

House Bill 3285

Sponsored by Representative BUEHLER; Representative WHISNANT

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**.

Directs Oregon Health Authority to study effectiveness of replacing current tort system with administrative system for compensating patient injuries. Directs authority to report to committee or interim committee of Legislative Assembly on results of study no later than March 31, 2017.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to patient injuries; and declaring an emergency.

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

4 **SECTION 1. (1) The Oregon Health Authority shall study the effectiveness of replacing**
5 **the current tort system with an administrative system for compensating patient injuries**
6 **with the following features:**

7 (a) **Injuries compensable under the system include a defined class of patient injuries**
8 **broader than the class of injuries caused by medical negligence.**

9 (b) **The system collects data on unanticipated adverse outcomes and safety improvement**
10 **programs.**

11 (c) **The system compensates victims for economic and noneconomic damages.**

12 (d) **The system is the exclusive remedy for compensable injuries.**

13 (e) **The system promotes improvements in quality of care, reduction in the number of**
14 **tort claims, reduction of costs and fairness in the handling of claims.**

15 (2) **The authority shall examine the feasibility of a voluntary program that allows indi-**
16 **viduals to opt in or out of an administrative adjudication system while achieving the system**
17 **change objectives of the proposal and managing costs.**

18 (3) **The authority shall report to an appropriate committee or interim committee of the**
19 **Legislative Assembly on the results of the study no later than March 31, 2017.**

20 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
22 **on its passage.**

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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.