

Enrolled
House Bill 2448

Sponsored by Representatives P SMITH, JENSON; Representatives BARNHART, BONAMICI, BOONE, CLEM, HOLVEY, MACPHERSON, MERKLEY, NOLAN, ROSENBAUM, SCHAUFLER, SHIELDS, TOMEI, Senators BROWN, BURDICK, DEVLIN, WALKER

CHAPTER

AN ACT

Relating to medications that are intended to inhibit the enzyme known as cyclooxygenase-2.

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

SECTION 1. (1) As used in this section, "COX-2 inhibitor" means a medication that is intended to inhibit the enzyme known as cyclooxygenase-2.

(2) A civil action for injury, including any product liability action under ORS 30.900 to 30.920 and any action based on negligence, resulting from the use of a COX-2 inhibitor must be commenced not later than four years after the date on which the plaintiff first discovered, or in the exercise of reasonable care should have discovered, the injury and the causal relationship between the injury and the product, or the causal relationship between the injury and the conduct of the defendant.

(3) A civil action for death, including any product liability action under ORS 30.900 to 30.920 and any action based on negligence, resulting from the use of a COX-2 inhibitor must be commenced not later than six years after the date on which the plaintiff first discovered, or in the exercise of reasonable care should have discovered, the causal relationship between the death and the product, or the causal relationship between the death and the conduct of the defendant.

SECTION 2. (1) Except as provided in subsection (2) of this section, section 1 of this 2007 Act applies only to causes of action arising on or before January 1, 2007.

(2) Section 1 of this 2007 Act does not apply to any causes of action for which a judgment was entered in the register of a court before the effective date of this 2007 Act.

Passed by House May 15, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate June 5, 2007

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President of Senate

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State