

SENATE AMENDMENTS TO B-ENGROSSED HOUSE BILL 2002

By COMMITTEE ON RULES

June 15

1 On page 1 of the printed B-engrossed bill, line 2, delete “109.650,”.

2 In line 4, after “743A.067” insert a semicolon.

3 In line 5, delete “and section 10, chapter 45, Oregon Laws 2022;” and delete “167.820,”.

4 After line 6, insert:

5 “Whereas nothing in the insurance provisions of this 2023 Act affects the age at which a minor
6 may consent to receive health care services; now, therefore,”.

7 On page 4, delete lines 10 through 45.

8 On page 5, delete lines 1 through 6 and insert:

9 “**SECTION 8.** ORS 109.640, as amended by section 14, chapter 349, Oregon Laws 2021, is
10 amended to read:

11 “109.640. (1) **As used in this section, ‘reproductive health care’ has the meaning given that**
12 **term in section 2 of this 2023 Act, except that ‘reproductive health care’ does not include the**
13 **elective sterilization of a minor under 15 years of age.**

14 “[*1*] (2)(a) **As used in this subsection, ‘health care provider’ means a physician, physician**
15 **assistant licensed under ORS 677.505 to 677.525, nurse practitioner licensed under ORS**
16 **678.375 to 678.390 or a pharmacist licensed under ORS chapter 689.**

17 “(b) **A minor under 15 years of age may give consent, without the consent of a parent**
18 **or guardian of the minor, to an abortion only if the abortion is provided by a health care**
19 **provider who is acting within the health care provider’s scope of practice and who reasonably**
20 **believes, in the health care provider’s professional judgment, that:**

21 “(A) **Involving the parent or guardian of the minor may result in the physical or emo-**
22 **tional abuse of the minor or the neglect of the minor; or**

23 “(B) **Requiring the consent of a parent or guardian of the minor would not be in the best**
24 **interest of the minor, for the reasons documented by the health care provider after obtaining**
25 **the concurrence of another health care provider who is associated with a separate medical**
26 **practice or facility.**

27 “(3) **Except as provided in subsection (2) of this section and notwithstanding subsection**
28 **(4) of this section, a minor of any age may give consent, without the consent of a parent or**
29 **guardian of the minor, to receive reproductive health care information and services from a**
30 **health care provider who is a physician, physician assistant licensed under ORS 677.505 to 677.525,**
31 **nurse practitioner licensed under ORS 678.375 to 678.390, pharmacist licensed under ORS chapter**
32 **689 or naturopathic physician licensed under ORS chapter 685 [*may provide birth control information***
33 **and services to any person without regard to the age of the person], and who is acting within the**
34 **provider’s scope of practice.**

35 “[*2*] (4) **A minor 15 years of age or older may give consent, without the consent of a parent**

1 or guardian of the minor, to:

2 “(a) Hospital care, medical or surgical diagnosis or treatment by a physician licensed by the
3 Oregon Medical Board or a naturopathic physician licensed under ORS chapter 685, and dental or
4 surgical diagnosis or treatment by a dentist licensed by the Oregon Board of Dentistry[, *except as*
5 *provided by ORS 109.660*].

6 “(b) Diagnosis or treatment by a physician assistant who is licensed under ORS 677.505 to
7 677.525 and who is acting pursuant to a collaboration agreement as defined in ORS 677.495.

8 “(c) Diagnosis and treatment by a nurse practitioner who is licensed by the Oregon State Board
9 of Nursing under ORS 678.375 and who is acting within the scope of practice for a nurse practi-
10 tioner.

11 “(d) Except when the minor is obtaining contact lenses for the first time, diagnosis and treat-
12 ment by an optometrist who is licensed by the Oregon Board of Optometry under ORS 683.010 to
13 683.340 and who is acting within the scope of practice for an optometrist.

14 “**(5) If a person, including a health care provider, has reasonable cause to believe that a**
15 **minor the person comes into contact with under this section has suffered abuse, as defined**
16 **in ORS 419B.005, the person shall immediately comply with the person’s mandatory child**
17 **abuse reporting duties under ORS 419B.010.**

18 “**NOTE:** Section 9 was deleted by amendment. Subsequent sections were not renumbered.”.

19 On page 9, delete lines 7 through 45 and delete page 10.

20 On page 11, delete lines 1 through 5 and insert:

21 “**NOTE:** Sections 13 through 18 were deleted by amendment. Subsequent sections were not re-
22 numbered.”.

23 On page 13, delete lines 42 through 45.

24 On page 14, delete lines 1 through 30 and insert:

25 “**NOTE:** Sections 29 and 30 were deleted by amendment. Subsequent sections were not renum-
26 bered.”.

27 On page 41, delete lines 5 and 6 and insert:

28 “(3)(a) No law shall be passed restraining the free expression of opinion, or restricting the right
29 to speak, write, or print freely on any subject whatever; but every person shall be responsible for
30 the abuse of this right.

31 “(b) Nothing in this section prohibits lawful picketing, lawful protesting or peaceful assembly,
32 or other publicity for the purpose of providing the public with information.”.

33 On page 43, line 41, restore the bracketed material and delete the boldfaced material and after
34 “167.820” insert “and section 45”.

35 On page 44, line 39, delete “167.820,”.

36 Delete lines 40 through 45.

37 On page 45, delete lines 1 through 20 and insert:

38 “**NOTE:** Sections 53 through 58 were deleted by amendment. Subsequent sections were not re-
39 numbered.”.

40 Delete lines 37 through 39.

41 In line 40, delete “(6)” and insert “(5)”.

42 Delete line 45.

43 On page 46, line 1, delete “62” and insert “61”.