

**Enrolled**  
**House Bill 2595**

Sponsored by COMMITTEE ON BUSINESS AND LABOR

CHAPTER .....

AN ACT

Relating to persons employed to provide certain health care services; creating new provisions; and amending ORS 652.900.

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

**SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 652.**

**SECTION 2. (1) A home health agency providing home health services may not compensate a nurse providing home health services for the agency on a per-visit basis.**

**(2) A hospice program providing hospice services may not compensate a nurse providing hospice services for the program on a per-visit basis.**

**(3)(a) The Bureau of Labor and Industries shall enforce compliance with the provisions of this section.**

**(b) In accordance with the provisions of ORS chapter 183, the Commissioner of the Bureau of Labor and Industries may adopt rules to carry out the provisions of this section.**

**SECTION 3. ORS 652.900 is amended to read:**

652.900. (1) In addition to any other penalty provided by law, the Commissioner of the Bureau of Labor and Industries may assess a civil penalty not to exceed \$1,000 against any person who violates ORS 652.020, 652.110, 652.140, 652.145, 652.610 (4) or 652.750 **or section 2 of this 2009 Act** or any rule adopted under those statutes.

(2) Civil penalties under this section shall be imposed as provided in ORS 183.745.

(3) All sums collected as penalties under this section shall be first applied toward reimbursement of costs incurred in determining the violations, conducting hearings under this section and addressing and collecting the penalties. The remainder, if any, of the sums collected as penalties under this section shall be paid into the State Treasury and credited to the General Fund and is available for general governmental expenses.

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**Passed by House March 26, 2009**

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Chief Clerk of House

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Speaker of House

**Passed by Senate May 7, 2009**

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President of Senate

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State