

**Enrolled**  
**House Bill 2112**

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor John A. Kitzhaber for Oregon Health Authority)

CHAPTER .....

AN ACT

Relating to the laboratory of the Oregon Health Authority; amending ORS 431.310; and declaring an emergency.

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

**SECTION 1.** ORS 431.310 is amended to read:

431.310. (1) For the better protection of the public health, the laboratory of the Oregon Health Authority shall make [*bacteriological and other*] examinations of water, milk, blood, secretions [*or*], **excretions**, tissues **or environmental samples** required by any state[, *county or city institution, or officer, and may make such examinations for any licensed physician in accordance with the rules of the authority*] **or local agency in Oregon.**

**(2) In accordance with the rules of the authority, the authority may make examinations of water, milk, blood, secretions, excretions, tissues or environmental samples for any:**

- (a) Country or territory;**
- (b) Federal agency;**
- (c) Agency of another state;**
- (d) Tribal agency; or**
- (e) Health care practitioner licensed in any country, territory or state.**

[(2)] **(3)** The authority may [*establish by rule*] **adopt rules to implement this section** and collect fees for tests performed in the state public health laboratory, subject to approval by the Oregon Department of Administrative Services prior to adopting a new fee or changing an existing fee.

[(3)] **(4)** All moneys collected under subsection [(2)] **(3)** of this section shall be deposited in the Public Health Account to be used for expenses of the state public health laboratory.

**SECTION 2. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.**

**Passed by House February 14, 2011**

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Passed by Senate May 9, 2011**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

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

.....M,....., 2011

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Kate Brown, Secretary of State