

**Jim Thompson**  
**State Representative**  
**District 23**



**HOUSE OF REPRESENTATIVES**  
**900 COURT STREET NW H-388**  
**SALEM, OR 97301**

Testimony of Rep Jim Thompson

HB 2519-Exemption from liability for volunteers who provide medical services without compensation in free and or community clinics.

There is a great need to rewrite and consolidate the various statutes addressing various provisions relating to limitations of liability for health care and other service providers. The overriding purpose of the legislation would be to increase volunteerism by the medical professions to persons in the community without the resources to obtain medical care.

The bill addresses liability protections for medical providers in charitable organizations, and extends protections to more providers such as pharmacists and optometrists who volunteer their services within the scope of their license.

While we need to address liability limitations to more nonprofits and volunteer medical providers, we also recognize and retain protections to patients if gross negligence occurs.

Current statutes provide multiple places where providers of medical services qualify for liability exemptions. At a minimum legislation is needed to consolidate into one new section the provisions of ORS 30.792, 676.340 and 676.345 and the new provisions in HB 4027 (2012 session) which relating to outreach services provided to the homeless.

The following points are addressed in the bill

1. all health care providers operating within the limits of the license are eligible for liability protections.
2. an award of attorney fees to a person who prevails based on the limitation of liability provided.
3. Removal of the requirement for service providers to register with their own board of licensing to be entitled to the limitation of liability.
4. The volunteerism is recognized in any organization that provides charitable services whether or not being registered with the state (DOJ).
5. There is no distinction or exceptions about who may offer, sponsor or host a free clinic as long as the services at the clinic are volunteered. (direct expenses such as travel or supplies may be reimbursed)

Thank you for your support

Jim Thompson

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