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Open Government Impact Statement

Measure: HB 2372

83rd Oregon Legislative Assembly
2025 Regular Session

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Digest: The Act requires that a doctor provide the same standard of care to any child born alive that requires life-saving treatment. (Flesch Readability Score: 62.6).

Requires a health care practitioner to exercise the proper degree of care to preserve the health and life of a child born alive, regardless of whether the birth was the result of an induced abortion.

Allows specified persons to bring an action against a health care practitioner for violations.

Allows the court to order that the identity or personally identifiable information of specified persons is protected from disclosure.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure the identity of a person whose pregnancy resulted in a child born alive and who brings an action or proceeding described in the measure against the health care practitioner who failed to provide the standard of care required by the measure if the court determines that the person's anonymity be preserved. If the court determines the anonymity should be preserved, the court shall issue orders to parties, witnesses and counsel and direct the sealing of the record and issue exclusion orders from the courtroom or hearing room.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain information relating to the identity of a person whose child is born alive and who brings an action or procedure against a health care provider for failing to provide a required standard of care.