

# House Bill 2240

Sponsored by Representative NERON (at the request of Oregon School Board Association, Coalition of School Administrators) (Pre-session 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**.

Exempts from health care interpreter requirements individuals providing services as employees or contractors of school districts, public charter schools and education service districts.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to requirements to use health care interpreters; amending ORS 413.550; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 413.550, as amended by section 8, chapter 453, Oregon Laws 2021, is amended  
6 to read:

7 413.550. As used in ORS 413.550 to 413.559:

8 (1) "Certified health care interpreter" means an individual who has been approved and certified  
9 by the Oregon Health Authority under ORS 413.558.

10 (2) "Coordinated care organization" has the meaning given that term in ORS 414.025.

11 (3) "Health care" means medical, surgical, oral or hospital care or any other remedial care re-  
12 cognized by state law, including physical and behavioral health care.

13 (4)(a) "Health care interpreter" means an individual who is readily able to:

14 (A) Communicate in English and communicate with a person with limited English proficiency  
15 or who communicates in signed language;

16 (B) Accurately interpret the oral statements of a person with limited English proficiency, or the  
17 statements of a person who communicates in signed language, into English;

18 (C) Accurately interpret oral statements in English to a person with limited English proficiency  
19 or who communicates in signed language;

20 (D) Sight translate documents from a person with limited English proficiency; and

21 (E) Interpret the oral statements of other persons into the language of the person with limited  
22 English proficiency or into signed language.

23 (b) "Health care interpreter" also includes an individual who can provide the services described  
24 in paragraph (a) of this subsection using relay or indirect interpretation.

25 (5) "Health care interpreter registry" means the registry described in ORS 413.558 that is ad-  
26 ministered by the authority.

27 (6)(a) "Health care provider" means any of the following that are reimbursed with public funds,  
28 in whole or in part:

29 [(a)] (A) An individual licensed or certified by the:

30 [(A)] (i) State Board of Examiners for Speech-Language Pathology and Audiology;

**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 [(B)] (ii) State Board of Chiropractic Examiners;
- 2 [(C)] (iii) State Board of Licensed Social Workers;
- 3 [(D)] (iv) Oregon Board of Licensed Professional Counselors and Therapists;
- 4 [(E)] (v) Oregon Board of Dentistry;
- 5 [(F)] (vi) State Board of Massage Therapists;
- 6 [(G)] (vii) Oregon Board of Naturopathic Medicine;
- 7 [(H)] (viii) Oregon State Board of Nursing;
- 8 [(I)] (ix) Oregon Board of Optometry;
- 9 [(J)] (x) State Board of Pharmacy;
- 10 [(K)] (xi) Oregon Medical Board;
- 11 [(L)] (xii) Occupational Therapy Licensing Board;
- 12 [(M)] (xiii) Oregon Board of Physical Therapy;
- 13 [(N)] (xiv) Oregon Board of Psychology;
- 14 [(O)] (xv) Board of Medical Imaging;
- 15 [(P)] (xvi) State Board of Direct Entry Midwifery;
- 16 [(Q)] (xvii) Respiratory Therapist and Polysomnographic Technologist Licensing Board;
- 17 [(R)] (xviii) Board of Registered Polysomnographic Technologists;
- 18 [(S)] (xix) Board of Licensed Dietitians; and
- 19 [(T)] (xx) State Mortuary and Cemetery Board;

20 [(b)] (B) An emergency medical services provider licensed by the Oregon Health Authority un-  
 21 der ORS 682.216;

- 22 [(c)] (C) A clinical laboratory licensed under ORS 438.110;
- 23 [(d)] (D) A health care facility as defined in ORS 442.015;
- 24 [(e)] (E) A home health agency licensed under ORS 443.015;
- 25 [(f)] (F) A hospice program licensed under ORS 443.860; or
- 26 [(g)] (G) Any other person that provides health care or that bills for or is compensated for  
 27 health care provided, in the normal course of business.

28 (b) **“Health care provider” does not include any individual listed in paragraph (a) of this**  
 29 **subsection when providing services as an employee of or under contract with:**

- 30 (A) **A school district, as defined in ORS 332.002;**
- 31 (B) **A public charter school, as defined in ORS 338.005; or**
- 32 (C) **An education service district, as defined in ORS 334.003.**

33 (7) “Interpretation service company” means an entity, or a person acting on behalf of an entity,  
 34 that is in the business of arranging for health care interpreters to work with health care providers  
 35 in this state.

36 (8) “Person with limited English proficiency” means a person who, by reason of place of birth  
 37 or culture, communicates in a language other than English and does not communicate in English  
 38 with adequate ability to communicate effectively with a health care provider.

39 (9) “Prepaid managed care health services organization” has the meaning given that term in  
 40 ORS 414.025.

41 (10) “Qualified health care interpreter” means an individual who has been issued a valid letter  
 42 of qualification from the authority under ORS 413.558.

43 (11) “Sight translate” means to translate a written document into spoken or signed language.

44 **SECTION 2. This 2023 Act being necessary for the immediate preservation of the public**  
 45 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**

1 **on its passage.**

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