

A-Engrossed Senate Bill 233

Ordered by the Senate April 4
Including Senate Amendments dated April 4

Sponsored by Senator MANNING JR (at the request of Jim Evangelista) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says a person can file a suit to get damages for removal of a hernia mesh that occurred at a certain time in the past. (Flesch Readability Score: 66.6).

[Digest: The Act gives people more time to file claims for injuries from health care. (Flesch Readability Score: 89.8).]

[Extends the statute of ultimate repose for claims for certain injuries from health care to 10 years from the date of the treatment, omission or operation upon which the action is based.]

[Applies retroactively to claims for which an action has not been commenced.]

Allows a person to file an action to recover damages for injuries arising from or in connection with removal of a hernia mesh that occurred on or after January 1, 2018, and before January 1, 2019.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the statute of ultimate repose for claims for injuries from health care; and declaring an
3 emergency.

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

5 **SECTION 1. (1) Notwithstanding ORS 12.110 (4), an action to recover damages for injuries**
6 **to a person arising from or in connection with medical or surgical treatment, omission or**
7 **operation in the removal of a hernia mesh may be filed within one year of the effective date**
8 **of this 2025 Act if the date of the removal of the hernia mesh upon which the action is based**
9 **was on or after January 1, 2018, and before January 1, 2019.**

10 **(2) This section does not operate to revive any cause of action that has been settled,**
11 **compromised or adjudicated before the effective date of this 2025 Act.**

12 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
14 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.