

A-Engrossed
House Bill 4179

Ordered by the Senate March 3
Including Senate Amendments dated March 3

Sponsored by COMMITTEE ON RULES (at the request of Oregon Health and Science University)

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 that OHSU must be a member of a nonprofit entity it creates. (Flesch Readability Score: 73.1).

Permits the Oregon Health and Science University to create and maintain a nonprofit corporation under the laws of this state so long as the university is a corporate member of the corporation. Provides that certain individuals who provide patient care for the nonprofit corporation are acting within the scope of their state employment or duties. [*and that certain prohibitions regarding the practice of medicine do not apply to the nonprofit corporation.*] **Provides that the entity is a public employer for purposes of the Public Employee Collective Bargaining Act. Provides that certain provisions of the Oregon Professional Corporation Act do not apply to the entity.**

A BILL FOR AN ACT

1
2 Relating to entities created by the Oregon Health and Science University; amending ORS 353.117.

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

4 **SECTION 1.** ORS 353.117 is amended to read:

5 353.117. (1) Pursuant to ORS 353.050, Oregon Health and Science University may create and
6 maintain an entity that is exempt from federal income tax under section 501(c)(3) of the Internal
7 Revenue Code, as amended, for the purpose of conducting clinical care and practice and advancing
8 other university missions by the faculty. **An entity created and maintained under this subsection**
9 **includes an entity that is organized under ORS chapter 65, so long as the university is a**
10 **corporate member of the entity.**

11 (2) Any entity created by the university under subsection (1) of this section shall be considered:

12 (a) A public employer for purposes of ORS 236.605 to 236.640 **and 243.650 to 243.809** and ORS
13 chapters 238 and 238A;

14 (b) A unit of local government for purposes of ORS 190.003 to 190.130;

15 (c) A public body for purposes of ORS 30.260 to 30.300 and 307.112;

16 (d) A public agency for purposes of ORS 200.090; and

17 (e) A public corporation for purposes of ORS 307.090.

18 **(3) For any entity created and maintained under subsection (1) of this section to provide**
19 **patient care:**

20 **(a) Any physician, naturopathic physician or dentist who provides patient care is deemed**
21 **to be acting within the scope of that individual's state employment or duties for purposes**
22 **of ORS 30.267; and**

23 **(b) The provisions of ORS 58.500 and 58.503 (2) do not apply.**
24

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.