

SB 813 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 5/6

WHAT THE MEASURE DOES:

The measure adds the Oregon Youth Authority and county juvenile department employees to the list of individuals authorized to petition a circuit court for an order compelling a person to undergo testing for communicable diseases following a significant exposure. This authority currently applies to law enforcement officers, corrections officers, emergency medical services providers, and certain health care professionals. Takes effect on the 91st day following adjournment sine die.

SENATE VOTE: Ayes, 28; Excused, 2

ISSUES DISCUSSED:

- Due process rights of youths
- Consistency with corrections settings

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current Oregon law, law enforcement officers, corrections workers, and certain other officials who come into contact with another person's blood or bodily fluids may petition the circuit court for an order requiring the source of the exposure to be tested for communicable diseases. Before filing a petition, the individual must make a good faith effort to obtain the source person's voluntary consent to testing. The petition must include specific details about the nature and circumstances of the exposure. Test results are confidential, may not be used in civil or criminal investigations, and are only accessible to the provider designated by the petitioner, the Oregon Health Authority, and the source individual. Senate Bill 813 extends this authority to employees of the Oregon Youth Authority (OYA) and county juvenile departments, allowing them to petition the court under the same conditions when they experience a significant exposure.