

HOUSE AMENDMENTS TO SENATE BILL 155

By COMMITTEE ON HEALTH CARE

March 18

1 On page 1 of the printed bill, line 2, after “ORS” insert “179.360,”.

2 Delete lines 5 through 14 and insert:

3 “**SECTION 1.** ORS 426.020 is amended to read:

4 “426.020. (1) The superintendent of a hospital referred to in ORS 426.010 shall be a person the
5 Department of Human Services considers qualified to administer the hospital. If the superintendent
6 of any hospital is a physician licensed by the Oregon Medical Board, the superintendent shall serve
7 as chief medical officer.

8 “(2) If the superintendent is not a physician, the Director of Human Services or the designee
9 of the director shall [*appoint*] **designate** a physician to serve as chief medical officer [*who shall be*
10 *in the unclassified service*]. **The designated chief medical officer may be an appointed state**
11 **employee in the unclassified service, a self-employed contractor or an employee of a public**
12 **or private entity that contracts with the department to provide chief medical officer ser-**
13 **vices. Unless the designated chief medical officer is specifically appointed as a state employee**
14 **in the unclassified service, the designated chief medical officer shall not be deemed a state**
15 **employee for purposes of any state statute, rule or policy.**

16 “(3)(a) **Notwithstanding any other provision of law, the designated chief medical officer**
17 **may supervise physicians who are employed by the hospital or who provide services at the**
18 **hospital pursuant to a contract.**

19 “(b) **The designated chief medical officer may delegate all or part of the authority to su-**
20 **pervise other physicians at the hospital to a physician who is employed by the state, a self-**
21 **employed contractor or an employee of a public or private entity that contracts with the**
22 **department to provide physician services.”.**

23 On page 2, line 4, delete “contract with or appoint” and insert “designate”.

24 In lines 5 through 8, delete the boldfaced material and insert “The designated chief medical of-
25 ficer may be an appointed state employee in the unclassified service, a self-employed contractor or
26 an employee of a public or private entity that contracts with the department to provide chief med-
27 ical officer services. Unless the designated chief medical officer is specifically appointed as a state
28 employee in the unclassified service, the designated chief medical officer shall not be deemed a state
29 employee for purposes of any state statute, rule or policy.

30 “(4)(a) **Notwithstanding any other provision of law, the designated chief medical officer may**
31 **supervise physicians who are employed by the training center or who provide services at the train-**
32 **ing center pursuant to a contract.**

33 “(b) **The designated chief medical officer may delegate all or part of the authority to supervise**
34 **other physicians at the training center to a physician who is employed by the state, a self-employed**
35 **contractor or an employee of a public or private entity that contracts with the department to pro-**

1 vide physician services.

2 “**SECTION 3.** ORS 179.360 is amended to read:

3 “179.360. (1) Each superintendent shall:

4 “(a) Have custody of the residents of the institution under jurisdiction of the superintendent.

5 “(b) Direct the care, custody and training of the residents unless otherwise directed by law or
6 by rule.

7 “(c) Adopt sanitary measures for the health and comfort of the residents.

8 “(d) Promote the mental, moral and physical welfare and development of the residents.

9 “(e) Enjoy the other powers and privileges and perform the other duties that are prescribed by
10 law or by rule or that naturally attach themselves to the position of superintendent.

11 “(f) Designate a physician licensed by the Oregon Medical Board to serve as chief medical offi-
12 cer as provided in ORS [426.020 and] 427.010, who will be directly responsible to the superintendent
13 for administration of the medical treatment programs at the institution and assume such other re-
14 sponsibilities as are assigned by the superintendent.

15 “(2) The Director of the Department of Corrections or the Director of Human Services shall
16 prescribe for their respective institutions:

17 “(a) The duties of the superintendents where the duties are not prescribed by law.

18 “(b) The additional duties, beyond those prescribed by law, that the Director of the Department
19 of Corrections or the Director of Human Services considers necessary for the good of the public
20 service.”.

21 In line 9, delete “3” and insert “4”.

22
