

Enrolled
Senate Bill 234

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Department of Corrections)

CHAPTER

AN ACT

Relating to rules authorizing the purchase of goods to be manufactured by Oregon Corrections Enterprises; amending ORS 421.990 and 655.505; repealing ORS 421.340; and declaring an emergency.

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

SECTION 1. ORS 421.340 is repealed.

SECTION 2. ORS 421.990 is amended to read:

421.990. [(1) *Violation of ORS 421.340 is a Class A misdemeanor.*]

[(2)] Violation of ORS 421.105 (2) is punishable in the same manner as if the individual injured unlawfully was not convicted or sentenced.

SECTION 3. ORS 655.505 is amended to read:

655.505. As used in ORS 655.505 to 655.555:

(1) "Attending practitioner" means Department of Corrections or Oregon Youth Authority medical staff, or specialists assisting Department of Corrections or Oregon Youth Authority medical staff, while the inmate is committed to the physical and legal custody of the Department of Corrections. At all other times, "attending practitioner" means a person licensed in Oregon or another state as a medical doctor, doctor of osteopathy, doctor of optometry, doctor of dentistry or nurse practitioner who provides services within the scope of the license.

(2) "Authorized work or occupational training assignment" means the work assignment of an inmate:

(a) As authorized by ORS 421.305 [to 421.340] **and 421.312;**

(b) As authorized by ORS 421.450 to 421.480;

(c) As authorized by ORS 144.410 to 144.525;

(d) As authorized by ORS 420.011;

(e) As authorized by ORS 420.240 to 420.265; or

(f) In any other inmate activity or program, including, but not limited to, on-the-job training established by the Department of Corrections under section 41, Article I, Oregon Constitution, whether or not compensation has been established by the Director of the Department of Corrections for participation in the activity or program.

(3) "Department" means the Oregon Department of Administrative Services.

(4) "Injury" means:

(a) An accidental injury or accidental injury to prosthetic devices occurring in the course of, and caused in major part by, an authorized work or occupational training assignment requiring medical services and resulting in disability or death; or

(b) Any disease or infection that:

(A) Arises out of, and in the course of, an authorized work or occupational training assignment;

(B) Is caused in major part by ingestion, absorption or inhalation of, or contact with, dust, fumes, vapors, gases, radiation or other substances to which a worker who is not an inmate is not ordinarily subjected or exposed while working;

(C) Requires medical services; and

(D) Results in disability or death.

(5) "Inmate" means a person committed to the physical and legal custody of the Department of Corrections.

(6) "Medical services" means reasonable and necessary services prescribed by an attending practitioner for conditions resulting from injury for a period that the nature of the injury or the process of recovery requires. "Medical services" includes medical, surgical, hospital, nursing, ambulance and other related services, drugs, medicine, crutches and prosthetic appliances, braces and supports and, when necessary, physical restorative services.

(7) "Medically stationary" means that no further material improvement would reasonably be expected from medical treatment or the passage of time.

(8) The terms "beneficiary," "child" and "dependent" have the meanings given those terms in ORS 656.005.

SECTION 4. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by Senate February 26, 2015

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 28, 2015

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State