for the record and make an appropriate response as soon as practicable.

(f) A statement that state or federal law prohibits the County from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanction. A statement under this paragraph must include a citation to the state or federal law relied upon by the County in making the statement.

**(4) If the County asserts that one or more requested records are exempt from public disclosure, the County must include a statement that the requester may seek review of the County's determination pursuant to ORS 192.401, 192.411, 192.415, 192.418, 192.422, 192.427, and 192.431.** *(Revised by Order No. 08-2-20-2, Effective 2.20.08; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

### 2.163 Procedures for Public Records Requests.

The County will make available to the public the written procedures for making public records requests. These procedures must be posted on the County's website and available at the Board of Commissioners' Office.

(1) Form and Method of Requests.

(a) Certain County offices maintain particular records generally available to the public, such as the Assessment & Taxation office, Deeds & Records office, **Sheriff's Office**, and the Customer Service Center. Such records may be requested directly at these offices.

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(b) Other public records requests must be made in writing. The written request may be submitted using a completed copy of the form contained in the Oregon Attorney General’s Public Records and Meetings Manual (a copy of which is available on the County’s website or from the Public Records Officer at the address below). A request may also be made in another written manner, so long as the request contains all of the information required on the Attorney General’s form.

(c) Written public records requests must be submitted by email to the Public Records Officer at publicrecords@co.lane.or.us or in writing to:

Public Records Officer  
Lane County Office of Legal Counsel  
125 E. 8th Avenue  
Eugene, Oregon 97401

Requests made in any manner other than those stated in this section can and will require more time for a response.

(2) A person making a request may ask that the copies of the documents be produced in a specific format, such as compact disc, providing that the person pays the fee charged for this service.

(3) Fees must be calculated to reimburse the County for the actual costs of making records or information available. Fees must include the full cost of the staff providing the information, calculated at an hourly rate; plus 2.5% (to cover costs associated with building, maintenance, utilities, etc.); and copying fees as established in this section. Staff costs are to be computed on a quarter-hour basis. Other costs that may be included in the fees are:

(a) Staff time spent to locate, review, segregate, and/or redact exempt materials from requested records,

(b) Staff time spent to copy, certify, or mail records or supervise inspection of original documents.

(c) Staff time spent to search for and review records, even if the located records are subsequently determined to be exempt from disclosure or no records can be found.

(d) Supplies and materials used to produce information on audio tapes, video tapes, microfilm, magnetic tape, photo paper, CD, DVD, or other media,

(4) If fees are estimated to exceed \$25, the Public Records Officer will inform the person making the request of the amount of the fees and may not proceed until receiving confirmation from the person making the request that the person agrees to pay the fees. **If the requester fails to pay the fee within 60 days of the date on which the County informed the requester of the fee, or fails to pay the fee within 60 days of the date on which the County informed the requester of the denial of a fee waiver, the County shall close the request, pursuant to ORS 192.329(3)(b).**

(5) Prior to delivery of the requested public record, the person making the request must pay the fees.

(6) Fixed copying costs are

(a) Copies (black and white).....	\$ 0.25 per page
(b) Copies (color).....	\$ 1.50 per page
(c) Copies (11 x 17 in black and white).....	\$ 1.50 per page
(d) Copying or Recording information to a CD.....	\$ 10.00 per CD
(e) Copy of Annual Budget (per copy).....	\$ 35.00

(7) The Office of Legal Counsel should be consulted if there is any question about whether a document is exempt from disclosure or should nevertheless be disclosed. Absent unusual circumstances, such as litigation, the decision on whether to disclose is made by the Public Records Officer or the County Administrator. *(Revised by Order No. 8-2-20-2, Effective 2.20.08; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*



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### **2.165 Procedures for Inspection of Public Records.**

The following procedures are required in responding to requests for inspection of public records.

(1) To the extent possible requests for inspection of public records should be honored at the time the request is made, or as soon **thereafter** as ~~is reasonably~~ practicable **and without unreasonable delay**.

(2) Requests to inspect public records should clearly identify specific records desired for inspection. The request must be made in writing, unless a writing is unnecessary to understand the request and provide the response.

(3) Records may not be removed by the public from the office where they are maintained, unless a procedure that protects and ~~assures~~ **ensures** the integrity of the records during removal has been established.

(4) No written notes, comments, or marks, may be made on any public record by any member of the public.

(5) A logging system for keeping track of original records made available to a member of the public must be maintained by each office for those records to be examined by the public or transferred to other County offices in the course of official County business. The system must:

(a) Clearly identify the records examined and the names of all individuals reviewing the record,

(b) Contain such information or notation as is necessary to determine whether the records are returned intact,

(c) Record the amount of time the records are in the public's possession,

(d) Contain a determination that the records were returned intact, and a record of any damage or markings thereon.

(6) An appropriate location within each office must be used for public review of records, which should be so situated as to permit monitoring by a County employee assigned responsibility for such monitoring.

(7) Departments may establish additional guidelines to maintain security of records in their possession.

(8) A person with a disability is entitled to a reasonable accommodation to enable that person to access public records, such as providing an enlarged version of the record, without additional charge. *(Revised by Order No. 83-9-27-3; Effective 9.27.83; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

### **2.170 Procedure for Requests for Information.**

The following guidelines apply to requests for information. A request for information may be received by itself, or may supplement a records inspection request.

(1) Responses to requests for information is not mandated by law, and should be made with concern for maintaining normal County services.

(2) Oral requests for information should be answered at the time of the request if the information can be supplied quickly, without undue disruption of normal activities, in a convenient form, without lengthy explanation or costs.

(3) When a request for information can be answered more efficiently and appropriately by public inspection of records, the person making the request should be directed to the Public Records Officer.

(4) Requests that require research, evaluation, documentation, discussion, collation of materials from various sources, disruption of normal work or significant staff time must be submitted in writing. A fee may be charged for such requests using the methods described in LM 2.163 (2) through (5) above.

(5) The decision to supply information in response to requests for information is at the discretion of the Department receiving the request. Consideration should be given to Lane County's spirit of open government, but with concern for the type and amount of information requested and the costs and

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staff time required and with recognition of the benefits of cooperation with other governmental agencies, associations, groups, and individuals.

(6) A decision not to supply requested information should be made only after full consideration of the circumstances involved in the request and the response. *(Revised by Order No. 83-9-27-3, Effective 9.27.83; 76-5-26-8; 5.26.76; 11-12-14-10, 1.1.12, 17-09-12-01, 9.12.17)*

#### **2.175 Grievance.**

Any person or persons who believe themselves aggrieved as a result of the application of the procedures established in LM 2.150 through 2.170 may appeal to the County Administrator or the Board. *(Revised by Order No. 93-3-31-7; Effective 3.31.93, 17-09-12-01, 9.12.17)*

### **PROTECTION OF PERSONAL INFORMATION**

#### **2.182 Policy Regarding HIPAA**

It is Lane County's policy to support implementation of the federal Health Insurance Portability and Accountability Act (HIPAA) as it applies to health care functions and activities of certain Lane County Departments. This federal law and its implementing regulations promote patients' trust in the health care system by providing national standards protecting the privacy and security of their private health information and providing them rights to control access to such information. The uniform standards, code sets, and identifiers for carrying out administrative financial health transactions on line were designed to promote efficiency and flexibility in patient's receiving health care services and in billing and receiving payment from health plans and other payors. Members of the public and employees of Lane County are entitled to the same benefits and protections when their protected health care information is created or received by a Lane County Department program or activity providing health care or serving as a health plan, or health care clearinghouse covered by HIPAA.

The County Administrator is delegated authority to adopt procedures and guidelines to implement HIPAA to the extent it applies to work performed by Lane County Departments which is covered by that law. While the Board made initial HIPAA decisions regarding health care components and personnel designations, the County Administrator is delegated authority to adopt additional procedures and guidelines addressing changes to health care component designations, and when necessary to select a replacement county HIPAA Privacy Officer subject to the approval of the Board, and to address other changes in Department HIPAA personnel designations and duties. *(Revised by Order No. 03-1-21-2, Effective 01.21.03; 11-5-24-1, 05-24-11, 17-09-12-01, 9.12.17)*

#### **2.183 Policy Regarding Oregon Consumer Identity Theft Protection Act.**

The Oregon Consumer Identity Theft Protection Act (the "Act") codified at ORS 646A.600 to 646A.628, is applicable to Lane County Departments that own, maintain or otherwise possess consumer personal information as defined by the Act.

(1) Generally, unless the information is protected through encryption, redaction or other methods, consumer personal information to which the Act applies includes a consumer's first name or first initial and last name in combination with:

- (a) A Social Security number;
- (b) A driver's license number or state identification card number issued by the Oregon Department of Transportation;
- (c) A passport number or other United States issued identification number; or
- (d) A financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to a consumer's financial account.