

Senate Bill 272

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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**.

Eliminates requirement for consent to take blood sample of pregnant woman for testing for infectious conditions as required by Department of Human Services.

A BILL FOR AN ACT

1
2 Relating to prior consent for taking blood sample of pregnant woman; amending ORS 433.017.

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

4 **SECTION 1.** ORS 433.017 is amended to read:

5 433.017. (1) Every licensed physician attending a pregnant woman in this state for conditions
6 relating to her pregnancy during the period of gestation or at the time of delivery shall, as required
7 by rule of the Department of Human Services, take or cause to be taken a sample of blood of every
8 woman so attended at the time of the first professional visit or within 10 days thereafter. The blood
9 specimen thus obtained shall be submitted to a licensed laboratory for such tests related to any in-
10 fectious condition [*which*] **that** may affect a pregnant woman or fetus, as the department shall by
11 rule require, including but not limited to an HIV test as defined in ORS 433.045.

12 (2) Every other person permitted by law to attend a pregnant woman in this state, but not per-
13 mitted by law to take blood samples, shall, as required by rule of the department, cause a sample
14 of blood of such pregnant woman to be taken by a licensed physician, and have [*such*] **the** sample
15 submitted to a licensed laboratory for the tests described under subsection (1) of this section.

16 [*(3) In all cases under subsections (1) and (2) of this section the physician shall request consent*
17 *of the patient to take a blood sample. No sample shall be taken without such consent.*]

18 **(3) Consent of the patient is not required to take the blood sample required by subsection**
19 **(1) or (2) of this section.**

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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.