

House Bill 2895

Sponsored by Representatives BARKER, THATCHER; Representatives BOONE, CAMERON, DALLUM, D EDWARDS, ESQUIVEL, KOMP, KRUMMEL, SCHAUFLER, WHISNANT, WITT, Senator MONROE (at the request of Marie Armstrong in the name of Chance Friedhoff, Darke Hull, Crime Victims United)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies requirement that health care provider notify law enforcement officer or agency if person believed to be driver in motor vehicle accident has blood alcohol level exceeding legal limit for operating motor vehicle.

A BILL FOR AN ACT

1
2 Relating to notification to law enforcement officials by health care providers; amending ORS 676.260.

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

4 **SECTION 1.** ORS 676.260 is amended to read:

5 676.260. (1) If a health care provider who is providing medical care in a health care facility
6 immediately after a motor vehicle accident to a person reasonably believed to be the operator of a
7 motor vehicle involved in the accident, becomes aware, as a result of any blood test performed in
8 the course of that treatment, that the person's blood alcohol level meets or exceeds the percent
9 specified in ORS 813.010, the health care provider must [*notify, within five calendar days, any law*
10 *enforcement officer or agency.*] **immediately notify any law enforcement officer who is at the**
11 **health care facility and is acting in an official capacity in relation to the motor vehicle ac-**
12 **cident. If no law enforcement officer is present at the health care facility, the health care**
13 **provider must notify a law enforcement agency in the county in which the accident occurred**
14 **within six hours of becoming aware of the results of the blood test.**

15 (2) The notice shall consist of the name of the person being treated, the blood alcohol level
16 disclosed by the test and the date and time of the administration of the test.

17 (3) Nothing contained in ORS 40.225 to 40.295 affects the requirement to provide notice imposed
18 by this section, and the health care provider shall not be considered to have breached any duty
19 under ORS 40.225 to 40.295 owed to the person about whom the notice is made.
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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.