

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 57**

1 On page 3 of the printed bill, delete lines 7 through 13.

2 In line 14, delete “(3)(a)” and insert “(2)(a)”.

3 In line 24, after the comma delete the rest of the line and insert “a re-  
4 quest from the Oregon Public Guardian and Conservator for the purpose of  
5 conducting a needs assessment is presumed to be a”.

6 After line 26, insert:

7 “(c) Any health care provider not identified in either paragraph (a) or (b)  
8 of this subsection may disclose protected health information to the Oregon  
9 Public Guardian and Conservator in accordance with 45 C.F.R. 164.512 (j) to  
10 prevent or lessen a serious or imminent threat to the health or safety of a  
11 person if the health care provider, in good faith, believes the disclosure is  
12 necessary to prevent or lessen the threat. For purposes of this paragraph, a  
13 request from the Oregon Public Guardian and Conservator for disclosure  
14 under this paragraph for the purposes of conducting a needs assessment, or  
15 the good faith belief and disclosure of the health care provider under this  
16 paragraph, are presumed to be situations that will prevent or lessen a serious  
17 and imminent threat to the health or safety of the person.”.

18 In line 27, delete “(4)” and insert “(3)”.

19 On page 4, line 21, delete “established by the”.

20 In line 22, delete “court” and insert “determined in consultation with the  
21 Oregon Department of Administrative Services”.

1 Delete lines 40 through 45.

2 On page 5, delete lines 1 through 42 and insert:

3 **“SECTION 6. For the purpose of requesting a state or nationwide**  
4 **criminal records check under ORS 181A.195, the Oregon Public**  
5 **Guardian and Conservator may require the fingerprints of an employee**  
6 **of the Oregon Public Guardian and Conservator, an applicant for em-**  
7 **ployment with the Oregon Public Guardian and Conservator or a vol-**  
8 **unteer or party under contract with the Oregon Public Guardian and**  
9 **Conservator.”.**

10 In line 43, delete “8” and insert “7”.

11 On page 6, after line 13, insert:

12 **“SECTION 8. (1) The Oregon Public Guardian and Conservator**  
13 **Protected Person Trust Account is established in the State Treasury**  
14 **separate and distinct from the General Fund and the Oregon Public**  
15 **Guardian and Conservator Fund. Moneys in the Oregon Public**  
16 **Guardian and Conservator Protected Person Trust Account consists**  
17 **of moneys received on behalf of persons for whom the Oregon Public**  
18 **Guardian and Conservator has been appointed as a guardian or**  
19 **conservator. All moneys in the account are continuously appropriated**  
20 **to the Oregon Public Guardian and Conservator to be used for the**  
21 **benefit of a person for whom the Oregon Public Guardian and**  
22 **Conservator has been appointed as a guardian or conservator and on**  
23 **whose behalf the Oregon Public Guardian and Conservator has re-**  
24 **ceived moneys.**

25 **“(2) The Oregon Public Guardian and Conservator shall administer**  
26 **the trust account:**

27 **“(a) For the benefit of persons for whom the Oregon Public Guard-**  
28 **ian and Conservator has been appointed a guardian or conservator and**  
29 **on whose behalf the Oregon Public Guardian and Conservator has re-**  
30 **ceived moneys; and**

1       **“(b) In accordance with the provisions of this chapter or as ordered**  
2 **by the court.**

3       **“(3) The Oregon Public Guardian and Conservator may establish**  
4 **subaccounts within the Oregon Public Guardian and Conservator Pro-**  
5 **ected Person Trust Account when the Oregon Public Guardian and**  
6 **Conservator determines that subaccounts are necessary or desirable.**  
7 **Interest earned by the account or subaccounts, if any, shall accrue to**  
8 **the benefit of the account or subaccounts.”.**

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