

Requested by Senator COURTNEY

**PROPOSED AMENDMENTS TO  
SENATE BILL 1803**

1 On page 2 of the printed bill, delete lines 13 through 18 and insert:

2 **SECTION 2.** (1)(a) A person may not bring a claim against a hospital,  
3 a health maintenance organization, a health care provider or a location  
4 where health care services are provided arising from acts or omissions per-  
5 formed:

6 “(A) In the course of rendering health care services; and

7 “(B) In order to comply with COVID-19 emergency rules in effect at the  
8 time of the act or omission.

9 “(b) Notwithstanding paragraph (a) of this subsection, a person may bring  
10 a claim against a location where health care services are provided that is  
11 not a hospital or health maintenance organization if the claim does not arise  
12 from a decision, action or failure to act by a health care provider.”.

13 Delete lines 41 through 45.

14 On page 3, delete lines 1 and 2 and insert:

15 **SECTION 3.** (1)(a) Except as provided in paragraph (b) of this sub-  
16 section, a hospital, health maintenance organization, health care provider  
17 or location where health care services are provided may move at any time  
18 to strike a claim in a civil action that is barred by section 2 of this 2020  
19 third special session Act. A motion to strike under this section shall be  
20 treated as a motion to dismiss under ORCP 21 A but is not subject to ORCP  
21 21 F. Upon granting a motion under this section, the court shall enter a

1 judgment of dismissal without prejudice. If the court denies a motion under  
2 this section, the court shall enter a limited judgment denying the motion.

3 “(b) A location where health care services are provided that is not a  
4 hospital or health maintenance organization may move to strike a claim  
5 under this section only if the claim arises from a decision, action or failure  
6 to act by a health care provider.”.

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