



Open Government Impact Statement

82nd Oregon Legislative Assembly
2024 Regular Session

Measure: HB 4108

Only impacts on Original or Engrossed
Versions are Considered Official

Prepared by: Dexter A. Johnson
Date: 2/2/2024

SUMMARY

Digest: Requires a health care worker who is present when a child is born alive after an abortion to give the same level of care as if the child was born alive after a normal birth. Makes it a crime if a health care worker knowingly or recklessly does not do so. Allows the person who had an abortion to sue a health care worker for knowingly or recklessly not giving the required care to a child born alive after an abortion. Allows the court to protect the private information of the person who had an abortion. (Flesch Readability Score: 62.6).

Requires a health care practitioner to exercise the proper degree of care to preserve the health and life of a child born alive after an abortion or an attempted abortion. Requires a health care practitioner to ensure that a child born alive is transported to a hospital. Creates crime for failure to exercise proper standard of care, punishable by maximum of five years' imprisonment, \$125,000 fine, or both.

Allows specified person to bring civil action for damages and equitable relief against a health care practitioner for failing to exercise proper standard of care. Directs the court to award attorney fees to a prevailing plaintiff.

Allows the court to order that the identity or personally identifiable information of specified persons is protected from disclosure.

NOTICE OF NO OPEN GOVERNMENT IMPACT