

HB 3324 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Meeting Dates: 3/13

WHAT THE MEASURE DOES:

The measure establishes that a health care facility is not a manufacturer, distributor, seller, or lesser of a product for the purposes of a civil action for product liability if the facility was not involved in the design or manufacturer of the product.

FISCAL: May have fiscal impact, but no statement yet issued.

REVENUE: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Product liability is a legal doctrine that tries to account for the responsibility of producers, manufacturers, suppliers, and other parties for injuries caused by defective products. Product liability claims can be based on negligence, strict liability, breach of warranty, and other consumer protection laws. Oregon law currently provides that a physician is not a manufacturer, manufacturer, distributor, seller, or lesser of a product for the purposes of a civil action for product liability if the provider was not involved in the design or manufacturer of the product.

House 3324 establishes that a health care facility is not a manufacturer, distributor, seller, or lesser of a product for the purposes of a civil action for product liability if the facility was not involved in the design or manufacturer of the product.