

SB 1173 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Action Date: 04/09/25

Action: Without recommendation as to passage and request referral to Rules.

Vote: 6-0-0-0

Yeas: 6 - Broadman, Gelsner Blouin, Manning Jr, McLane, Prozanski, Thatcher

Fiscal: Fiscal impact issued

Revenue: Has minimal revenue impact

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Meeting Dates: 3/11, 4/7, 4/8, 4/9

WHAT THE MEASURE DOES:

The measure exempts a health care facility from a product liability civil claim arising from a product provided to a patient, so long as the facility did not manufacture or design the product. The measure takes effect on the 91st day following adjournment sine die and applies to civil actions commenced on or after that date.

ISSUES DISCUSSED:

- Product liability for medical providers
- Duty of care and negligence claims
- Rationales to protect medical providers from product liability

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 30.900 generally allows an injured party to file a product liability action against a manufacturer, distributor, seller, or lessor of a product. ORS 30.902 creates an exception for medical doctors for products provided to patients as part of a medical procedure so long as the doctor did not manufacture or design the product.