

Requested by Senator STEINER HAYWARD

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3063**

1 On page 1 of the printed A-engrossed bill, delete lines 5 and 6 and insert:

2 **“SECTION 1. Sections 2 to 4 of this 2019 Act are added to and made**
3 **a part of ORS 433.235 to 433.284.”.**

4 In line 10, after “person” delete the rest of the line and delete lines 11
5 and 12 and insert “an event or meeting described in ORS 338.120 (1)(j), (k)
6 or (L).”.

7 After line 19, insert:

8 **“SECTION 3. (1) As used in this section, ‘board’ means the Oregon**
9 **Board of Naturopathic Medicine, the Oregon Medical Board and the**
10 **Oregon State Board of Nursing.**

11 **“(2) The Oregon Health Authority shall provide monthly to each**
12 **board copies of the documents described in ORS 433.267 (1)(b) that are**
13 **signed by licensed health care practitioners regulated by the board.**

14 **“(3) Each board shall review the documents described in subsection**
15 **(2) of this section that are signed by licensed health care practitioners**
16 **regulated by the board to determine whether exemptions described in**
17 **ORS 433.267 (1)(b) are granted in compliance with a reasonable inter-**
18 **pretation of recommendations by the Advisory Committee on Immu-**
19 **nization Practices, or its successor organization, as adopted by the**
20 **board by rule.**

21 **“(4)(a) Not later than the date determined by the authority by rule,**

1 each board shall report annually to the authority the results of the
2 reviews described in subsection (3) of this section conducted during the
3 preceding year.

4 “(b) Not later than December 31 of each year, the authority shall
5 report, in the manner provided in ORS 192.245, to an interim commit-
6 tee of the Legislative Assembly related to health care, on the reviews
7 conducted by the boards under this section. The report described in
8 this paragraph may not include personally identifiable health infor-
9 mation of a child.

10 “(5)(a) Each board shall adopt rules to carry out this section. The
11 rules adopted under this section must include, but are not limited to,
12 rules to establish a process for the board to perform the review de-
13 scribed in subsection (3) of this section.

14 “(b) A board may consult with the authority in adopting rules under
15 this section.

16 “SECTION 4. (1) As used in this section, ‘homeschooled student’
17 has the meaning given the term in ORS 339.460.

18 “(2) Not later than December 31 of each year, the Department of
19 Education shall report, in the manner provided in ORS 192.245, to an
20 interim committee of the Legislative Assembly related to health care
21 on the immunization status of children who are homeschooled stu-
22 dents or who attend a school described in section 2 of this 2019 Act.

23 “(3) The State Board of Education may adopt rules to carry out this
24 section.”.

25 In line 20, delete “3” and insert “5”.

26 On page 2, line 3, delete “4” and insert “6”.

27 After line 15, insert:

28 “(3) ‘Licensed health care practitioner’ means:

29 “(a) A physician licensed under ORS chapter 677 and who holds a degree
30 of Doctor of Medicine or Doctor of Osteopathy;

1 “(b) A nurse practitioner licensed under ORS 678.375 to 678.390; or

2 “(c) A naturopathic physician licensed under ORS chapter 685.”.

3 In line 16, delete “(3)” and insert “(4)”.

4 In line 17, delete “(4)” and insert “(5)”.

5 Delete lines 18 through 21.

6 In line 36, delete “5” and insert “7”.

7 In line 39, after “received” insert “, against restrictable diseases the” and
8 delete “against”.

9 In line 40, delete “the restrictable diseases”.

10 Delete line 45 and insert:

11 “(b) A document signed by a licensed health care practitioner stating that
12 the child should be exempted from receiving a specified immunization be-
13 cause of an indicated medical diagnosis. A document described in this para-
14 graph must be renewed and submitted annually to the administrator not later
15 than the date determined by the authority by rule.”.

16 On page 3, delete lines 1 and 2.

17 On page 4, line 1, after “with” insert “the” and delete “against the
18 restrictable dis-”.

19 In line 2, delete “eases”.

20 In line 6, after “(11)” insert “(a)” and delete “approved or”.

21 After line 7, insert:

22 “(b) The document described in subsection (1)(b) of this section must al-
23 low the licensed health care practitioner to include any specialty areas in
24 which the licensed health care practitioner practices.”.

25 In line 8, after “practitioners” insert “described in subsection (1)(a) of this
26 section”.

27 After line 10, insert:

28 “(13) A school and a children’s facility shall provide every two weeks to
29 the authority, in a manner established by the authority by rule, the docu-
30 ments described in subsection (1) of this section that are submitted to the

1 school or children’s facility.”.

2 In line 11, delete “(13)” and insert “(14)”.

3 In line 23, delete “6” and insert “8”.

4 On page 5, line 15, delete “7” and insert “9”.

5 In line 45, delete “8” and insert “10”.

6 On page 6, delete lines 5 through 20 and insert:

7 **“SECTION 11. Section 12 of this 2019 Act is added to and made a**
8 **part of ORS 433.235 to 433.284.**

9 **“SECTION 12. The Oregon Health Authority shall establish an out-**
10 **reach and education plan related to the implementation of ORS 433.235**
11 **to 433.284.**

12 **“SECTION 13. (1) A child who is not immunized as required under**
13 **ORS 433.267 (1) and has not provided to the administrator of the school**
14 **or children’s facility that the child attends a document described in**
15 **ORS 433.267 (1)(b) may continue to attend the school or children’s fa-**
16 **cility until August 1, 2020.**

17 **“(2) Subsection (1) of this section does not apply to a person ex-**
18 **cluded under ORS 433.260.**

19 **“SECTION 14. (1) Sections 3, 4 and 12 of this 2019 Act become op-**
20 **erative on January 1, 2020.**

21 **“(2) The Oregon Health Authority, the Oregon Board of**
22 **Naturopathic Medicine, the Oregon Medical Board, the Oregon State**
23 **Board of Nursing and the State Board of Education may take any**
24 **action before the operative date specified in subsection (1) of this sec-**
25 **tion that is necessary to enable the authority or the boards to exercise,**
26 **on and after the operative date specified in subsection (1) of this sec-**
27 **tion, all of the duties, functions and powers conferred on the authority**
28 **and the boards by sections 3, 4 and 11 of this 2019 Act.**

29 **“SECTION 15. This 2019 Act being necessary for the immediate**
30 **preservation of the public peace, health and safety, an emergency is**

1 **declared to exist, and this 2019 Act takes effect on its passage.”.**

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