

SB 17 STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

Senate Committee On Human Services

Action Date: 02/13/17

Action: Do pass.

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Gelser, Knopp, Monnes Anderson, Olsen

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Matt Doumit, LPRO Analyst

WHAT THE MEASURE DOES:

Removes requirement that superintendents of state hospitals and certain Department of Corrections institutions designate chief medical officer of institution. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Origins of existing statute and contemporary agency practice
- Conflicts between existing statute and agency practice

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Current Oregon law requires that superintendents of certain state institutions designate a chief medical officer for that institution, including superintendents of state hospitals administered by the Oregon Health Authority and superintendents of incarceration facilities administered by the Department of Corrections (DOC). A chief medical officer answers directly to the superintendent and must be licensed by the Oregon Medical Board, and once they are designated they are responsible for the administration of the facility's medical treatment program. In practice, DOC's Health Services Director has appointed chief medical officers, not superintendents of individual institutions. A recent court ruling invalidated this practice, in part because it conflicts with current statute.

Senate Bill 17 removes the requirement that superintendents must designate a chief medical officer for their facility, permitting DOC to continue its current practice.