

HB 3063-A52
(LC 2452)
4/24/19 (SCT/ps)

Requested by Senator STEINER HAYWARD

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3063**

1 On page 1 of the printed corrected A-engrossed bill, delete lines 5 and 6
2 and insert:

3 **“SECTION 1. Sections 2 and 3 of this 2019 Act are added to and
4 made a part of ORS 433.235 to 433.284.”.**

5 In line 10, after “person” delete the rest of the line and delete lines 11
6 and 12 and insert “an event or meeting described in ORS 338.120 (1)(j), (k)
7 or (L).”.

8 After line 19, insert:

9 **“SECTION 3. (1) As used in this section, ‘board’ means the Oregon
10 Board of Naturopathic Medicine, the Oregon Medical Board and the
11 Oregon State Board of Nursing.**

12 **“(2) The Oregon Health Authority shall provide monthly to each
13 board copies of the documents described in ORS 433.267 (1)(b) that are
14 signed by licensed health care practitioners regulated by the board.**

15 **“(3) Each board shall review the documents described in subsection
16 (2) of this section that are signed by licensed health care practitioners
17 regulated by the board to determine whether exemptions described in
18 ORS 433.267 (1)(b) are granted in compliance with a reasonable inter-
19 pretation of recommendations by the Advisory Committee on Immu-
20 nization Practices, or its successor organization, as adopted by the
21 board by rule.**

1 **“(4)(a) Not later than the date determined by the authority by rule,**
2 **each board shall report annually to the authority the results of the**
3 **reviews described in subsection (3) of this section conducted during the**
4 **preceding year.**

5 **“(b) Not later than December 31 of each year, the authority shall**
6 **report, in the manner provided in ORS 192.245, to an interim commit-**
7 **tee of the Legislative Assembly related to health care, on the reviews**
8 **conducted by the boards under this section. The report described in**
9 **this paragraph may not include personally identifiable health infor-**
10 **mation of a child.**

11 **“(5)(a) Each board shall adopt rules to carry out this section. The**
12 **rules adopted under this section must include, but are not limited to,**
13 **rules to establish a process for the board to perform the review de-**
14 **scribed in subsection (3) of this section.**

15 **“(b) A board may consult with the authority in adopting rules under**
16 **this section.”.**

17 In line 20, delete “3” and insert “4”.

18 On page 2, line 3, delete “4” and insert “5”.

19 After line 15, insert:

20 “(3) ‘Licensed health care practitioner’ means:

21 “(a) A physician licensed under ORS chapter 677 and who holds a degree
22 of Doctor of Medicine or Doctor of Osteopathy;

23 “(b) A nurse practitioner licensed under ORS 678.375 to 678.390; or

24 “(c) A naturopathic physician licensed under ORS chapter 685.”.

25 In line 16, delete “(3)” and insert “(4)”.

26 In line 17, delete “(4)” and insert “(5)”.

27 Delete lines 18 through 21.

28 In line 36, delete “5” and insert “6”.

29 In line 39, after “received” insert “, against restrictable diseases the” and
30 delete “against”.

1 In line 40, delete “the restrictable diseases”.

2 Delete line 45 and insert:

3 “(b) A document signed by a licensed health care practitioner stating that
4 the child should be exempted from receiving a specified immunization be-
5 cause of an indicated medical diagnosis. A document described in this para-
6 graph must be renewed and submitted annually to the administrator not later
7 than the date determined by the authority by rule.”.

8 On page 3, delete lines 1 and 2.

9 On page 4, line 1, after “with” insert “the” and delete “against the
10 restrictable dis-”.

11 In line 2, delete “eases”.

12 In line 6, after “(11)” insert “(a)” and delete “approved or”.

13 After line 7, insert:

14 “(b) The document described in subsection (1)(b) of this section must al-
15 low the licensed health care practitioner to include any specialty areas in
16 which the licensed health care practitioner practices.”.

17 In line 8, after “practitioners” insert “described in subsection (1)(a) of this
18 section”.

19 After line 10, insert:

20 “(13) A school and a children’s facility shall provide every two weeks to
21 the authority, in a manner established by the authority by rule, the docu-
22 ments described in subsection (1) of this section that are submitted to the
23 school or children’s facility.”.

24 In line 11, delete “(13)” and insert “(14)”.

25 In line 23, delete “6” and insert “7”.

26 On page 5, line 15, delete “7” and insert “8”.

27 In line 45, delete “8” and insert “9”.

28 On page 6, delete lines 5 through 20 and insert:

29 **“SECTION 10. Section 11 of this 2019 Act is added to and made a
30 part of ORS 433.235 to 433.284.**

1 **“SECTION 11. The Oregon Health Authority shall establish an out-**
2 **reach and education plan related to the implementation of ORS 433.235**
3 **to 433.284.**

4 **“SECTION 12. (1) A child who is not immunized as required under**
5 **ORS 433.267 (1) and has not provided to the administrator of the school**
6 **or children’s facility that the child attends a document described in**
7 **ORS 433.267 (1)(b) may continue to attend the school or children’s fa-**
8 **cility until August 1, 2020.**

9 **“(2) Subsection (1) of this section does not apply to a person ex-**
10 **cluded under ORS 433.260.**

11 **“SECTION 13. (1) Sections 3 and 11 of this 2019 Act become opera-**
12 **tive on January 1, 2020.**

13 **“(2) The Oregon Health Authority, the Oregon Board of**
14 **Naturopathic Medicine, the Oregon Medical Board, the Oregon State**
15 **Board of Nursing and the State Board of Education may take any**
16 **action before the operative date specified in subsection (1) of this sec-**
17 **tion that is necessary to enable the authority or the boards to exercise,**
18 **on and after the operative date specified in subsection (1) of this sec-**
19 **tion, all of the duties, functions and powers conferred on the authority**
20 **and the boards by sections 3 and 11 of this 2019 Act.**

21 **“SECTION 14. This 2019 Act being necessary for the immediate**
22 **preservation of the public peace, health and safety, an emergency is**
23 **declared to exist, and this 2019 Act takes effect on its passage.”.**

24 _____