

Senate Bill 8

Sponsored by Senators COURTNEY, MONNES ANDERSON

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**.

Allows volunteer health practitioner licensed in other state and registered with volunteer health practitioner registration system to practice in Oregon during emergency.

Limits liability of volunteer health practitioners.

Allows volunteer health practitioner to receive benefits if injured during emergency.

Allows Office of Emergency Management to adopt rules relating to volunteer health practitioners.

A BILL FOR AN ACT

Relating to emergency services; creating new provisions; and amending ORS 401.355, 401.375, 401.395, 401.415, 401.435, 401.465, 401.651, 401.657, 401.661, 401.664 and 401.667.

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

SECTION 1. Sections 1 to 13 of this 2009 Act may be cited as the Uniform Emergency Volunteer Health Practitioners Act.

SECTION 2. As used in sections 1 to 13 of this 2009 Act:

(1) **"Disaster relief organization" means an entity that provides emergency or disaster relief services that include health or veterinary services provided by volunteer health practitioners and that:**

(a) **Is designated or recognized as a provider of those services pursuant to a disaster response and recovery plan adopted by an agency of the federal government or the Office of Emergency Management; or**

(b) **Regularly plans and conducts its activities in coordination with an agency of the federal government or the office.**

(2) **"Emergency" has the meaning given that term in ORS 401.025.**

(3) **"Emergency declaration" means a declaration of a state of emergency under ORS 401.055.**

(4) **"Emergency Management Assistance Compact" means the interstate compact codified as ORS 401.043.**

(5) **"Entity" means a person other than an individual.**

(6) **"Health facility" means an entity licensed under the laws of this state or another state to provide health or veterinary services.**

(7) **"Health practitioner" means an individual licensed under the laws of this state or another state to provide health or veterinary services.**

(8) **"Health services" means the provision of treatment, care, advice, guidance or other services or supplies related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:**

(a) **The following, concerning the physical or mental condition or functional status of an**

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 individual or affecting the structure or function of the body:

2 (A) Preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care;
3 and

4 (B) Counseling, assessment, procedures or other services;

5 (b) The sale or dispensing of a drug, device, equipment or other item to an individual in
6 accordance with a prescription; and

7 (c) Funeral, cremation, cemetery or other mortuary services.

8 (9) "Host entity" means an entity operating in this state that uses volunteer health
9 practitioners to respond to an emergency.

10 (10) "License" means authorization by a state to engage in health or veterinary services
11 that are unlawful without the authorization, including authorization under the laws of this
12 state to an individual to provide health or veterinary services based on a national certifi-
13 cation issued by a public or private entity.

14 (11) "Person" means an individual, corporation, business trust, trust, partnership, limited
15 liability company, association, joint venture, public corporation, government or governmental
16 subdivision, agency, instrumentality or any other legal or commercial entity.

17 (12) "Scope of practice" means the extent of the authorization to provide health or
18 veterinary services granted to a health practitioner by a license issued to the practitioner
19 in the state in which the principal part of the practitioner's services are rendered, including
20 any conditions imposed by the licensing authority.

21 (13) "State" means a state of the United States, the District of Columbia, Puerto Rico,
22 the United States Virgin Islands or any territory or insular possession subject to the juris-
23 diction of the United States.

24 (14) "Veterinary services" means the provision of treatment, care, advice, guidance or
25 other services or supplies related to the health or death of an animal or to animal popu-
26 lations to the extent necessary to respond to an emergency, including:

27 (a) Diagnosis, treatment or prevention of an animal disease, injury or other physical or
28 mental condition by the prescription, administration or dispensing of vaccine, medicine,
29 surgery or therapy;

30 (b) Use of a procedure for reproductive management; and

31 (c) Monitoring and treatment of animal populations for diseases that have spread or
32 demonstrate the potential to spread to humans.

33 (15) "Volunteer health practitioner" means a health practitioner who provides health or
34 veterinary services, regardless of whether the practitioner receives compensation for the
35 services. "Volunteer health practitioner" does not include a practitioner who receives com-
36 pensation pursuant to a preexisting employment relationship with a host entity or affiliate
37 that requires the practitioner to provide health services in this state, unless the practitioner
38 is not a resident of this state and is employed by a disaster relief organization providing
39 services in this state while an emergency declaration is in effect.

40 **SECTION 3.** Sections 1 to 13 of this 2009 Act apply to volunteer health practitioners who
41 are not licensed in this state, who are registered with a registration system that complies
42 with section 5 of this 2009 Act and who provide health or veterinary services in this state for
43 a host entity while an emergency declaration is in effect.

44 **SECTION 4.** (1) While an emergency declaration is in effect, the Office of Emergency
45 Management may limit, restrict or otherwise regulate:

- 1 (a) The duration of practice by volunteer health practitioners;
- 2 (b) The geographical areas in which volunteer health practitioners may practice;
- 3 (c) The types of volunteer health practitioners who may practice; and
- 4 (d) Any other matters necessary to effectively coordinate the provision of health or
- 5 veterinary services during the emergency.

6 (2) An order issued pursuant to subsection (1) of this section may take effect imme-
7 diately, without prior notice or comment, and is not a rule within the meaning of ORS
8 chapter 183.

9 (3) A host entity that uses volunteer health practitioners to provide health or veterinary
10 services in this state shall:

11 (a) Consult and coordinate its activities with the office to the extent practicable to pro-
12 vide for the efficient and effective use of volunteer health practitioners; and

13 (b) Comply with other laws relating to the management of emergency health or
14 veterinary services.

15 **SECTION 5.** (1) To qualify as a volunteer health practitioner registration system, a sys-
16 tem must:

17 (a) Accept applications for the registration of volunteer health practitioners before or
18 during an emergency;

19 (b) Include information about the licensure and good standing of health practitioners that
20 is accessible by authorized persons;

21 (c) Be capable of confirming the accuracy of information concerning whether a health
22 practitioner is licensed and in good standing before health services or veterinary services are
23 provided under section 6 of this 2009 Act; and

24 (d) Meet one of the following conditions:

25 (A) Be an emergency system for advance registration of volunteer health practitioners
26 established by a state and funded through the Department of Health and Human Services
27 under section 319I of the Public Health Services Act, 42 U.S.C. 247d-7b;

28 (B) Be a local unit consisting of trained and equipped emergency response, public health
29 and medical personnel formed pursuant to section 2801 of the Public Health Services Act, 42
30 U.S.C. 300hh;

31 (C) Be operated by a:

32 (i) Disaster relief organization;

33 (ii) Licensing board;

34 (iii) National or regional association of licensing boards or health practitioners;

35 (iv) Health facility that provides comprehensive inpatient and outpatient health services,
36 including a tertiary care and teaching hospital; or

37 (v) Governmental entity; or

38 (D) Be designated by the Office of Emergency Management as a registration system for
39 purposes of sections 1 to 13 of this 2009 Act.

40 (2) While an emergency declaration is in effect, the Office of Emergency Management, a
41 person authorized to act on behalf of the office or a host entity may confirm whether vol-
42 unteer health practitioners working in this state are registered with a registration system
43 that complies with subsection (1) of this section. Confirmation must be limited to obtaining
44 identities of the practitioners from the system and determining whether the system indicates
45 that the practitioners are licensed and in good standing.

1 (3) Upon request of a person in this state authorized under subsection (2) of this section
2 or a similarly authorized person in another state, a registration system located in this state
3 shall notify the person of the identities of volunteer health practitioners and whether the
4 practitioners are licensed and in good standing.

5 (4) A host entity is not required to use the services of a volunteer health practitioner
6 even if the practitioner is registered with a registration system that indicates that the
7 practitioner is licensed and in good standing.

8 **SECTION 6.** (1) While an emergency declaration is in effect, a volunteer health practi-
9 tioner who is registered with a registration system that complies with section 5 of this 2009
10 Act and who is licensed and in good standing in the state upon which the practitioner's
11 registration is based may practice in this state as if the practitioner were licensed in this
12 state.

13 (2) A volunteer health practitioner qualified under subsection (1) of this section is not
14 entitled to the protections of sections 1 to 13 of this 2009 Act if the practitioner is licensed
15 in more than one state and any license of the practitioner is suspended, revoked or subject
16 to an agency order limiting or restricting practice privileges, or has been voluntarily termi-
17 nated under threat of sanction.

18 **SECTION 7.** (1) As used in this section:

19 (a) "Credentialing" means obtaining, verifying and assessing the qualifications of a health
20 practitioner to provide treatment, care or services in or for a health facility.

21 (b) "Privileging" means the authorizing by an appropriate authority, such as a governing
22 body, of a health practitioner to provide specific treatment, care or services at a health fa-
23 cility subject to limits based on factors that include license, education, training, experience,
24 competence, health status and specialized skill.

25 (2) Sections 1 to 13 of this 2009 Act do not affect credentialing or privileging standards
26 of a health facility and do not preclude a health facility from waiving or modifying those
27 standards while an emergency declaration is in effect.

28 **SECTION 8.** (1) Subject to subsections (2) and (3) of this section, a volunteer health
29 practitioner shall adhere to the scope of practice for a similarly licensed practitioner estab-
30 lished by the licensing provisions, practice acts or other laws of this state.

31 (2) Except as otherwise provided in subsection (3) of this section, sections 1 to 13 of this
32 2009 Act do not authorize a volunteer health practitioner to provide services that are outside
33 the practitioner's scope of practice, even if a similarly licensed practitioner in this state
34 would be permitted to provide the services.

35 (3) The Office of Emergency Management may modify or restrict the health or veterinary
36 services that volunteer health practitioners may provide pursuant to section 6 of this 2009
37 Act. An order under this subsection may take effect immediately, without prior notice or
38 comment, and is not a rule within the meaning of ORS chapter 183.

39 (4) A host entity may restrict the health or veterinary services that a volunteer health
40 practitioner may provide pursuant to section 6 of this 2009 Act.

41 (5) A volunteer health practitioner does not engage in unauthorized practice unless the
42 practitioner has reason to know of any limitation, modification or restriction under this
43 section or that a similarly licensed practitioner in this state would not be permitted to pro-
44 vide the services. A volunteer health practitioner has reason to know of a limitation, mod-
45 ification or restriction or that a similarly licensed practitioner in this state would not be

1 permitted to provide a service if:

2 (a) The practitioner knows the limitation, modification or restriction exists or that a
 3 similarly licensed practitioner in this state would not be permitted to provide the service;
 4 or

5 (b) From all the facts and circumstances known to the practitioner at the relevant time,
 6 a reasonable person would conclude that the limitation, modification or restriction exists or
 7 that a similarly licensed practitioner in this state would not be permitted to provide the
 8 service.

9 (6) In addition to the authority granted by law of this state other than sections 1 to 13
 10 of this 2009 Act to regulate the conduct of health practitioners, a licensing board or other
 11 disciplinary authority in this state:

12 (a) May impose administrative sanctions upon a health practitioner licensed in this state
 13 for conduct outside of this state in response to an out-of-state emergency;

14 (b) May impose administrative sanctions upon a practitioner not licensed in this state for
 15 conduct in this state in response to an in-state emergency; and

16 (c) Shall report any administrative sanctions imposed upon a practitioner licensed in
 17 another state to the appropriate licensing board or other disciplinary authority in any other
 18 state in which the practitioner is known to be licensed.

19 (7) In determining whether to impose administrative sanctions under subsection (6) of
 20 this section, a licensing board or other disciplinary authority shall consider the circum-
 21 stances in which the conduct took place, including any exigent circumstances, and the
 22 practitioner's scope of practice, education, training, experience and specialized skill.

23 **SECTION 9.** (1) Sections 1 to 13 of this 2009 Act do not limit rights, privileges or immu-
 24 nities provided to volunteer health practitioners by laws other than sections 1 to 13 of this
 25 2009 Act. Except as otherwise provided in subsection (2) of this section, sections 1 to 13 of
 26 this 2009 Act do not affect requirements for the use of health practitioners pursuant to the
 27 Emergency Management Assistance Compact.

28 (2) The Office of Emergency Management, pursuant to the Emergency Management As-
 29 sistance Compact, may incorporate into the emergency forces of this state volunteer health
 30 practitioners who are not officers or employees of this state, a political subdivision of this
 31 state or a municipality or other local government within this state.

32 **SECTION 10.** The Office of Emergency Management may adopt rules to implement
 33 sections 1 to 13 of this 2009 Act. In doing so, the office shall consult with and consider rules
 34 adopted by similarly empowered agencies in other states to promote uniformity of application
 35 of sections 1 to 13 of this 2009 Act and make the emergency response systems in the various
 36 states reasonably compatible.

37 **SECTION 11.** (1) Subject to subsection (3) of this section, a volunteer health practitioner
 38 who provides health or veterinary services pursuant to section 6 of this 2009 Act is not liable
 39 for damages for an act or omission of the practitioner in providing those services.

40 (2) No person is vicariously liable for damages for an act or omission of a volunteer
 41 health practitioner if the practitioner is not liable for the damages under subsection (1) of
 42 this section.

43 (3) This section does not limit the liability of a volunteer health practitioner for:

44 (a) Willful misconduct or wanton, grossly negligent, reckless or criminal conduct;

45 (b) An intentional tort;

1 (c) **Breach of contract;**

2 (d) **A claim asserted by a host entity or by an entity located in this state or another state**
 3 **that employs or uses the services of the practitioner; or**

4 (e) **An act or omission relating to the operation of a motor vehicle, vessel, aircraft or**
 5 **other vehicle.**

6 (4) **A person who, pursuant to sections 1 to 13 of this 2009 Act, operates, uses or relies**
 7 **upon information provided by a volunteer health practitioner registration system is not liable**
 8 **for damages for an act or omission relating to that operation, use or reliance unless the act**
 9 **or omission is an intentional tort or is willful misconduct or wanton, grossly negligent,**
 10 **reckless or criminal conduct.**

11 (5) **In addition to the protections provided in subsection (1) of this section, a volunteer**
 12 **health practitioner who provides health or veterinary services pursuant to section 6 of this**
 13 **2009 Act is entitled to all the rights, privileges and immunities provided by ORS 401.515 and**
 14 **401.667.**

15 **SECTION 12. The Office of Emergency Management shall adopt rules, enter into agree-**
 16 **ments with other states or take other measures to facilitate the receipt of benefits for injury**
 17 **or death under ORS 401.355 to 401.465 by volunteer health practitioners, and may waive or**
 18 **modify requirements for filing, processing and paying claims that unreasonably burden vol-**
 19 **unteer health practitioners. To promote the uniform application of sections 1 to 13 of this**
 20 **2009 Act with other states that enact similar legislation, the office shall consult with and**
 21 **consider the practices for filing, processing and paying claims by agencies with similar au-**
 22 **thority in other states.**

23 **SECTION 13. In applying and construing sections 1 to 13 of this 2009 Act, consideration**
 24 **must be given to the need to promote uniformity of the law with respect to its subject**
 25 **matter among the states that enact it.**

26 **SECTION 14. Section 15 of this 2009 Act is added to and made a part of ORS 401.355 to**
 27 **401.465.**

28 **SECTION 15. As used in ORS 401.355 to 401.465, “volunteer health practitioner” means**
 29 **an individual who is qualified to practice in this state under section 6 of this 2009 Act.**

30 **SECTION 16. ORS 401.355 is amended to read:**

31 401.355. (1) **An emergency service worker may apply for and may receive benefits as provided**
 32 **in ORS 401.355 to 401.465 for injury sustained in emergency service performed within or without the**
 33 **state if:**

34 (a) **[Where] The injury is proximately caused by or occurs in the course of emergency service,**
 35 **with or without negligence of the emergency service worker[.];**

36 (b) **[Where] The injury is not caused by the voluntary intoxication of the emergency service**
 37 **worker[.]; and**

38 (c) **[Where] The injury is not intentionally self-inflicted.**

39 (2) **A volunteer health practitioner may apply for and may receive benefits as provided**
 40 **in ORS 401.355 to 401.465 for injury sustained while the volunteer health practitioner is**
 41 **practicing in this state under section 6 of this 2009 Act if:**

42 (a) **The injury is proximately caused by or occurs in the course of the volunteer health**
 43 **practitioner’s practice under section 6 of this 2009 Act, with or without negligence of the**
 44 **volunteer health practitioner;**

45 (b) **The injury is not caused by the voluntary intoxication of the volunteer health prac-**

1 **titioner; and**

2 **(c) The injury is not intentionally self-inflicted.**

3 [(2)] **(3) [No] An emergency service worker, volunteer health practitioner or beneficiary is**
4 **not** eligible for benefits under ORS 401.355 to 401.465[:]

5 [(a)] if the emergency service worker **or volunteer health practitioner** is entitled to receive
6 benefits under the workers' compensation laws of this state or similar statutes in other states or
7 under any disability, retirement or liability insurance program of the worker's **or volunteer's** reg-
8 ular employer who has contributed to the cost thereof, or under any federal or local program for
9 compensation of injuries of public employees, in those cases where the injury is compensable be-
10 cause it arose out of and in the course of emergency service duties performed as part of the regular
11 employment of the emergency service worker **or volunteer health practitioner**.

12 [(b) *If the emergency service worker is a member of a federal emergency management or emergency*
13 *service agency or an emergency management or emergency service agency of another state or foreign*
14 *nation who is performing emergency services in this state.*]

15 **SECTION 17.** ORS 401.375 is amended to read:

16 401.375. Emergency service [*shall not be deemed*] **is not** employment in violation of [*any*] laws
17 of this state relating to labor by minors. "Emergency service" includes all activities authorized and
18 carried on pursuant to ORS 401.015 to 401.107, 401.257 to 401.325 and 401.355 to 401.584 **and**
19 **sections 1 to 13 of this 2009 Act**, including [*such*] training as is necessary and proper to engage
20 in such activities.

21 **SECTION 18.** ORS 401.395 is amended to read:

22 401.395. If an emergency service worker **or volunteer health practitioner** sustains an injury,
23 benefits shall be paid in the same manner as provided for injured workers under the workers' com-
24 pensation laws of this state, except that:

25 (1) If the injury results in temporary partial disability, [*no benefits shall accrue to*] the injured
26 emergency service worker **or volunteer health practitioner may not receive benefits** on account
27 of loss of wages due to such disability.

28 (2) Costs of rehabilitation services to emergency service workers **or volunteer health practi-**
29 **tioners** with disabilities shall be paid from funds specifically appropriated [*therefor*] **for that pur-**
30 **pose** in an amount approved by the Office of Emergency Management[, *which shall be*] **as** the
31 reasonable and necessary cost of [*such*] **the** services, including services of a physician or rehabili-
32 tation facility specially qualified to render rehabilitation services. Expenses of rehabilitation may
33 include travel, board and room, when necessary.

34 (3) The maximum amount payable for medical, surgical or hospital expenses, compensation and
35 rehabilitation on any one claim [*shall*] **may** not exceed \$20,000.

36 **SECTION 19.** ORS 401.415 is amended to read:

37 401.415. The filing of claims for benefits under ORS 401.355 to 401.465 is the exclusive remedy
38 of an emergency service worker, **volunteer health practitioner** or beneficiary for injuries
39 compensable under ORS 401.355 to 401.465 against the state or its political subdivision or any
40 emergency management agency or other person acting under governmental authority in furtherance
41 of emergency service activities, regardless of negligence.

42 **SECTION 20.** ORS 401.435 is amended to read:

43 401.435. **An emergency service worker or volunteer health practitioner may appeal** any
44 question of law or fact [*may be appealed*] to the circuit court of the county where the injury oc-
45 curred within 30 days from the date of mailing of the final decision by the Office of Emergency

1 Management[, *if the emergency service worker is dissatisfied with the final decision*].

2 **SECTION 21.** ORS 401.465 is amended to read:

3 401.465. Funds available for purposes of ORS 401.355 to 401.465 may be used to effect insurance
4 or reinsurance with any authority or instrumentality, public or private, or otherwise to distribute
5 the liability for compensation payable to emergency service workers **and volunteer health practi-**
6 **tioners.**

7 **SECTION 22.** ORS 401.651 is amended to read:

8 401.651. As used in ORS 401.651 to 401.670:

9 (1) "Health care facility" means a health care facility as defined in ORS 442.015 that has been
10 licensed under ORS chapter 441.

11 (2) "Health care provider" means an individual licensed, certified or otherwise authorized or
12 permitted by the laws of this state to administer health care services in the ordinary course of
13 business or practice of a profession.

14 (3) **"Volunteer health practitioner" means a person who is qualified to practice in this**
15 **state under section 6 of this 2009 Act.**

16 **SECTION 23.** ORS 401.657 is amended to read:

17 401.657. (1) The Department of Human Services may designate all or part of a health care fa-
18 cility or other location as an emergency health care center. Upon the Governor declaring a state
19 of emergency under ORS 401.055, or proclaiming a state of public health emergency after determin-
20 ing that a threat to the public health is imminent and likely to be widespread, life-threatening and
21 of a scope that requires immediate medical action to protect the public health, emergency health
22 care centers may be used for:

- 23 (a) Evaluation and referral of individuals affected by the emergency;
- 24 (b) Provision of health care services; and
- 25 (c) Preparation of patients for transportation.

26 (2) The department may enter into cooperative agreements with local public health authorities
27 that allow local public health authorities to designate emergency health care centers under this
28 section.

29 (3) An emergency health care center designated under this section must have an emergency
30 operations plan and a credentialing plan that governs the use of emergency health care providers
31 registered under ORS 401.654, **volunteer health practitioners** and other health care providers who
32 volunteer to perform health care services at the center under ORS 401.651 to 401.670. The emer-
33 gency operations plan and credentialing plan must comply with rules governing those plans adopted
34 by the department.

35 **SECTION 24.** ORS 401.661 is amended to read:

36 401.661. Upon the Governor declaring a state of emergency under ORS 401.055, or proclaiming
37 a state of public health emergency after determining that a threat to the public health is imminent
38 and likely to be widespread, life-threatening and of a scope that requires immediate medical action
39 to protect the public health:

40 (1) The Department of Human Services may direct emergency health care providers registered
41 under ORS 401.654 **and volunteer health practitioners** who are willing to provide health care
42 services on a voluntary basis to proceed to any place in this state where health care services are
43 required by reason of the emergency or crisis; and

44 (2) [Any] **An** emergency health care provider registered under ORS 401.654, **volunteer health**
45 **practitioner** or other health care provider may volunteer to perform health care services [*described*

1 *in ORS 401.657*] at any emergency health care center or health care facility [*in the manner provided*
 2 *by ORS 401.664*].

3 **SECTION 25.** ORS 401.664 is amended to read:

4 401.664. (1) Emergency health care providers registered under ORS 401.654, **volunteer health**
 5 **practitioners** and other health care providers who volunteer to perform health care services under
 6 ORS 401.651 to 401.670 must provide those services in accordance with the emergency operations
 7 plan and credentialing plan adopted by the emergency health care center or by the health care fa-
 8 cility at which the services are rendered.

9 (2) An emergency health care center or health care facility may determine the services to be
 10 provided by any emergency health care provider registered under ORS 401.654, **volunteer health**
 11 **practitioner** or other health care provider who volunteers to perform health care services under
 12 ORS 401.651 to 401.670.

13 **SECTION 26.** ORS 401.667 is amended to read:

14 401.667. (1) Emergency health care providers registered under ORS 401.654, **volunteer health**
 15 **practitioners** and other health care providers who volunteer to perform health care services with-
 16 out compensation under ORS 401.651 to 401.670 are agents of the state under ORS 30.260 to 30.300
 17 for the purposes of any claims arising out of those services.

18 (2) Health care facilities and other persons operating emergency health care centers designated
 19 under ORS 401.657 are agents of the state under ORS 30.260 to 30.300 for the purposes of any claims
 20 arising out of services provided without compensation through those centers or facilities under ORS
 21 401.651 to 401.670.

22 (3) An emergency health care provider registered under ORS 401.654 participating in training
 23 authorized by the Department of Human Services under ORS 401.651 to 401.670 is an agent of the
 24 state under ORS 30.260 to 30.300 for the purposes of any claims arising out of that training.

25 (4) The provisions of subsections (1) and (2) of this section apply only to emergency health care
 26 centers or health care facilities that have adopted emergency operations plans and credentialing
 27 plans that govern the use of emergency health care providers registered under ORS 401.654, **vol-**
 28 **unteer health practitioners** and other health care providers who volunteer to perform health care
 29 services under ORS 401.651 to 401.670. An emergency operations plan and a credentialing plan must
 30 comply with rules governing those plans adopted by the Department of Human Services.

31 **SECTION 27.** Sections 1 to 15 of this 2009 Act and the amendments to ORS 401.355,
 32 401.375, 401.395, 401.415, 401.435, 401.465, 401.651, 401.657, 401.661, 401.664 and 401.667 by
 33 sections 16 to 26 of this 2009 Act apply to volunteer health practitioners practicing in this
 34 state during emergencies declared on or after the effective date of this 2009 Act.