

Requested by Representative NELSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2943**

1 On page 1 of the printed bill, delete lines 4 through 25 and delete page
2 2 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a) ‘Eligible individual’ means an individual who:**

5 **“(A) Is 15 years of age or older and younger than 66 years of age;**

6 **“(B) Does not have a known history of a positive HIV test; and**

7 **“(C) Has not been screened for hepatitis C, human**
8 **immunodeficiency virus or syphilis within the last calendar year.**

9 **“(b) ‘Emergency medical services provider’ has the meaning given**
10 **that term in ORS 682.025.**

11 **“(c) ‘Health care provider’ or ‘provider’ means a person who is li-**
12 **censed, certified or otherwise authorized by law in this state to ad-**
13 **minister health care in the ordinary course of business or in the**
14 **practice of a health care profession.**

15 **“(d) ‘Hepatitis C test’ means a test of an individual for the presence**
16 **of the hepatitis C virus, or for antibodies or antigens that result from**
17 **a hepatitis C virus infection, or for any other substance specifically**
18 **indicating a hepatitis C virus infection.**

19 **“(e) ‘HIV test’ has the meaning given that term in ORS 433.045.**

20 **“(f) ‘Hospital’ has the meaning given that term in ORS 442.015.**

21 **“(g) ‘Screen for hepatitis C, human immunodeficiency virus and**

1 syphilis' means to conduct a hepatitis C test, an HIV test and a
2 syphilis test.

3 “(h) ‘Syphilis test’ means a test of an individual for the presence
4 of the bacterium *Treponema pallidum*, or for antibodies or antigens
5 that result from a *Treponema pallidum* infection, or for any other
6 substance specifically indicating an infection that causes syphilis.

7 “(2) The Oregon Health Authority shall establish a pilot program
8 where a hospital that is participating in the pilot program may screen
9 eligible individuals for hepatitis C, human immunodeficiency virus and
10 syphilis. A hospital may choose whether to participate in the pilot
11 program. The authority shall select hospitals to participate in the pilot
12 program such that there are at least three hospitals participating.
13 When selecting hospitals, the authority shall ensure that:

14 “(a) The hospitals are located in different areas of the state;

15 “(b) The program includes hospitals from urban, suburban and ru-
16 ral areas;

17 “(c) At least one hospital is either a type A or type B hospital, as
18 those terms are described in ORS 442.470; and

19 “(d) There is variety in the number of beds that the hospitals have.

20 “(3) A hospital that is participating in the pilot program established
21 under this section shall follow the protocols described under sub-
22 sections (4) to (7) of this section for screening eligible individuals for
23 hepatitis C, human immunodeficiency virus and syphilis.

24 “(4) Subject to subsections (5) to (7) of this section, when an eligible
25 individual consents to receiving medical care within a hospital emer-
26 gency department and the medical care includes taking a blood sample
27 or using a blood sample taken by an emergency medical services pro-
28 vider for laboratory testing or analysis, the hospital shall use the blood
29 specimen to screen for hepatitis C, human immunodeficiency virus and
30 syphilis.

1 “(5) When conducting an HIV test under this section, a hospital
2 emergency department health care provider or the provider’s designee
3 shall follow the requirements and procedures for administering an HIV
4 test under ORS 433.045.

5 “(6)(a) When conducting a hepatitis C or syphilis test under this
6 section, a hospital emergency department health care provider or the
7 provider’s designee shall, before subjecting an eligible individual to a
8 hepatitis C or syphilis test:

9 “(A) Notify the individual being tested; and

10 “(B) Allow the individual being tested the opportunity to decline the
11 test.

12 “(b) The notification and opportunity to decline testing required
13 under paragraph (a) of this subsection may be verbal or in writing and
14 may be contained in a general medical consent form.

15 “(7) A hospital may not conduct a hepatitis C test, HIV test or
16 syphilis test under this section if an eligible individual is unable to
17 grant or withhold consent.

18 “(8) A person who complies with the requirements of this section
19 is not subject to an action for civil damages.

20 “(9) The authority may adopt rules to carry out the provisions of
21 this section, including rules to ensure the exercise of best practices.

22 “(10) At the conclusion of the pilot program established under this
23 section, but no later than September 15, 2029, the authority shall sub-
24 mit a report on the outcomes and findings from the pilot program in
25 the manner provided by ORS 192.245, and may include recommen-
26 dations for legislation, to the committees or interim committees of the
27 Legislative Assembly related to health care.

28 “SECTION 2. Section 3 of this 2025 Act is added to and made a part
29 of the Insurance Code.

30 “SECTION 3. (1) A policy or certificate of health insurance that

1 reimburses the cost of services delivered by a hospital that is partic-
2 ipating in the pilot program established under section 1 of this 2025
3 Act shall reimburse the costs of conducting a hepatitis C, HIV or
4 syphilis test that is incurred by the hospital in participating in the
5 pilot program established under section 1 of this 2025 Act.

6 “(2) This section is exempt from ORS 743A.001.

7 “SECTION 4. Section 3 of this 2025 Act applies to policies and cer-
8 tificates of health insurance issued, renewed or extended on or after
9 the effective date of this 2025 Act.

10 “SECTION 5. Sections 1 and 3 of this 2025 Act are repealed on Jan-
11 uary 2, 2030.

12 “SECTION 6. In addition to and not in lieu of any other appropri-
13 ation, there is appropriated to the Oregon Health Authority, for the
14 biennium beginning July 1, 2025, out of the General Fund, the amount
15 of \$4,000,000, which may be expended to cover costs incurred by coun-
16 ties in carrying out additional investigation and outreach related to
17 the increase in hepatitis C, HIV and syphilis testing conducted under
18 section 1 of this 2025 Act.

19 “SECTION 7. This 2025 Act takes effect on the 91st day after the
20 date on which the 2025 regular session of the Eighty-third Legislative
21 Assembly adjourns sine die.”.

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