

Enrolled
Senate Bill 563

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

CHAPTER

AN ACT

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

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

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

SECTION 2. (1) The Oregon Health Authority may include in the emergency health care provider registry established under ORS 401.654 a person who was previously licensed, certified or otherwise authorized to provide health care services in Oregon by a health professional regulatory board if:

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

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

(2) Notwithstanding any other law prohibiting a person from providing health care services without a license, certificate or other authorization from a health professional regulatory board, a person entered in the emergency health care provider registry under subsection (1) of this section may provide health care services during a state of emergency declared under ORS 401.165 or a state of public health emergency proclaimed under ORS 433.441 without a license, certification or other authorization if:

(a) The person is in compliance with all rules adopted by the authority for persons providing health care services under this section; and

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

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

(a) Educational requirements;

(b) Training requirements;

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

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

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

SECTION 3. ORS 401.651 is amended to read:

401.651. As used in ORS 401.651 to 401.670:

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

(2) "Health care provider" means:

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

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

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

SECTION 4. ORS 401.654 is amended to read:

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

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

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

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

(a) Identify the health care provider;

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

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

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

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

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

(5) The authority may enter into agreements with other states to facilitate the registry of out-of-state health care providers in the **emergency health care provider** registry established under this section.

SECTION 5. ORS 401.661 is amended to read:

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

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

(2) Pursuant to the Emergency Management Assistance Compact and the Pacific Northwest Emergency Management Arrangement, the Oregon Health Authority may direct emergency health care providers registered under ORS 401.654 who are willing to provide health care services in another state to proceed to another state where emergency health care services are required by reason of an emergency in that state; and

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

Passed by Senate April 12, 2011

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 11, 2011

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

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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