

House Bill 3232

Sponsored by Representative WHISNANT; Representatives BARKER, BOONE, ESQUIVEL, HUFFMAN, MATTHEWS, WITT, Senator BOQUIST

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**.

Provides civil immunity for person providing medical, dental or outreach services to homeless individuals if person has registered as volunteer with nonprofit corporation and services are provided without compensation. Excludes intentional torts and acts or omissions constituting gross negligence.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to homeless individuals; and declaring an emergency.

3 Whereas many veterans and other persons cannot obtain medical, dental or other important
4 services or benefits because of homelessness or factors related to homelessness; and

5 Whereas public resources are not adequate to provide medical, dental and other outreach ser-
6 vices to homeless veterans and other homeless persons; and

7 Whereas it is in the interest of this state to encourage volunteers to provide services to
8 homeless veterans and other homeless persons; and

9 Whereas the provision of medical, dental and other outreach services by volunteers to homeless
10 veterans and other homeless persons can reduce emergency room visits and other use of emergency
11 services, and lower costs to and demands for those services; and

12 Whereas the threat of personal liability arising from the provision of medical, dental and other
13 outreach services to homeless veterans and other homeless persons discourages individuals from
14 providing services on a volunteer basis; now, therefore,

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

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

17 (a) **"Homeless individual" has the meaning given that term in 42 U.S.C. 11302, as in effect**
18 **on the effective date of this 2011 Act.**

19 (b) **"Outreach services" includes, but is not limited to, case management services such**
20 **as assessment and referral for alcohol or other drug-related services and for housing, fi-**
21 **nancial, educational and related services.**

22 (2) **Except as provided in subsection (3) of this section, a person providing medical, dental**
23 **or outreach services to homeless individuals is immune from civil liability for all acts or**
24 **omissions in providing the care if:**

25 (a) **The person has registered as a volunteer with a nonprofit corporation organized un-**
26 **der the laws of this state that has as one of its principal missions the provision of services**
27 **to homeless veterans or other homeless individuals; and**

28 (b) **The services are provided without compensation from the nonprofit organization, the**
29 **homeless individual to whom services are rendered or any other person.**

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 **(3) This section does not apply to intentional torts or to acts or omissions that constitute**
2 **gross negligence.**

3 **SECTION 2.** **Section 1 of this 2011 Act applies only to acts or omissions occurring on or**
4 **after the effective date of this 2011 Act.**

5 **SECTION 3.** **This 2011 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
7 **on its passage.**

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