

House Bill 3193

Sponsored by Representative THATCHER

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**.

Establishes Retired Senior Volunteer Program within Department of Human Services. Permits retired nurses to volunteer their services to county governments or health districts providing local public health services in exchange for department providing health care insurance coverage to retired nurses and, when appropriate, to nurses' spouses.

A BILL FOR AN ACT

1
2 Relating to voluntary service by retired nurses; creating new provisions; and amending ORS 656.027.

3 Whereas many of our most experienced nurses are retiring at an early age; and

4 Whereas many retired nurses are willing and able to provide services to county governments
5 or health districts providing local public health services; and

6 Whereas many retired nurses are not yet eligible for Medicare health plans; and

7 Whereas many retired nurses need to acquire or maintain health care insurance coverage before
8 they are eligible for Medicare health plans; and

9 Whereas the Seventy-fifth Legislative Assembly finds that our state would benefit greatly from
10 a program that encourages retired nurses to make their services available to county governments
11 or health districts providing local public health services; now, therefore,

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

13 **SECTION 1.** (1) **There is established the Retired Senior Volunteer Program within the**
14 **Department of Human Services.**

15 (2) **The purpose of the program is to encourage and assist retired nurses to volunteer**
16 **their services to county governments or health districts providing local public health ser-**
17 **vices in exchange for the department providing health care insurance coverage to the retired**
18 **nurses and, when appropriate, to the nurses' spouses.**

19 (3) **Under the program, the department shall:**

20 (a) **Assist county governments and health districts in providing opportunities to retired**
21 **nurses to volunteer their services to county governments and health districts.**

22 (b) **Establish and administer a volunteer referral service through which retired nurse**
23 **volunteers may be registered and referred to county governments and health districts that**
24 **request the services of volunteers.**

25 (4) **Retired nurses who volunteer through the program may assist and mentor new**
26 **nurses, assist in health clinics and hospitals and provide services that supplement health**
27 **services provided by county governments or health districts. A county government or health**
28 **district may not use the services of a volunteer to replace or displace paid personnel.**

29 (5) **In exchange for the services provided by a retired nurse volunteer through the pro-**
30 **gram, if funds are available for this purpose, a retired nurse volunteer and the volunteer's**

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 spouse may participate in a health benefit plan available to state employees under ORS
2 243.105 to 243.285 at the department's expense as follows:

3 (a) For eight hours per week of volunteer services, the department shall provide health
4 care insurance coverage to the volunteer on the same terms as the department provides that
5 coverage to full-time employees.

6 (b) For 12 hours per week of volunteer services, the department shall provide health care
7 insurance coverage to the volunteer and the volunteer's spouse on the same terms as the
8 department provides that coverage to full-time employees and their spouses.

9 (c) A volunteer who provides services for more than 12 hours per week may accrue the
10 hours in excess of 12 hours and thereby become eligible for health care insurance coverage
11 for up to three years in which the retired nurse does not provide volunteer services.

12 (d) Health care insurance coverage made available under this section is available only
13 until the volunteer becomes eligible for Medicare coverage and, for the spouse of a volunteer,
14 until the spouse becomes eligible for Medicare coverage.

15 (6)(a) A retired nurse volunteer who provides services as provided in this section is not
16 an employee of the department, county government or health district, is not employed for
17 purposes of ORS 653.010 to 653.261, is not a subject worker for purposes of workers' com-
18 pensation coverage and is not eligible for unemployment insurance. The department, county
19 government or health district may require the volunteer to waive any legal cause of action
20 against the department, county government or health district for any injury or disease
21 arising out of and in the course of providing the volunteer services.

22 (b) Notwithstanding paragraph (a) of this subsection, the department, county government
23 or health district may elect to provide medical-only workers' compensation coverage to a
24 retired nurse volunteer under ORS 656.039.

25 (7) The department may adopt rules to administer the Retired Senior Volunteer Program.

26 **SECTION 2.** ORS 656.027, as amended by section 2, chapter 32, Oregon Laws 2008, is amended
27 to read:

28 656.027. All workers are subject to this chapter except those nonsubject workers described in
29 the following subsections:

30 (1) A worker employed as a domestic servant in or about a private home. For the purposes of
31 this subsection "domestic servant" means any worker engaged in household domestic service by
32 private employment contract, including, but not limited to, home health workers.

33 (2) A worker employed to do gardening, maintenance, repair, remodeling or similar work in or
34 about the private home of the person employing the worker.

35 (3)(a) A worker whose employment is casual and either:

36 (A) The employment is not in the course of the trade, business or profession of the employer;

37 or

38 (B) The employment is in the course of the trade, business or profession of a nonsubject em-
39 ployer.

40 (b) For the purpose of this subsection, "casual" refers only to employments where the work in
41 any 30-day period, without regard to the number of workers employed, involves a total labor cost
42 of less than \$500.

43 (4) A person for whom a rule of liability for injury or death arising out of and in the course of
44 employment is provided by the laws of the United States.

45 (5) A worker engaged in the transportation in interstate commerce of goods, persons or property

1 for hire by rail, water, aircraft or motor vehicle, and whose employer has no fixed place of business
 2 in this state.

3 (6) Firefighter and police employees of any city having a population of more than 200,000 that
 4 provides a disability and retirement system by ordinance or charter.

5 (7)(a) Sole proprietors, except those described in paragraph (b) of this subsection. When labor
 6 or services are performed under contract, the sole proprietor must qualify as an independent con-
 7 tractor.

8 (b) Sole proprietors actively licensed under ORS 671.525 or 701.035. When labor or services are
 9 performed under contract for remuneration, notwithstanding ORS 656.005 (30), the sole proprietor
 10 must qualify as an independent contractor. Any sole proprietor licensed under ORS 671.525 or
 11 701.035 and involved in activities subject thereto is conclusively presumed to be an independent
 12 contractor.

13 (8) Except as provided in subsection (23) of this section, partners who are not engaged in work
 14 performed in direct connection with the construction, alteration, repair, improvement, moving or
 15 demolition of an improvement on real property or appurtenances thereto. When labor or services
 16 are performed under contract, the partnership must qualify as an independent contractor.

17 (9) Except as provided in subsection (25) of this section, members, including members who are
 18 managers, of limited liability companies, regardless of the nature of the work performed. However,
 19 members, including members who are managers, of limited liability companies with more than one
 20 member, while engaged in work performed in direct connection with the construction, alteration,
 21 repair, improvement, moving or demolition of an improvement on real property or appurtenances
 22 thereto, are subject workers. When labor or services are performed under contract, the limited li-
 23 ability company must qualify as an independent contractor.

24 (10) Except as provided in subsection (24) of this section, corporate officers who are directors
 25 of the corporation and who have a substantial ownership interest in the corporation, regardless of
 26 the nature of the work performed by such officers, subject to the following limitations:

27 (a) If the activities of the corporation are conducted on land that receives farm use tax assess-
 28 ment pursuant to ORS chapter 308A, corporate officer includes all individuals identified as directors
 29 in the corporate bylaws, regardless of ownership interest, and who are members of the same family,
 30 whether related by blood, marriage or adoption.

31 (b) If the activities of the corporation involve the commercial harvest of timber and all officers
 32 of the corporation are members of the same family and are parents, daughters or sons, daughters-
 33 in-law or sons-in-law or grandchildren, then all such officers may elect to be nonsubject workers.
 34 For all other corporations involving the commercial harvest of timber, the maximum number of ex-
 35 empt corporate officers for the corporation shall be whichever is the greater of the following:

36 (A) Two corporate officers; or

37 (B) One corporate officer for each 10 corporate employees.

38 (c) When labor or services are performed under contract, the corporation must qualify as an
 39 independent contractor.

40 (11) A person performing services primarily for board and lodging received from any religious,
 41 charitable or relief organization.

42 (12) A newspaper carrier utilized in compliance with the provisions of ORS 656.070 and 656.075.

43 (13) A person who has been declared an amateur athlete under the rules of the United States
 44 Olympic Committee or the Canadian Olympic Committee and who receives no remuneration for
 45 performance of services as an athlete other than board, room, rent, housing, lodging or other rea-

1 sonable incidental subsistence allowance, or any amateur sports official who is certified by a re-
 2 cognized Oregon or national certifying authority, which requires or provides liability and accident
 3 insurance for such officials. A roster of recognized Oregon and national certifying authorities will
 4 be maintained by the Department of Consumer and Business Services, from lists of certifying or-
 5 ganizations submitted by the Oregon School Activities Association and the Oregon Park and Re-
 6 creation Society.

7 (14) Volunteer personnel participating in the ACTION programs, organized under the Domestic
 8 Volunteer Service Act of 1973, P.L. 93-113, known as the Foster Grandparent Program and the
 9 Senior Companion Program, whether or not the volunteers receive a stipend or nominal reimburse-
 10 ment for time and travel expenses.

11 (15) A person who has an ownership or leasehold interest in equipment and who furnishes,
 12 maintains and operates the equipment. As used in this subsection "equipment" means:

13 (a) A motor vehicle used in the transportation of logs, poles or piling.

14 (b) A motor vehicle used in the transportation of rocks, gravel, sand, dirt or asphalt concrete.

15 (c) A motor vehicle used in the transportation of property by a for-hire motor carrier that is
 16 required under ORS 825.100 or 825.104 to possess a certificate or permit or to be registered.

17 (16) A person engaged in the transportation of the public for recreational down-river boating
 18 activities on the waters of this state pursuant to a federal permit when the person furnishes the
 19 equipment necessary for the activity. As used in this subsection, "recreational down-river boating
 20 activities" means those boating activities for the purpose of recreational fishing, swimming or
 21 sightseeing utilizing a float craft with oars or paddles as the primary source of power.

22 (17) A person who receives no wage other than ski passes or other noncash remuneration for
 23 performing volunteer:

24 (a) Ski patrol activities; or

25 (b) Ski area program activities sponsored by a ski area operator, as defined in ORS 30.970, or
 26 by a nonprofit corporation or organization.

27 (18) A person 19 years of age or older who contracts with a newspaper publishing company or
 28 independent newspaper dealer or contractor to distribute newspapers to the general public and
 29 perform or undertake any necessary or attendant functions related thereto.

30 (19) A person performing foster parent or adult foster care duties pursuant to ORS 412.001 to
 31 412.161 and 412.991 or ORS chapter 411, 418, 430 or 443.

32 (20) A person performing services on a volunteer basis for a nonprofit, religious, charitable or
 33 relief organization, whether or not such person receives meals or lodging or nominal reimbursements
 34 or vouchers for meals, lodging or expenses.

35 (21) A person performing services under a property tax work-off program established under ORS
 36 310.800.

37 (22) A person who performs service as a caddy at a golf course in an established program for
 38 the training and supervision of caddies under the direction of a person who is an employee of the
 39 golf course.

40 (23)(a) Partners who are actively licensed under ORS 671.525 or 701.035 and who have a sub-
 41 stantial ownership interest in a partnership. If all partners are members of the same family and are
 42 parents, spouses, sisters, brothers, daughters or sons, daughters-in-law or sons-in-law or grandchil-
 43 dren, all such partners may elect to be nonsubject workers. For all other partnerships licensed un-
 44 der ORS 671.510 to 671.760 or ORS chapter 701, the maximum number of exempt partners shall be
 45 whichever is the greater of the following:

1 (A) Two partners; or

2 (B) One partner for each 10 partnership employees.

3 (b) When labor or services are performed under contract for remuneration, notwithstanding ORS
4 656.005 (30), the partnership qualifies as an independent contractor. Any partnership licensed under
5 ORS 671.525 or 701.035 and involved in activities subject thereto is conclusively presumed to be an
6 independent contractor.

7 (24)(a) Corporate officers who are directors of a corporation actively licensed under ORS 671.525
8 or 701.035 and who have a substantial ownership interest in the corporation, regardless of the na-
9 ture of the work performed. If all officers of the corporation are members of the same family and
10 are parents, spouses, sisters, brothers, daughters or sons, daughters-in-law or sons-in-law or grand-
11 children, all such officers may elect to be nonsubject workers. For all other corporations licensed
12 under ORS 671.510 to 671.760 or ORS chapter 701, the maximum number of exempt corporate officers
13 shall be whichever is the greater of the following:

14 (A) Two corporate officers; or

15 (B) One corporate officer for each 10 corporate employees.

16 (b) When labor or services are performed under contract for remuneration, notwithstanding ORS
17 656.005 (30), the corporation qualifies as an independent contractor. Any corporation licensed under
18 ORS 671.525 or 701.035 and involved in activities subject thereto is conclusively presumed to be an
19 independent contractor.

20 (25)(a) Limited liability company members who are members of a company actively licensed un-
21 der ORS 671.525 or 701.035 and who have a substantial ownership interest in the company, regard-
22 less of the nature of the work performed. If all members of the company are members of the same
23 family and are parents, spouses, sisters, brothers, daughters or sons, daughters-in-law or sons-in-law
24 or grandchildren, all such members may elect to be nonsubject workers. For all other companies
25 licensed under ORS 671.510 to 671.760 or ORS chapter 701, the maximum number of exempt company
26 members shall be whichever is the greater of the following:

27 (A) Two company members; or

28 (B) One company member for each 10 company employees.

29 (b) When labor or services are performed under contract for remuneration, notwithstanding ORS
30 656.005 (30), the company qualifies as an independent contractor. Any company licensed under ORS
31 671.525 or 701.035 and involved in activities subject thereto is conclusively presumed to be an in-
32 dependent contractor.

33 (26) A person serving as a referee or assistant referee in a youth or adult recreational soccer
34 match whose services are retained on a match-by-match basis.

35 (27) A person performing language translator or interpreter services that are provided for others
36 through an agent or broker.

37 (28) A person who operates, and who has an ownership or leasehold interest in, a passenger
38 motor vehicle that is operated as a taxicab or for nonemergency medical transportation. As used in
39 this subsection:

40 (a) "Lease" means a contract under which the lessor provides a vehicle to a lessee for consid-
41 eration.

42 (b) "Leasehold" includes, but is not limited to, a lease for a shift or a longer period.

43 (c) "Passenger motor vehicle that is operated as a taxicab" means a vehicle that:

44 (A) Has a passenger seating capacity that does not exceed seven persons;

45 (B) Is transporting persons, property or both on a route that begins or ends in Oregon; and

1 (C)(i) Carries passengers for hire when the destination and route traveled may be controlled by
 2 a passenger and the fare is calculated on the basis of any combination of an initial fee, distance
 3 traveled or waiting time; or

4 (ii) Is in use under a contract to provide specific service to a third party to transport designated
 5 passengers or to provide errand services to locations selected by the third party.

6 (d) "Passenger motor vehicle that is operated for nonemergency medical transportation" means
 7 a vehicle that:

8 (A) Has a passenger seating capacity that does not exceed seven persons;

9 (B) Is transporting persons, property or both on a route that begins or ends in Oregon; and

10 (C) Provides medical transportation services under contract with or on behalf of a mass transit
 11 or transportation district.

12 **(29) A retired nurse who provides volunteer services under section 1 of this 2009 Act and**
 13 **who receives no compensation except health care insurance coverage.**

14 **SECTION 3.** ORS 656.027, as amended by section 49, chapter 836, Oregon Laws 2007, and sec-
 15 tion 3, chapter 32, Oregon Laws 2008, is amended to read:

16 656.027. All workers are subject to this chapter except those nonsubject workers described in
 17 the following subsections:

18 (1) A worker employed as a domestic servant in or about a private home. For the purposes of
 19 this subsection "domestic servant" means any worker engaged in household domestic service by
 20 private employment contract, including, but not limited to, home health workers.

21 (2) A worker employed to do gardening, maintenance, repair, remodeling or similar work in or
 22 about the private home of the person employing the worker.

23 (3)(a) A worker whose employment is casual and either:

24 (A) The employment is not in the course of the trade, business or profession of the employer;

25 or

26 (B) The employment is in the course of the trade, business or profession of a nonsubject em-
 27 ployer.

28 (b) For the purpose of this subsection, "casual" refers only to employments where the work in
 29 any 30-day period, without regard to the number of workers employed, involves a total labor cost
 30 of less than \$500.

31 (4) A person for whom a rule of liability for injury or death arising out of and in the course of
 32 employment is provided by the laws of the United States.

33 (5) A worker engaged in the transportation in interstate commerce of goods, persons or property
 34 for hire by rail, water, aircraft or motor vehicle, and whose employer has no fixed place of business
 35 in this state.

36 (6) Firefighter and police employees of any city having a population of more than 200,000 that
 37 provides a disability and retirement system by ordinance or charter.

38 (7)(a) Sole proprietors, except those described in paragraph (b) of this subsection. When labor
 39 or services are performed under contract, the sole proprietor must qualify as an independent con-
 40 tractor.

41 (b) Sole proprietors actively licensed under ORS 671.525 or 701.021. When labor or services are
 42 performed under contract for remuneration, notwithstanding ORS 656.005 (30), the sole proprietor
 43 must qualify as an independent contractor. Any sole proprietor licensed under ORS 671.525 or
 44 701.021 and involved in activities subject thereto is conclusively presumed to be an independent
 45 contractor.

1 (8) Except as provided in subsection (23) of this section, partners who are not engaged in work
2 performed in direct connection with the construction, alteration, repair, improvement, moving or
3 demolition of an improvement on real property or appurtenances thereto. When labor or services
4 are performed under contract, the partnership must qualify as an independent contractor.

5 (9) Except as provided in subsection (25) of this section, members, including members who are
6 managers, of limited liability companies, regardless of the nature of the work performed. However,
7 members, including members who are managers, of limited liability companies with more than one
8 member, while engaged in work performed in direct connection with the construction, alteration,
9 repair, improvement, moving or demolition of an improvement on real property or appurtenances
10 thereto, are subject workers. When labor or services are performed under contract, the limited li-
11 ability company must qualify as an independent contractor.

12 (10) Except as provided in subsection (24) of this section, corporate officers who are directors
13 of the corporation and who have a substantial ownership interest in the corporation, regardless of
14 the nature of the work performed by such officers, subject to the following limitations:

15 (a) If the activities of the corporation are conducted on land that receives farm use tax assess-
16 ment pursuant to ORS chapter 308A, corporate officer includes all individuals identified as directors
17 in the corporate bylaws, regardless of ownership interest, and who are members of the same family,
18 whether related by blood, marriage or adoption.

19 (b) If the activities of the corporation involve the commercial harvest of timber and all officers
20 of the corporation are members of the same family and are parents, daughters or sons, daughters-
21 in-law or sons-in-law or grandchildren, then all such officers may elect to be nonsubject workers.
22 For all other corporations involving the commercial harvest of timber, the maximum number of ex-
23 empt corporate officers for the corporation shall be whichever is the greater of the following:

24 (A) Two corporate officers; or

25 (B) One corporate officer for each 10 corporate employees.

26 (c) When labor or services are performed under contract, the corporation must qualify as an
27 independent contractor.

28 (11) A person performing services primarily for board and lodging received from any religious,
29 charitable or relief organization.

30 (12) A newspaper carrier utilized in compliance with the provisions of ORS 656.070 and 656.075.

31 (13) A person who has been declared an amateur athlete under the rules of the United States
32 Olympic Committee or the Canadian Olympic Committee and who receives no remuneration for
33 performance of services as an athlete other than board, room, rent, housing, lodging or other rea-
34 sonable incidental subsistence allowance, or any amateur sports official who is certified by a re-
35 cognized Oregon or national certifying authority, which requires or provides liability and accident
36 insurance for such officials. A roster of recognized Oregon and national certifying authorities will
37 be maintained by the Department of Consumer and Business Services, from lists of certifying or-
38 ganizations submitted by the Oregon School Activities Association and the Oregon Park and Re-
39 creation Society.

40 (14) Volunteer personnel participating in the ACTION programs, organized under the Domestic
41 Volunteer Service Act of 1973, P.L. 93-113, known as the Foster Grandparent Program and the
42 Senior Companion Program, whether or not the volunteers receive a stipend or nominal reimburse-
43 ment for time and travel expenses.

44 (15) A person who has an ownership or leasehold interest in equipment and who furnishes,
45 maintains and operates the equipment. As used in this subsection "equipment" means:

1 (a) A motor vehicle used in the transportation of logs, poles or piling.

2 (b) A motor vehicle used in the transportation of rocks, gravel, sand, dirt or asphalt concrete.

3 (c) A motor vehicle used in the transportation of property by a for-hire motor carrier that is
4 required under ORS 825.100 or 825.104 to possess a certificate or permit or to be registered.

5 (16) A person engaged in the transportation of the public for recreational down-river boating
6 activities on the waters of this state pursuant to a federal permit when the person furnishes the
7 equipment necessary for the activity. As used in this subsection, "recreational down-river boating
8 activities" means those boating activities for the purpose of recreational fishing, swimming or
9 sightseeing utilizing a float craft with oars or paddles as the primary source of power.

10 (17) A person who receives no wage other than ski passes or other noncash remuneration for
11 performing volunteer:

12 (a) Ski patrol activities; or

13 (b) Ski area program activities sponsored by a ski area operator, as defined in ORS 30.970, or
14 by a nonprofit corporation or organization.

15 (18) A person 19 years of age or older who contracts with a newspaper publishing company or
16 independent newspaper dealer or contractor to distribute newspapers to the general public and
17 perform or undertake any necessary or attendant functions related thereto.

18 (19) A person performing foster parent or adult foster care duties pursuant to ORS 412.001 to
19 412.161 and 412.991 or ORS chapter 411, 418, 430 or 443.

20 (20) A person performing services on a volunteer basis for a nonprofit, religious, charitable or
21 relief organization, whether or not such person receives meals or lodging or nominal reimbursements
22 or vouchers for meals, lodging or expenses.

23 (21) A person performing services under a property tax work-off program established under ORS
24 310.800.

25 (22) A person who performs service as a caddy at a golf course in an established program for
26 the training and supervision of caddies under the direction of a person who is an employee of the
27 golf course.

28 (23)(a) Partners who are actively licensed under ORS 671.525 or 701.021 and who have a sub-
29 stantial ownership interest in a partnership. If all partners are members of the same family and are
30 parents, spouses, sisters, brothers, daughters or sons, daughters-in-law or sons-in-law or grandchil-
31 dren, all such partners may elect to be nonsubject workers. For all other partnerships licensed un-
32 der ORS 671.510 to 671.760 or 701.021, the maximum number of exempt partners shall be whichever
33 is the greater of the following:

34 (A) Two partners; or

35 (B) One partner for each 10 partnership employees.

36 (b) When labor or services are performed under contract for remuneration, notwithstanding ORS
37 656.005 (30), the partnership qualifies as an independent contractor. Any partnership licensed under
38 ORS 671.525 or 701.021 and involved in activities subject thereto is conclusively presumed to be an
39 independent contractor.

40 (24)(a) Corporate officers who are directors of a corporation actively licensed under ORS 671.525
41 or 701.021 and who have a substantial ownership interest in the corporation, regardless of the na-
42 ture of the work performed. If all officers of the corporation are members of the same family and
43 are parents, spouses, sisters, brothers, daughters or sons, daughters-in-law or sons-in-law or grand-
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7 independent contractor.

8 (25)(a) Limited liability company members who are members of a company actively licensed un-
9 der ORS 671.525 or 701.021 and who have a substantial ownership interest in the company, regard-
10 less of the nature of the work performed. If all members of the company are members of the same
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19 671.525 or 701.021 and involved in activities subject thereto is conclusively presumed to be an in-
20 dependent contractor.

21 (26) A person serving as a referee or assistant referee in a youth or adult recreational soccer
22 match whose services are retained on a match-by-match basis.

23 (27) A person performing language translator or interpreter services that are provided for others
24 through an agent or broker.

25 (28) A person who operates, and who has an ownership or leasehold interest in, a passenger
26 motor vehicle that is operated as a taxicab or for nonemergency medical transportation. As used in
27 this subsection:

28 (a) "Lease" means a contract under which the lessor provides a vehicle to a lessee for consid-
29 eration.

30 (b) "Leasehold" includes, but is not limited to, a lease for a shift or a longer period.

31 (c) "Passenger motor vehicle that is operated as a taxicab" means a vehicle that:

32 (A) Has a passenger seating capacity that does not exceed seven persons;

33 (B) Is transporting persons, property or both on a route that begins or ends in Oregon; and

34 (C)(i) Carries passengers for hire when the destination and route traveled may be controlled by
35 a passenger and the fare is calculated on the basis of any combination of an initial fee, distance
36 traveled or waiting time; or

37 (ii) Is in use under a contract to provide specific service to a third party to transport designated
38 passengers or to provide errand services to locations selected by the third party.

39 (d) "Passenger motor vehicle that is operated for nonemergency medical transportation" means
40 a vehicle that:

41 (A) Has a passenger seating capacity that does not exceed seven persons;

42 (B) Is transporting persons, property or both on a route that begins or ends in Oregon; and

43 (C) Provides medical transportation services under contract with or on behalf of a mass transit
44 or transportation district.

45 **(29) A retired nurse who provides volunteer services under section 1 of this 2009 Act and**

1 **who receives no compensation except health care insurance coverage.**

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