

**A-Engrossed**  
**Senate Bill 605**

Ordered by the Senate April 11  
Including Senate Amendments dated April 11

Sponsored by Senators BATES, WESTLUND

**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.

Directs Department of Human Services to establish program informing retired physicians and health care providers about laws intended to increase volunteer participation [*and to recruit retired physicians and health care providers to volunteer*] at clinics providing primary care services.

Extends immunity provided to volunteer health care providers to certain health clinics.

Declares emergency, effective July 1, 2005.

**A BILL FOR AN ACT**

1  
2 Relating to volunteer services by health care providers; creating new provisions; amending ORS  
3 30.792; and declaring an emergency.

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

5 **SECTION 1. The Department of Human Services, in consultation with the appropriate**  
6 **professional and trade associations and licensing boards, shall inform retired physicians and**  
7 **health care providers regarding ORS 30.302 and 30.792.**

8 **SECTION 2. ORS 30.792 is amended to read:**

9 30.792. (1) **As used in this section:**

10 (a) **“Charitable corporation” has the meaning given that term in ORS 128.620.**

11 (b) **“Health care provider” means any person licensed in this state as a practitioner of**  
12 **one or more healing arts as described in ORS 31.740.**

13 (c) **“Health clinic” means a public health clinic or a health clinic operated by a charitable**  
14 **corporation that provides primarily primary physical health, dental or mental health services**  
15 **to low-income patients without charge or using a sliding fee scale based on the income of the**  
16 **patient.**

17 [(1)] (2) Except as provided in subsection [(2)] (3) of this section, no person may maintain an  
18 action for damages against:

19 (a) A health care provider who voluntarily provides to a charitable corporation[, *as defined in*  
20 *ORS 128.620,*] any assistance, services or advice directly related to the charitable purposes of the  
21 corporation if the assistance, services or advice are within the scope of the license of the health  
22 care provider[.]; **or**

23 (b) **A health clinic for the assistance, services or advice provided by a health care pro-**  
24 **vider described in paragraph (a) of this subsection.**

25 [(2)] (3) The immunity provided in this section shall not apply to:

26 (a) Any person who receives compensation other than reimbursement for expenses incurred by

**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 the person providing such assistance, services or advice.

2 (b) The liability of any person for damages resulting from the person's gross negligence or from  
3 the person's reckless, wanton or intentional misconduct.

4 (c) Any activity for which a person is otherwise strictly liable without regard to fault.

5 [(3) As used in this section, "health care provider" means any person licensed in this state as a  
6 practitioner of one or more healing arts as described in ORS 31.740.]

7 **SECTION 3. This 2005 Act being necessary for the immediate preservation of the public**  
8 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
9 **July 1, 2005.**

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