

Senate Bill 376

Sponsored by Senator WALKER (Presession filed.)

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**.

Directs Oregon Health and Science University to post notice to patients in university facilities about provisions of Oregon Tort Claims Act and to include notice in university advertisements.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Oregon Health and Science University; and declaring an emergency.

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

4 **SECTION 1. (1) Oregon Health and Science University shall display the notice specified**
5 **in subsection (3) of this section in a conspicuous manner and in a sufficient number of places**
6 **in each of the university's facilities where patients of the university are present to reason-**
7 **ably ensure that patients are informed of the notice.**

8 **(2) Oregon Health and Science University shall include the notice specified in subsection**
9 **(3) of this section in each advertisement for the university.**

10 **(3) The notice required by this section must be in substantially the following form:**
11 _____

NOTICE TO PATIENTS

12
13
14 **If you have a claim against Oregon Health and Science University by reason of the**
15 **medical care you receive from the university, the claim is subject to the Oregon Tort Claims**
16 **Act (ORS 30.260 to 30.300). Under the Oregon Tort Claims Act, the claim will be subject to**
17 **certain limitations and requirements that do not apply to private medical providers. You**
18 **should be aware that:**

19 **-Claims against the university, and against university employees, generally are limited**
20 **to no more than \$200,000 for all damages suffered by the patient.**

21 **-A patient cannot seek to recover punitive damages from the university or from univer-**
22 **sity employees.**

23 **-A patient must give actual notice to the university of a claim within 180 days after the**
24 **injury occurs. If a patient dies, notice must be given for the deceased patient within one year**
25 **after the injury occurs.**

26 **If you have any questions about a possible claim, you should consult an attorney**
27 **promptly.**
28 _____

29
30 **SECTION 2. Section 1 of this 2007 Act becomes operative 30 days after the effective date**
31 **of this 2007 Act.**

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.

1 **SECTION 3.** This 2007 Act being necessary for the immediate preservation of the public
2 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
3 on its passage.

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