

B-Engrossed Senate Bill 189

Ordered by the House May 11
Including Senate Amendments dated January 30 and House Amendments
dated May 11

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Health Care for Senator Deb Patterson)

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.

Allows health care facility to [*transfer*] **release** human pathological waste, which includes biopsy materials, human tissues and anatomical parts that emanate from surgeries, autopsies and obstetrical and laboratory procedures on humans, to donor of pathological waste or authorized representative of donor if waste is intended for cremation, interment or other final disposition, **in accordance with rules adopted by Oregon Health Authority**.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to health care; amending ORS 459.400; and prescribing an effective date.

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

SECTION 1. ORS 459.400 is amended to read:

459.400. The requirements of ORS 459.386 to 459.405 do not apply to:

(1) Waste, other than sharps [*as defined in ORS 459.386*], that is:

(a) Generated in the practice of veterinary medicine; and

(b) Not capable of being communicated by invasion and multiplication in body tissues and capable of causing disease or adverse health impacts in humans.

(2) The [*removal from*] **following, released by** a health care facility as defined in ORS 442.015 [*of*] **in accordance with rules adopted by the Oregon Health Authority:**

(a) A placenta **received** by a postpartum mother [*pursuant to rules adopted by the Oregon Health Authority*]; or

(b) **Human pathological waste:**

(A) **Received by the donor of the pathological waste or an authorized representative of the donor; and**

(B) **That is intended by the recipient for cremation, interment or other final disposition in accordance with ORS chapter 97.**

SECTION 2. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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.