

A-Engrossed
Senate Bill 563

Ordered by the Senate April 8
Including Senate Amendments dated April 8

Sponsored by Senator JOHNSON (at the request of Emergency Volunteer Corps of Nehalem Bay/Medical Reserve Corps) (Presession filed.)

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.

Allows [*retired*] **previously licensed, certified or otherwise authorized** health care provider to register as emergency health care provider and to provide health care services without license or certification during Governor-declared emergency.

Authorizes Oregon Health Authority to direct registered emergency health care providers to proceed to another state where emergency health care services are required.

A BILL FOR AN ACT

1
2 Relating to emergency health care providers; creating new provisions; and amending ORS 401.651,
3 401.654 and 401.661.

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

5 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 401.651 to**
6 **401.670.**

7 **SECTION 2. (1) The Oregon Health Authority may include in the emergency health care**
8 **provider registry established under ORS 401.654 a person who was previously licensed, certi-**
9 **fied or otherwise authorized to provide health care services in Oregon by a health profes-**
10 **sional regulatory board if:**

11 (a) **The person was licensed, certified or otherwise authorized to provide health care**
12 **services not more than 10 years before entry in the registry; and**

13 (b) **The person meets such other criteria as may be established by the authority.**

14 (2) **Notwithstanding any other law prohibiting a person from providing health care ser-**
15 **vices without a license, certificate or other authorization from a health professional regula-**
16 **tory board, a person entered in the emergency health care provider registry under subsection**
17 **(1) of this section may provide health care services during a state of emergency declared**
18 **under ORS 401.165 or a state of public health emergency proclaimed under ORS 433.441**
19 **without a license, certification or other authorization if:**

20 (a) **The person is in compliance with all rules adopted by the authority for persons pro-**
21 **viding health care services under this section; and**

22 (b) **The authority has directed the person to provide health care services under ORS**
23 **401.661 (1).**

24 (3) **The authority may adopt rules, after consulting with the appropriate health profes-**
25 **sional regulatory boards, that establish criteria and requirements for including persons in**
26 **the emergency health care provider registry under this section, including but not limited to:**

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 (a) Educational requirements;

2 (b) Training requirements;

3 (c) Verification of previous licenses, certifications or other authorization by a health
4 professional regulatory board;

5 (d) Verification that the previous licenses, certifications or other authorization of the
6 person was not revoked by reason of unprofessional conduct or any other reason that would
7 affect the person's ability to safely provide health care services; and

8 (e) Limitations on the type of health care services that may be provided by the person
9 under this section and the places at which those services may be provided.

10 **SECTION 3.** ORS 401.651 is amended to read:

11 401.651. As used in ORS 401.651 to 401.670:

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

14 (2) "Health care provider" means:

15 (a) An individual licensed, certified or otherwise authorized or permitted by the laws of this
16 state or another state to administer health care services in the ordinary course of business or
17 practice of a profession; and

18 (b) A person entered in the emergency health care provider registry under section 2 of
19 this 2011 Act.

20 (3) "Health professional regulatory board" has the meaning given that term in ORS
21 676.160.

22 **SECTION 4.** ORS 401.654 is amended to read:

23 401.654. (1) The Oregon Health Authority may establish [*a registry of*] **an emergency health**
24 **care provider registry that includes** emergency health care providers who are available to provide
25 health care services during an emergency or crisis. **As a condition of inclusion in the registry,**
26 the authority may require:

27 (a) Training related to the provision of health care services in an emergency or crisis as a
28 condition of registration; and

29 (b) Criminal background checks for applicants and persons who have been registered.

30 (2) The authority shall issue identification cards to health care providers [*included*] entered in
31 the **emergency health care provider** registry established under this section that:

32 (a) Identify the health care provider;

33 (b) Indicate that the health care provider is registered as an Oregon emergency health care
34 provider;

35 (c) Identify the license or certification held by the health care provider, **or previously held by**
36 **the health care provider if the health care provider is entered in the emergency health care**
37 **provider registry under section 2 of this 2011 Act;** and

38 (d) Identify the health care provider's usual area of practice, **and the types of health care that**
39 **the health care provider is authorized to provide,** if that information is available and the au-
40 thority determines that it is appropriate to provide that information.

41 (3) The authority by rule shall establish a form for identification cards issued under subsection
42 (2) of this section.

43 (4) The authority shall support and provide assistance to the Office of Emergency Management
44 in emergencies or crises involving the public health or requiring emergency medical response.

45 (5) The authority may enter into agreements with other states to facilitate the registry of out-

1 of-state health care providers in the **emergency health care provider** registry established under
2 this section.

3 **SECTION 5.** ORS 401.661 is amended to read:

4 401.661. If the Governor declares a state of emergency under ORS 401.165 or proclaims a state
5 of public health emergency under ORS 433.441:

6 (1) The Oregon Health Authority, in conjunction with the Department of Human Services for
7 facilities licensed by the department, may direct emergency health care providers registered under
8 ORS 401.654 who are willing to provide health care services to proceed to any place in this state
9 where health care services are required by reason of the emergency or crisis; *[and]*

10 **(2) Pursuant to the Emergency Management Assistance Compact and the Pacific North-**
11 **west Emergency Management Arrangement, the Oregon Health Authority may direct emer-**
12 **gency health care providers registered under ORS 401.654 who are willing to provide health**
13 **care services in another state to proceed to another state where emergency health care**
14 **services are required by reason of an emergency in that state; and**

15 ~~[(2)]~~ **(3)** Any emergency health care provider registered under ORS 401.654 or other health care
16 provider may volunteer to perform health care services described in ORS 401.657 at any emergency
17 health care center or health care facility in the manner provided by ORS 401.664.

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