

**PROPOSED AMENDMENTS TO
SENATE BILL 1503**

1 On page 1 of the printed bill, delete lines 4 through 27.

2 On page 2, delete lines 1 through 18 and insert:

3 **“SECTION 1. (1) For purposes of this section:**

4 **“(a) ‘Health care facility’ has the meaning given that term in ORS**
5 **442.015.**

6 **“(b) ‘Health care worker’ means an individual who:**

7 **“(A)(i) Is an employee, contractor, volunteer or student providing**
8 **services for or at the premises of a health care facility; or**

9 **“(ii) Is a health care practitioner granted privileges by a health care**
10 **facility; and**

11 **“(B) Has contact with patients or infectious materials.**

12 **“(2) Each year, a health care worker providing services for or at the**
13 **premises of a health care facility shall provide the health care facility**
14 **with:**

15 **“(a) Evidence that the health care worker received an annual sea-**
16 **sonal influenza vaccination; or**

17 **“(b) A written declaration on a form approved by the Oregon Health**
18 **Authority stating that the health care worker declines the**
19 **vaccination, stating the reason for the declination and including any**
20 **other information required by the authority by rule.**

21 **“(3) A health care worker may not be required as a condition of**
22 **work to receive an annual seasonal influenza vaccination, unless the**

1 vaccination is otherwise required by federal or state law, rule or reg-
2 ulation.

3 “(4) A health care facility shall electronically transmit to the au-
4 thority an annual report containing the following information for the
5 preceding year:

6 “(a) The number of health care workers providing services for or
7 at the premises of the health care facility who received an annual
8 seasonal influenza vaccination;

9 “(b)(A) The number of health care workers providing services for
10 or at the premises of the health care facility who submitted a written
11 declaration declining the vaccination; and

12 “(B) The stated reasons for the declinations;

13 “(c) The number of health care workers providing services for or
14 at the premises of the health care facility who neither received an
15 annual seasonal influenza vaccination nor submitted a written decla-
16 ration declining the vaccination; and

17 “(d) Other information required by the authority by rule.

18 “(5) Information regarding a health care worker’s vaccination sta-
19 tus in the possession or control of a health care facility:

20 “(a) Is protected health information under ORS 192.553 to 192.581.

21 “(b) Is not subject to disclosure pursuant to ORS 192.410 to 192.505.

22 “(6)(a) The authority may adopt rules as necessary to implement
23 this section, including but not limited to rules establishing the dates
24 by which a health care worker must comply with subsection (2) of this
25 section.

26 “(b) The rules adopted under this subsection may not be enforced
27 when the State Health Officer of the Oregon Health Authority imple-
28 ments the Oregon Vaccine Education and Prioritization Plan in a
29 vaccine shortage as described in ORS 433.040.”.

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