

# House Bill 4107

Sponsored by Representative NATHANSON, Senator PROZANSKI; Representatives BOWMAN, FRAGALA, MCDONALD, WALTERS, Senator PATTERSON (Presession 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says an urgent care center has to make some information public and has to offer certain health care services. (Flesch Readability Score: 64.6).

Requires an urgent care center to make publicly available specified information about the urgent care center, offer specified services and, except in certain circumstances, have at least one licensed health care provider on site during the hours of operation. Defines "urgent care center."

## A BILL FOR AN ACT

Relating to urgent care centers.

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

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

**(a) "Health care facility" has the meaning given that term in ORS 442.015.**

**(b) "Health system" means:**

**(A) A parent corporation of one or more health care facilities, urgent care centers or other entities that provide health care services, and any entity affiliated with the parent corporation through ownership, governance, control or membership; or**

**(B) A health care facility, urgent care center or other entity that provides health care services, and any entity affiliated with the health care facility, urgent care center or other entity that provides health care services through ownership, governance, control or membership.**

**(c) "Licensed health care provider" means:**

**(A) A physician licensed under ORS chapter 677;**

**(B) A physician associate licensed under ORS 677.505 to 677.525; or**

**(C) A nurse practitioner licensed under ORS 678.375 to 678.390.**

**(d) "Specialty urgent care center" means a facility or portion of a facility that provides exclusively specialty medical care to individuals on a walk-in and episodic basis for illnesses or injuries that are acute but not life-threatening or that do not require emergency medical services.**

**(e)(A) "Urgent care center" means a facility or portion of a facility that provides medical care to individuals on a walk-in and episodic basis for illnesses or injuries that are acute but not life-threatening or that do not require emergency medical services.**

**(B) "Urgent care center" does not include a specialty urgent care center.**

**(2)(a) Except as provided in paragraph (b) of this subsection, a person or government entity that does not meet the requirements of subsections (3) to (5) of this section may not:**

**(A) Establish, conduct, maintain, manage or operate itself under a business or trade**

**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.

1       **name, assumed business name, fictitious business name or other designation that includes**  
2       **the terms “urgent” or “urgent care”; or**

3       **(B) Use the term “urgent” or “urgent care” in any external sign or advertisement.**

4       **(b) The prohibitions described in paragraph (a) of this subsection do not apply to a spe-**  
5       **cialty urgent care center that uses the term “urgent” or “urgent care” in conjunction with**  
6       **the term for the specialty medical care that the specialty urgent care center provides.**

7       **(3) An urgent care center shall publish on a website operated by or on behalf of the ur-**  
8       **gent care center, and post near the main public entrance of the urgent care center in a**  
9       **manner that is conspicuous, accessible and legible, the following information:**

10      **(a) The legal name of the urgent care center and any name under which the urgent care**  
11      **center does business;**

12      **(b) The street address of the urgent care center;**

13      **(c) Any health care facility or health system affiliated with the urgent care center;**

14      **(d) The hours and days of operation for the urgent care center;**

15      **(e) The types of payment and types of payers accepted by the urgent care center;**

16      **(f) The services offered at the urgent care center and whether X-ray or laboratory ser-**  
17      **vices are available at the urgent care center;**

18      **(g) The limitations on the availability of services;**

19      **(h) The types of licensed health care providers that are available at the urgent care**  
20      **center;**

21      **(i) Whether the urgent care center serves patients only by walk-in or by either appoint-**  
22      **ment or walk-in;**

23      **(j) The diagnostic capabilities available at the urgent care center, at a facility adjacent**  
24      **or in close proximity to the urgent care center or by referral to another facility with the**  
25      **location of that facility or the distance of that facility from the urgent care center; and**

26      **(k) Any telemedicine services offered by the urgent care center.**

27      **(4)(a) Except as provided in paragraph (b) of this subsection, an urgent care center shall,**  
28      **at a minimum, have one licensed health care provider on site during the hours that the ur-**  
29      **gent care center is open and be capable of providing on site the following services:**

30      **(A) Tests for common respiratory diseases;**

31      **(B) 12-lead electrocardiogram (ECG);**

32      **(C) Splints for strains, sprains and fractures; and**

33      **(D) Sutures for simple lacerations.**

34      **(b) An urgent care center may operate temporarily without a licensed health care pro-**  
35      **vider on site if:**

36      **(A) A licensed health care provider is unavailable to be on site due to illness, emergency**  
37      **or similar circumstance;**

38      **(B) A licensed health care provider is available to offer services through telemedicine;**  
39      **and**

40      **(C) The urgent care center notifies a patient at the first point of contact with the patient**  
41      **that services will be provided through telemedicine.**

42      **(5) If an urgent care center refers a patient to an emergency department, the urgent**  
43      **care center shall provide the emergency department with the patient’s records that include**  
44      **the clinical reason for the referral. The urgent care center may provide the records:**

45      **(a) By using a health information exchange; or**

1       (b) If the urgent care center does not participate in a health information exchange, by:  
2           (A) Providing the patient with a physical copy of the records, including the clinical reason  
3           for the referral; or  
4           (B) Other immediate means, including a telephone call, facsimile or electronic trans-  
5           mission.

6       (6) An urgent care center may not:  
7           (a) Hold the urgent care center out to the public as providing emergency department  
8           services; or  
9           (b) Use the word "emergency" or the letters "E.R." or "E.D." or any derivative of the  
10          word "emergency" that would lead a reasonable person to believe an urgent care center is  
11          a hospital emergency department.