

HOUSE AMENDMENTS TO HOUSE BILL 2943

By COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE

April 7

1 On page 1 of the printed bill, delete lines 4 through 25 and delete page 2 and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Eligible individual’ means an individual who:**

4 **“(A) Is 15 years of age or older and younger than 66 years of age;**

5 **“(B) Does not have a known history of a positive HIV test; and**

6 **“(C) Has not been screened for hepatitis C, human immunodeficiency virus or syphilis**
7 **within the last calendar year.**

8 **“(b) ‘Emergency medical services provider’ has the meaning given that term in ORS**
9 **682.025.**

10 **“(c) ‘Health care provider’ or ‘provider’ means a person who is licensed, certified or**
11 **otherwise authorized by law in this state to administer health care in the ordinary course**
12 **of business or in the practice of a health care profession.**

13 **“(d) ‘Hepatitis C test’ means a test of an individual for the presence of the hepatitis C**
14 **virus, or for antibodies or antigens that result from a hepatitis C virus infection, or for any**
15 **other substance specifically indicating a hepatitis C virus infection.**

16 **“(e) ‘HIV test’ has the meaning given that term in ORS 433.045.**

17 **“(f) ‘Hospital’ has the meaning given that term in ORS 442.015.**

18 **“(g) ‘Screen for hepatitis C, human immunodeficiency virus and syphilis’ means to con-**
19 **duct a hepatitis C test, an HIV test and a syphilis test.**

20 **“(h) ‘Syphilis test’ means a test of an individual for the presence of the bacterium**
21 **Treponema pallidum, or for antibodies or antigens that result from a Treponema pallidum**
22 **infection, or for any other substance specifically indicating an infection that causes syphilis.**

23 **“(2) The Oregon Health Authority shall establish a pilot program where a hospital that**
24 **is participating in the pilot program may screen eligible individuals for hepatitis C, human**
25 **immunodeficiency virus and syphilis. A hospital may choose whether to participate in the**
26 **pilot program. The authority shall select hospitals to participate in the pilot program such**
27 **that there are at least three hospitals participating. When selecting hospitals, the authority**
28 **shall ensure that:**

29 **“(a) The hospitals are located in different areas of the state;**

30 **“(b) The program includes hospitals from urban, suburban and rural areas;**

31 **“(c) At least one hospital is either a type A or type B hospital, as those terms are de-**
32 **scribed in ORS 442.470; and**

33 **“(d) There is variety in the number of beds that the hospitals have.**

34 **“(3) A hospital that is participating in the pilot program established under this section**
35 **shall follow the protocols described under subsections (4) to (7) of this section for screening**

1 eligible individuals for hepatitis C, human immunodeficiency virus and syphilis.

2 “(4) Subject to subsections (5) to (7) of this section, when an eligible individual consents
3 to receiving medical care within a hospital emergency department and the medical care in-
4 cludes taking a blood sample or using a blood sample taken by an emergency medical services
5 provider for laboratory testing or analysis, the hospital shall use the blood specimen to
6 screen for hepatitis C, human immunodeficiency virus and syphilis.

7 “(5) When conducting an HIV test under this section, a hospital emergency department
8 health care provider or the provider’s designee shall follow the requirements and procedures
9 for administering an HIV test under ORS 433.045.

10 “(6)(a) When conducting a hepatitis C or syphilis test under this section, a hospital
11 emergency department health care provider or the provider’s designee shall, before subject-
12 ing an eligible individual to a hepatitis C or syphilis test:

13 “(A) Notify the individual being tested; and

14 “(B) Allow the individual being tested the opportunity to decline the test.

15 “(b) The notification and opportunity to decline testing required under paragraph (a) of
16 this subsection may be verbal or in writing and may be contained in a general medical con-
17 sent form.

18 “(7) A hospital may not conduct a hepatitis C test, HIV test or syphilis test under this
19 section if an eligible individual is unable to grant or withhold consent.

20 “(8) A person who complies with the requirements of this section is not subject to an
21 action for civil damages.

22 “(9) The authority may adopt rules to carry out the provisions of this section, including
23 rules to ensure the exercise of best practices.

24 “(10) At the conclusion of the pilot program established under this section, but no later
25 than September 15, 2029, the authority shall submit a report on the outcomes and findings
26 from the pilot program in the manner provided by ORS 192.245, and may include recommen-
27 dations for legislation, to the committees or interim committees of the Legislative Assembly
28 related to health care.

29 “SECTION 2. Section 3 of this 2025 Act is added to and made a part of the Insurance
30 Code.

31 “SECTION 3. (1) A policy or certificate of health insurance that reimburses the cost of
32 services delivered by a hospital that is participating in the pilot program established under
33 section 1 of this 2025 Act shall reimburse the costs of conducting a hepatitis C, HIV or
34 syphilis test that is incurred by the hospital in participating in the pilot program established
35 under section 1 of this 2025 Act.

36 “(2) This section is exempt from ORS 743A.001.

37 “SECTION 4. Section 3 of this 2025 Act applies to policies and certificates of health in-
38 surance issued, renewed or extended on or after the effective date of this 2025 Act.

39 “SECTION 5. Sections 1 and 3 of this 2025 Act are repealed on January 2, 2030.

40 “SECTION 6. In addition to and not in lieu of any other appropriation, there is appro-
41 priated to the Oregon Health Authority, for the biennium beginning July 1, 2025, out of the
42 General Fund, the amount of \$4,000,000, which may be expended to cover costs incurred by
43 counties in carrying out additional investigation and outreach related to the increase in
44 hepatitis C, HIV and syphilis testing conducted under section 1 of this 2025 Act.

45 “SECTION 7. This 2025 Act takes effect on the 91st day after the date on which the 2025

1 **regular session of the Eighty-third Legislative Assembly adjourns sine die.”**
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