

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 697

By COMMITTEE ON HEALTH AND HUMAN SERVICES

June 3

- 1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “31.740.”
- 2 On page 3, after line 25, insert:
- 3 “**SECTION 4.** ORS 31.740 is amended to read:
- 4 “31.740. Punitive damages shall not be awarded against a health practitioner if:
- 5 “(1) The health practitioner is licensed, registered or certified as:
- 6 “(a) A psychologist under ORS 675.030 to 675.070, 675.085 and 675.090;
- 7 “(b) An occupational therapist under ORS 675.230 to 675.300;
- 8 “(c) A licensed clinical social worker under ORS 675.530, 675.540 to 675.560, 675.580 and 675.585;
- 9 “(d) A physician under ORS 677.100 to 677.228;
- 10 “(e) An emergency medical technician under ORS chapter 682;
- 11 “(f) A podiatric physician and surgeon under ORS 677.820 to 677.840;
- 12 “(g) A nurse under ORS 678.040 to 678.101;
- 13 “(h) A nurse practitioner under ORS 678.375 to 678.390;
- 14 “(i) A dentist under ORS 679.060 to 679.180;
- 15 “(j) A dental hygienist under ORS 680.040 to 680.100;
- 16 “(k) A denturist under ORS 680.515 to 680.535;
- 17 “(L) An audiologist or speech-language pathologist under ORS 681.250 to 681.350;
- 18 “(m) An optometrist under ORS 683.040 to 683.155 and 683.170 to 683.220;
- 19 “(n) A chiropractor under ORS 684.040 to 684.105;
- 20 “(o) A naturopath under ORS 685.060 to 685.110, 685.125 and 685.135;
- 21 “(p) A massage therapist under ORS 687.021 to 687.086;
- 22 “(q) A physical therapist under ORS 688.040 to 688.145;
- 23 “(r) A radiologic technician under ORS 688.445 to 688.525; [or]
- 24 “(s) A pharmacist under ORS 689.151 and 689.225 to 689.285; [and] **or**
- 25 “**(t) A physician assistant as provided by ORS 677.505 to 677.525; and**
- 26 “(2) The health practitioner was engaged in conduct regulated by the license, registration or
- 27 certificate issued by the appropriate governing body and was acting within the scope of practice for
- 28 which the license, registration or certificate was issued and without malice.”.
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