

HB 4179 A STAFF MEASURE SUMMARY**Carrier:** Sen. Manning Jr**Senate Committee On Rules****Action Date:** 03/03/26**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Golden, Jama, Manning Jr, Starr, Thatcher**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Leslie Porter, LPRO Analyst**Meeting Dates:** 2/27, 3/2, 3/3**WHAT THE MEASURE DOES:**

The measure specifies that any nonprofit entity created or maintained by Oregon Health and Science University (OHSU) includes an entity organized under Oregon’s nonprofit corporation statutes, so long as OHSU is a corporate member of the entity. It provides that any physician, naturopathic physician, or dentist who provides patient care, under an entity created or maintained by OHSU to provide patient care, is acting within that individual’s state employment or duties for the purposes of tort action against public bodies (ORS 30.267). It ensures that any nonprofit created or maintained by OHSU is considered a public employer for the purposes of the Public Employees Collective Bargaining Act. It also specifies that the provisions of ORS 58.500 and 58.503, which describe the requirements for professional corporations organized to practice medicine, do not apply to the entity created or maintained by OHSU to provide patient care.

ISSUES DISCUSSED:

- The mission and work of the Knight Cancer Institute
- Ensuring that public employees within an entity created or maintained by OHSU would be included under the Public Employees Collective Bargaining Act
- The intent of exempting an entity from ORS 677.080, which governs individuals who practice medicine
- The intent of exempting an entity from the statutes governing the requirements for professional organizations organized to render professional health care services

EFFECT OF AMENDMENT:

The amendment ensures that any nonprofit created or maintained by OHSU is considered to be a “public employer” for the purposes of the Public Employees Collective Bargaining Act (ORS 243.650 to 243.809). It removes the exemption to ORS 677.080, which describes prohibited acts for a person in the practice of medicine, and instead specifies that the provisions of ORS 58.500 and 58.503, which describe the requirements for professional corporations organized to practice medicine, do not apply to the entity created or maintained by OHSU to provide patient care.

BACKGROUND:

For the purposes of tort actions against public bodies, ORS 30.267 makes all services constituting patient care—including inpatient care, outpatient care, and all forms of consultation—provided on the OHSU campus or in any OHSU clinic by physicians, naturopathic physicians, dentists, or other specified personnel affiliated with OHSU within the scope of these individuals’ state employment or duties when performed.

ORS 677.080 identifies the prohibited acts for a person in the practice of medicine. The law states that a person may not do the following:

- Knowingly make any false statement or representation on a matter, or willfully conceal any fact material to the right of the person to practice medicine or to obtain a license under this chapter

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- Sell or fraudulently obtain or furnish any medical and surgical diploma, license, record, or registration
- Impersonate anyone to whom a license has been granted by the Oregon Medical Board
- Practice medicine in Oregon without a license, with certain exceptions

ORS 58.500 establishes the requirements for professional corporations organized to practice medicine, and ORS 58.503 establishes the requirements for professional corporations organized to render professional health care services.