

DRAFT

SUMMARY

Requires health care facilities, health care providers, local public health authorities and public and private safety agencies to maintain capacity, including sufficient amounts of certain supplies, to continue in normal operation for 120 days at 25 percent mortality rate. Defines “25 percent mortality rate.” Directs Oregon Health Authority and health professional regulatory boards to report to Office of Emergency Management. Directs office to report annually to interim committee of Legislative Assembly related to emergency preparedness.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to emergency preparedness; and prescribing an effective date.

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

SECTION 1. As used in sections 2 to 6 of this 2021 Act:

(1) “25 percent mortality rate” means the death of 25 percent of the total population of this state due to a pandemic, natural disaster or other similar emergency.

(2) “Essential service” has the meaning given that term by the Oregon Health Authority by rule.

(3) “Health care facility” has the meaning given that term in ORS 442.015.

(4) “Health care provider” means a person who operates an independent practice location and who is:

(a) An acupuncturist licensed under ORS 677.759;

(b) A chiropractic physician licensed under ORS chapter 684;

(c) A dentist licensed under ORS chapter 679;

1 (d) A massage therapist licensed under ORS 687.011 to 687.250;

2 (e) A naturopathic physician licensed under ORS chapter 685;

3 (f) A physician licensed under ORS chapter 677; and

4 (g) A physical therapist licensed under ORS 688.010 to 688.201.

5 (5) "Health professional regulatory board" means:

6 (a) The Oregon Board of Dentistry;

7 (b) The Oregon Board of Naturopathic Medicine;

8 (c) The Oregon Board of Physical Therapy;

9 (d) The Oregon Medical Board;

10 (e) The State Board of Chiropractic Examiners; and

11 (f) The State Board of Massage Therapists.

12 (6) "Holding room" has the meaning given that term in ORS 692.010.

13 (7) "Local public health authority" has the meaning given that term
14 in ORS 431.003.

15 (8) "Public or private safety agency" has the meaning given that
16 term in ORS 181A.355.

17 SECTION 2. (1) A health care facility shall maintain capacity, in-
18 cluding sufficient amounts of the following, to continue in normal
19 operation for 120 days at a 25 percent mortality rate:

20 (a) Generators;

21 (b) Personal protective equipment for staff; and

22 (c) Ventilators.

23 (2)(a) A health care facility shall report annually to the Oregon
24 Health Authority, not later than the date established by the authority
25 by rule, regarding the health care facility's ability to comply with the
26 requirements of subsection (1) of this section.

27 (b) The authority shall compile the information received under
28 paragraph (a) of this subsection and shall report annually to the Office
29 of Emergency Management pursuant to rules adopted by the office.

30 (3) The authority may adopt rules to carry out this section.

31 SECTION 3. (1) A local public health authority shall:

1 (a) Maintain the capacity to continue the following in normal op-
2 eration for 120 days at 25 percent mortality rate:

3 (A) Essential services; and

4 (B) Holding rooms and mortuary refrigeration.

5 (d) Other private businesses as determined by the Oregon Health
6 Authority.

7 (b) Consult with private businesses and housing providers within
8 the jurisdiction of the local public health authority regarding the pri-
9 vate businesses' and housing providers' ability to maintain capacity
10 to continue in normal operation for 120 days at 25 percent mortality
11 rate and assist the private businesses and housing providers as needed.

12 (2)(a) A local public health authority shall report annually to the
13 Oregon Health Authority, not later than the date established by the
14 Oregon Health Authority by rule, regarding the local public health
15 authority's ability to comply with the requirements of subsection (1)
16 of this section.

17 (b) The Oregon Health Authority shall compile the information re-
18 ceived under paragraph (a) of this subsection and shall report annually
19 to the Office of Emergency Management pursuant to rules adopted by
20 the office.

21 (3) The Oregon Health Authority may adopt rules to carry out this
22 section.

23 SECTION 4. (1) A health care provider shall maintain sufficient
24 amounts of necessary supplies, including personal protective equip-
25 ment for staff, to continue in normal operation for 120 days at a 25
26 percent mortality rate.

27 (2)(a) A health care provider shall report annually to the health
28 care provider's health professional regulatory board, not later than the
29 date established by the health professional regulatory board by rule,
30 regarding the health care provider's ability to comply with subsection
31 (1) of this section.

1 (b) A health professional regulatory board shall compile the infor-
2 mation received under paragraph (a) of this subsection and shall re-
3 port annually to the Office of Emergency Management pursuant to
4 rules adopted by the office.

5 (3) A health professional regulatory board may adopt rules to carry
6 out this section.

7 **SECTION 5.** (1) A public or private safety agency shall maintain
8 sufficient amounts of necessary supplies, including personal protective
9 equipment for staff, to continue in normal operation for 120 days at a
10 25 percent mortality rate.

11 (2)(a) A public or private safety agency shall report annually to the
12 Oregon Health Authority, not later than the date established by the
13 authority by rule, regarding the public or private safety agency's
14 ability to comply with subsection (1) of this section.

15 (b) The authority shall compile the information received under
16 paragraph (a) of this subsection and shall report annually to the Office
17 of Emergency Management pursuant to rules adopted by the office.

18 (3) The authority may adopt rules to carry out this section.

19 **SECTION 6.** (1) The Office of Emergency Management shall annu-
20 ally submit a report in the manner provided in ORS 192.245 to an in-
21 terim committee of the Legislative Assembly related to emergency
22 preparedness. The office may include in the report recommendations
23 for legislation.

24 (2) The office shall adopt rules to carry out sections 2 to 6 of this
25 2021 Act.

26 **SECTION 7.** (1) Sections 2 and 6 of this 2021 Act become operative
27 on January 1, 2022.

28 (2) Sections 3 to 5 of this 2021 Act become operative on January 1,
29 2023.

30 (3) The Oregon Health Authority and the Office of Emergency
31 Management may take any action before the operative date specified

1 in subsection (1) of this section that is necessary to enable the au-
2 thority and the office to exercise, on and after the operative date
3 specified in subsection (1) of this section, all of the duties, functions
4 and powers conferred on the authority and the office by sections 2 and
5 6 of this 2021 Act.

6 (4) The Oregon Health Authority, the Office of Emergency Man-
7 agement and the health professional regulatory boards may take any
8 action before the operative date specified in subsection (2) of this sec-
9 tion that is necessary to enable the authority, the boards and the of-
10 fice to exercise, on and after the operative date specified in subsection
11 (2) of this section, all of the duties, functions and powers conferred
12 on the authority, the boards and the office by sections 3 to 5 of this
13 2021 Act.

14 SECTION 8. This 2021 Act takes effect on the 91st day after the date
15 on which the 2021 regular session of the Eighty-first Legislative As-
16 sembly adjourns sine die.