

House Bill 2657

Sponsored by Representative NERON (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**.

Clarifies that "serious health condition" includes period of disability due to loss or termination of pregnancy for purposes of provisions related to protected leave.

A BILL FOR AN ACT

1
2 Relating to purposes for which protected leave may be taken; amending ORS 659A.150.

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

4 **SECTION 1.** ORS 659A.150 is amended to read:

5 659A.150. As used in ORS 659A.150 to 659A.186:

6 (1) "Covered employer" means an employer described in ORS 659A.153.

7 (2) "Eligible employee" means any employee of a covered employer other than those employees
8 exempted under the provisions of ORS 659A.156.

9 (3) "Family leave" means a leave of absence described in ORS 659A.159, except that "family
10 leave" does not include leave taken by an eligible employee who is unable to work because of a
11 disabling compensable injury, as defined in ORS 656.005, under ORS chapter 656.

12 (4) "Family member" means the spouse of an employee, the biological, adoptive or foster parent
13 or child of the employee, the grandparent or grandchild of the employee, a parent-in-law of the em-
14 ployee or a person with whom the employee was or is in a relationship of in loco parentis.

15 (5) "Health care provider" means:

16 (a) A person who is primarily responsible for providing health care to an eligible employee or
17 a family member of an eligible employee, who is performing within the scope of the person's pro-
18 fessional license or certificate and who is:

19 (A) A physician licensed under ORS chapter 677;

20 (B) A physician assistant licensed under ORS 677.505 to 677.525;

21 (C) A dentist licensed under ORS 679.090;

22 (D) A psychologist licensed under ORS 675.030;

23 (E) An optometrist licensed under ORS 683.070;

24 (F) A naturopath licensed under ORS 685.080;

25 (G) A registered nurse licensed under ORS 678.050;

26 (H) A nurse practitioner licensed under ORS 678.375;

27 (I) A direct entry midwife licensed under ORS 687.420;

28 (J) A licensed registered nurse licensed by the Oregon State Board of Nursing as a nurse prac-
29 titioner specializing in nurse midwifery;

30 (K) A regulated social worker authorized to practice regulated social work under ORS 675.510
31 to 675.600; or

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 (L) A chiropractic physician licensed under ORS 684.054, but only to the extent the chiropractic
2 physician provides treatment consisting of manual manipulation of the spine to correct a subluxation
3 demonstrated to exist by X-rays.

4 (b) A person who is primarily responsible for the treatment of an eligible employee or a family
5 member of an eligible employee solely through spiritual means, including but not limited to a
6 Christian Science practitioner.

7 (6) "Public health emergency" means:

8 (a) A public health emergency declared under ORS 433.441.

9 (b) An emergency declared under ORS 401.165 if related to a public health emergency as defined
10 in ORS 433.442.

11 (7) "Serious health condition" means:

12 (a) An illness, injury, impairment or physical or mental condition that requires inpatient care
13 in a hospital, hospice or residential medical care facility;

14 (b) An illness, disease or condition that in the medical judgment of the treating health care
15 provider poses an imminent danger of death, is terminal in prognosis with a reasonable possibility
16 of death in the near future, or requires constant care;

17 (c) Any period of disability due to pregnancy **or the loss or termination of pregnancy**, or
18 period of absence for prenatal care; or

19 (d) Any period of absence for the donation of a body part, organ or tissue, including preoperative
20 or diagnostic services, surgery, post-operative treatment and recovery.

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