

Requested by Senator CAMPOS

**PROPOSED AMENDMENTS TO
SENATE BILL 605**

1 On page 1 of the printed bill, delete lines 4 through 27 and delete pages
2 2 through 6 and insert:

3 **“SECTION 1.** ORS 646A.677 is amended to read:

4 “646A.677. (1) As used in this section:

5 **“(a) ‘Consumer report’ has the meaning given that term in 15**
6 **U.S.C. 1681a, as in effect on the effective date of this 2025 Act.**

7 **“(b) ‘Consumer reporting agency’ has the meaning given that term**
8 **in 15 U.S.C. 1681a, as in effect on the effective date of this 2025 Act.**

9 “[a] (c) ‘Debt collector’ has the meaning given that term in ORS 646.639.

10 “[b] (d) ‘Financial assistance’ means the written financial assistance
11 policy described in ORS 442.610.

12 “[c] (e) ‘Hospital’ has the meaning given that term in ORS 442.612.

13 “[d] (f) ‘Hospital-affiliated clinic’ has the meaning [give] **given** that
14 term in ORS 442.612.

15 “[e] (g)(A) ‘Medical debt’ means an amount [owed by a patient to a
16 hospital or a nonprofit hospital-affiliated clinic for medically necessary services
17 or supplies.] **that a resident of this state owes to a person whose pri-**
18 **mary business is providing medical services, products or devices, or**
19 **to the person’s agent or assignee, including an amount that is not past**
20 **due or that the resident has paid in part or in full, for:**

21 **“(i) Medical treatment, including gender-affirming treatment, as**

1 **defined in ORS 414.769, other than cosmetic surgery that is not re-**
2 **quired for reconstruction following a patient’s trauma, injury, in-**
3 **fection or disease;**

4 **“(ii) Medical devices or supplies, including drugs or medications;**

5 **“(iii) Patient care; or**

6 **“(iv) Other medical services or products.**

7 **“(B) ‘Medical debt’ does not include an amount a resident owes on**
8 **a credit card or to a financial institution that extended credit to the**
9 **resident unless the financial institution extended credit to the resident**
10 **specifically to purchase medical treatment, patient care or other**
11 **medical services or supplies.**

12 *“[(f) ‘Medically necessary’ has the meaning given that term in ORS*
13 *442.612.]*

14 *“[(g)] (h) ‘Nonprofit’ has the meaning given that term in ORS 442.612.*

15 **“(2) A hospital and a nonprofit hospital-affiliated clinic shall post the**
16 **hospital’s financial assistance policy in the manner described in ORS 442.610**
17 **(3)(d).**

18 **“(3) Upon the request of a patient or an individual who is authorized to**
19 **act on behalf of a patient, a hospital or **nonprofit** hospital-affiliated clinic**
20 **shall conduct a screening to determine if the patient qualifies for:**

21 **“(a) Financial assistance under the hospital’s **or nonprofit hospital-****
22 **affiliated clinic’s** financial assistance policy; or

23 **“(b) The state medical assistance program.**

24 **“(4) Before transferring an unpaid charge for services to a debt collector**
25 **or referring an unpaid charge for collection, a hospital or **nonprofit****
26 **hospital-affiliated clinic shall:**

27 **“(a) Conduct a screening to determine if the patient qualifies for financial**
28 **assistance as described in ORS 442.614 (1)(a)(A), if applicable; and**

29 **“(b) Provide a copy of its financial assistance policy to the patient along**
30 **with an application for financial assistance.**

1 “(5) A hospital or nonprofit hospital-affiliated clinic may conduct the
2 screening described in subsections (3) and (4) of this section using commer-
3 cially available services, software or online tools.

4 “(6) As a condition for providing financial assistance, a hospital may re-
5 quire a patient to:

6 “(a) Respond to requests from the patient’s primary insurer as necessary
7 for the insurer to adjudicate a claim for reimbursement of the cost of ser-
8 vices; and

9 “(b) Provide information concerning any potential third party liability for
10 the cost of services including but not limited to:

11 “(A) Information about the coordination of benefits between insurers that
12 cover the patient’s care;

13 “(B) Accident reports; and

14 “(C) The patient’s workers’ compensation claims or benefits.

15 “(7) If a patient qualifies for financial assistance under ORS 442.614
16 (1)(a)(A), a hospital, nonprofit hospital-affiliated clinic or other debt collec-
17 tor may not charge interest on the patient’s medical debt.

18 “(8)(a) Except as provided in paragraph (b) of this subsection, the interest
19 that a hospital, nonprofit hospital-affiliated clinic or other debt collector
20 may charge on a medical debt owed by a patient who does not qualify for
21 financial assistance under ORS 442.614 (1)(a)(A) may not exceed the weekly
22 average one-year constant maturity Treasury yield, as published by the
23 Board of Governors of the Federal Reserve System, for the week preceding
24 the date when the patient was first billed, except that the interest may not
25 be less than two percent per annum or more than five percent per annum.

26 “(b) Upon entry of a judgment against a patient described in paragraph
27 (a) of this subsection, a hospital, nonprofit hospital-affiliated clinic or other
28 debt collector may increase the interest charged on a medical debt up to the
29 amount specified in ORS 82.010.

30 “(9) A hospital, **nonprofit** hospital-affiliated clinic or other debt collector

1 may not attempt to collect a medical debt from a patient’s child or other
2 family member who is not financially responsible for the debt under ORS
3 chapter 108.

4 “(10) *[It is an unlawful collection practice under ORS 646.639 for]* A hos-
5 pital, **nonprofit** hospital-affiliated clinic or other debt collector **engages in**
6 **an unlawful debt collection practice under ORS 646.639 if the hospital,**
7 **nonprofit hospital-affiliated clinic or debt collector collects or at-**
8 **tempts** to collect *[or attempt to collect]* a medical debt in a manner that the
9 hospital, **nonprofit** hospital-affiliated clinic or other debt collector knows,
10 or after exercising reasonable diligence would know, is in violation of this
11 section.

12 “(11)(a) **A person may not report to a consumer reporting agency**
13 **the amount or existence of any medical debt that a resident of this**
14 **state owes or is alleged to owe.**

15 “(b) **A violation of paragraph (a) of this subsection is an unlawful**
16 **practice under ORS 646.608.**

17 “(c) **In an action under paragraph (b) of this subsection, in addition**
18 **to any other relief a court may grant, the court may declare the**
19 **medical debt void and uncollectible.**

20 “(12) **A consumer reporting agency may not include in a consumer**
21 **report an item that the consumer reporting agency knows or reason-**
22 **ably should know is medical debt. A violation of this subsection is an**
23 **unlawful practice under ORS 646.608.**

24 “**SECTION 2.** ORS 646.608, as amended by section 6, chapter 410, Oregon
25 Laws 2023, is amended to read:

26 “646.608. (1) A person engages in an unlawful practice if in the course of
27 the person’s business, vocation or occupation the person does any of the
28 following:

29 “(a) Passes off real estate, goods or services as the real estate, goods or
30 services of another.

1 “(b) Causes likelihood of confusion or of misunderstanding as to the
2 source, sponsorship, approval, or certification of real estate, goods or ser-
3 vices.

4 “(c) Causes likelihood of confusion or of misunderstanding as to affil-
5 iation, connection, or association with, or certification by, another.

6 “(d) Uses deceptive representations or designations of geographic origin
7 in connection with real estate, goods or services.

8 “(e) Represents that real estate, goods or services have sponsorship, ap-
9 proval, characteristics, ingredients, uses, benefits, quantities or qualities that
10 the real estate, goods or services do not have or that a person has a spon-
11 sorship, approval, status, qualification, affiliation, or connection that the
12 person does not have.

13 “(f) Represents that real estate or goods are original or new if the real
14 estate or goods are deteriorated, altered, reconditioned, reclaimed, used or
15 secondhand.

16 “(g) Represents that real estate, goods or services are of a particular
17 standard, quality, or grade, or that real estate or goods are of a particular
18 style or model, if the real estate, goods or services are of another.

19 “(h) Disparages the real estate, goods, services, property or business of a
20 customer or another by false or misleading representations of fact.

21 “(i) Advertises real estate, goods or services with intent not to provide
22 the real estate, goods or services as advertised, or with intent not to supply
23 reasonably expectable public demand, unless the advertisement discloses a
24 limitation of quantity.

25 “(j) Makes false or misleading representations of fact concerning the
26 reasons for, existence of, or amounts of price reductions.

27 “(k) Makes false or misleading representations concerning credit avail-
28 ability or the nature of the transaction or obligation incurred.

29 “(L) Makes false or misleading representations relating to commissions
30 or other compensation to be paid in exchange for permitting real estate,

1 goods or services to be used for model or demonstration purposes or in ex-
2 change for submitting names of potential customers.

3 “(m) Performs service on or dismantles any goods or real estate if the
4 owner or apparent owner of the goods or real estate does not authorize the
5 service or dismantling.

6 “(n) Solicits potential customers by telephone or door to door as a seller
7 unless the person provides the information required under ORS 646.611.

8 “(o) In a sale, rental or other disposition of real estate, goods or services,
9 gives or offers to give a rebate or discount or otherwise pays or offers to pay
10 value to the customer in consideration of the customer giving to the person
11 the names of prospective purchasers, lessees, or borrowers, or otherwise
12 aiding the person in making a sale, lease, or loan to another person, if
13 earning the rebate, discount or other value is contingent upon an event oc-
14 ccurring after the time the customer enters into the transaction.

15 “(p) Makes any false or misleading statement about a prize, contest or
16 promotion used to publicize a product, business or service.

17 “(q) Promises to deliver real estate, goods or services within a certain
18 period of time with intent not to deliver the real estate, goods or services
19 as promised.

20 “(r) Organizes or induces or attempts to induce membership in a pyramid
21 club.

22 “(s) Makes false or misleading representations of fact concerning the of-
23 fering price of, or the person’s cost for real estate, goods or services.

24 “(t) Concurrent with tender or delivery of any real estate, goods or ser-
25 vices, fails to disclose any known material defect or material nonconformity.

26 “(u) Engages in any other unfair or deceptive conduct in trade or com-
27 merce.

28 “(v) Violates any of the provisions relating to auction sales, consignment
29 sales, auctioneers, consignees or auction marts under ORS 698.640, whether
30 in a commercial or noncommercial situation.

1 “(w) Manufactures mercury fever thermometers.

2 “(x) Sells or supplies mercury fever thermometers unless the thermometer
3 is required by federal law, or is:

4 “(A) Prescribed by a person licensed under ORS chapter 677; and

5 “(B) Supplied with instructions on the careful handling of the
6 thermometer to avoid breakage and on the proper cleanup of mercury should
7 breakage occur.

8 “(y) Sells a thermostat that contains mercury, unless the thermostat is
9 labeled in a manner to inform the purchaser that mercury is present in the
10 thermostat and that the thermostat may not be disposed of until the mercury
11 is removed, reused, recycled or otherwise managed to ensure that the mer-
12 cury does not become part of the solid waste stream or wastewater. For
13 purposes of this paragraph, ‘thermostat’ means a device commonly used to
14 sense and, through electrical communication with heating, cooling or venti-
15 lation equipment, control room temperature.

16 “(z) Sells or offers for sale a motor vehicle manufactured after January
17 1, 2006, that contains mercury light switches.

18 “(aa) Violates the provisions of ORS 803.375, 803.385 or 815.410 to 815.430.

19 “(bb) Violates ORS 646A.070 (1).

20 “(cc) Violates any requirement of ORS 646A.030 to 646A.040.

21 “(dd) Violates the provisions of ORS 128.801 to 128.898.

22 “(ee) Violates ORS 646.883 or 646.885.

23 “(ff) Violates ORS 646.569 or 646A.374.

24 “(gg) Violates the provisions of ORS 646A.142.

25 “(hh) Violates ORS 646A.360.

26 “(ii) Violates ORS 646.553 or 646.557 or any rule adopted pursuant thereto.

27 “(jj) Violates ORS 646.563.

28 “(kk) Violates ORS 759.680 or any rule adopted pursuant thereto.

29 “(LL) Violates the provisions of ORS 759.705, 759.710 and 759.720 or any
30 rule adopted pursuant thereto.

- 1 “(mm) Violates ORS 646A.210 or 646A.214.
- 2 “(nn) Violates any provision of ORS 646A.124 to 646A.134.
- 3 “(oo) Violates ORS 646A.095.
- 4 “(pp) Violates ORS 822.046.
- 5 “(qq) Violates ORS 128.001.
- 6 “(rr) Violates ORS 646A.800 (2) to (4).
- 7 “(ss) Violates ORS 646A.090 (2) to (5).
- 8 “(tt) Violates ORS 87.686.
- 9 “(uu) Violates ORS 646A.803.
- 10 “(vv) Violates ORS 646A.362.
- 11 “(ww) Violates ORS 646A.052 or any rule adopted under ORS 646A.052 or
12 646A.054.
- 13 “(xx) Violates ORS 180.440 (1) or 180.486 (1).
- 14 “(yy) Commits the offense of acting as a vehicle dealer without a certifi-
15 cate under ORS 822.005.
- 16 “(zz) Violates ORS 87.007 (2) or (3).
- 17 “(aaa) Violates ORS 92.405 (1), (2) or (3).
- 18 “(bbb) Engages in an unlawful practice under ORS 646.648.
- 19 “(ccc) Violates ORS 646A.365.
- 20 “(ddd) Violates ORS 98.853, 98.854, 98.856 or 98.858.
- 21 “(eee) Sells a gift card in violation of ORS 646A.276.
- 22 “(fff) Violates ORS 646A.102, 646A.106 or 646A.108.
- 23 “(ggg) Violates ORS 646A.430 to 646A.450.
- 24 “(hhh) Violates a provision of ORS 744.318 to 744.384.
- 25 “(iii) Violates a provision of ORS 646A.702 to 646A.720.
- 26 “(jjj) Violates ORS 646A.530 30 or more days after a recall notice, warning
27 or declaration described in ORS 646A.530 is issued for the children’s product,
28 as defined in ORS 646A.525, that is the subject of the violation.
- 29 “(kkk) Violates a provision of ORS 697.612, 697.642, 697.652, 697.662,
30 697.682, 697.692 or 697.707.

1 “(LLL) Violates the consumer protection provisions of the
2 Servicemembers Civil Relief Act, 50 U.S.C. 3901 et seq., as in effect on Jan-
3 uary 1, 2010.

4 “(mmm) Violates a provision of ORS 646A.480 to 646A.495.

5 “(nnn) Violates ORS 646A.082.

6 “(ooo) Violates ORS 646.647.

7 “(ppp) Violates ORS 646A.115.

8 “(qqq) Violates a provision of ORS 646A.405.

9 “(rrr) Violates ORS 646A.092.

10 “(sss) Violates a provision of ORS 646.644.

11 “(ttt) Violates a provision of ORS 646A.295.

12 “(uuu) Engages in the business of, or acts in the capacity of, an immi-
13 gration consultant, as defined in ORS 9.280, in this state and for compen-
14 sation, unless federal law authorizes the person to do so or unless the person
15 is an active member of the Oregon State Bar.

16 “(vvv) Violates ORS 702.012, 702.029 or 702.054.

17 “(www) Violates ORS 646A.806.

18 “(xxx) Violates ORS 646A.810 (2).

19 “(yyy) Violates ORS 443.376.

20 “(zzz) Violates a provision of ORS 646A.770 to 646A.787.

21 “(aaaa) Violates ORS 815.077.

22 “**(bbbb) Violates ORS 646A.677 (11)(a) or (12).**

23 “(2) A representation under subsection (1) of this section or ORS 646.607
24 may be any manifestation of any assertion by words or conduct, including,
25 but not limited to, a failure to disclose a fact.

26 “(3) In order to prevail in an action or suit under ORS 336.184 and 646.605
27 to 646.652, a prosecuting attorney need not prove competition between the
28 parties or actual confusion or misunderstanding.

29 “(4) An action or suit may not be brought under subsection (1)(u) of this
30 section unless the Attorney General has first established a rule in accord-

1 ance with the provisions of ORS chapter 183 declaring the conduct to be
2 unfair or deceptive in trade or commerce.

3 “(5) Notwithstanding any other provision of ORS 336.184 and 646.605 to
4 646.652, if an action or suit is brought under subsection (1)(xx) of this section
5 by a person other than a prosecuting attorney, relief is limited to an in-
6 junction, and the prevailing party may be awarded reasonable attorney
7 fees.”.

8
