

House Bill 3330

Sponsored by Representative DIEHL

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act expands laws that protect a health care worker's right to object to taking part in certain health care treatments. (Flesch Readability Score: 72.7).

Provides protections for a person who refuses to participate in a procedure related to abortion, physician-assisted suicide or gender-affirming treatment if the refusal is based on a person's ethical, moral or religious convictions.

Allows a health care facility to refuse to perform a procedure related to abortion, physician-assisted suicide or gender-affirming treatment.

Allows a person to bring an action for damages and equitable relief against a health care facility, health professional regulatory agency, employer or school for a violation. Directs a court to award attorney fees to a prevailing plaintiff.

A BILL FOR AN ACT

1
2 Relating to participation in medical procedures.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. As used in sections 1 to 4 of this 2025 Act:**

5 (1) **"Abortion" means the use or prescription of a drug, medicine, instrument or other**
6 **substance or device in order to:**

7 (a) **Intentionally kill the unborn child of a pregnant person; or**

8 (b) **Terminate a person's pregnancy with a purpose other than:**

9 (A) **To produce a live birth and preserve the life and health of the child; or**

10 (B) **To remove a dead unborn child.**

11 (2) **"Gender-affirming treatment" means a procedure, service, drug, device or product**
12 **that a physical or behavioral health care provider prescribes to treat a person for**
13 **incongruence between the person's gender identity and the person's sex assignment at birth.**

14 (3) **"Health care facility" means an entity involved in providing health care services, in-**
15 **cluding but not limited to a hospital, clinic, medical center, ambulatory surgical center,**
16 **physician's office, pharmacy, nursing home, medical school, nursing school, medical training**
17 **facility or inpatient health care facility.**

18 (4) **"Health care practitioner" means a person who is authorized by a health professional**
19 **regulatory agency in this state to engage in the practice of a health care discipline.**

20 (5) **"In vitro human embryo" means a human organism that is derived by fertilization,**
21 **parthenogenesis, cloning or other means from one or more human gametes or human diploid**
22 **cells, whether cryopreserved or not, and that lives outside of a pregnant person's body.**

23 (6) **"Participate" means to perform, practice, engage in, assist in, recommend, counsel**
24 **in favor of, make referrals for, prescribe, dispense or administer drugs or devices or other-**
25 **wise promote or encourage.**

26 **SECTION 2. (1) An employer may not discriminate against an employee or prospective**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 employee by refusing to reasonably accommodate the ethical, moral or religious objection
 2 of the employee or prospective employee, unless the employer can demonstrate that the ac-
 3 commodation would impose an undue hardship on the program or enterprise of the employer,
 4 to any of the following procedures:

5 (a) An abortion, except in a medical emergency as described in subsection (2) of this
 6 section, and the employee is the only person available with the necessary skills and training
 7 to carry out the abortion.

8 (b) An experimental or medical procedure that destroys an in vitro human embryo or
 9 uses cells or tissue derived from the destruction of an in vitro human embryo.

10 (c) An experimental or medical procedure performed on an in vitro human embryo that
 11 is not related to the beneficial treatment of the in vitro human embryo.

12 (d) An experimental or medical procedure performed on a developing child in an artificial
 13 womb, at any stage of development, that is not related to the beneficial treatment of the
 14 child.

15 (e) A procedure, including a transplant procedure, that uses fetal tissue or organs from
 16 a source other than a dead unborn child who died as a result of natural causes in utero,
 17 accidental trauma or a criminal assault on the pregnant person or the unborn child.

18 (f) An act that intentionally causes or assists in causing the death of a person who has
 19 voluntarily requested medication for the purpose of ending the person's life in a manner de-
 20 scribed in ORS 127.800 to 127.897.

21 (g) An act that intentionally causes or assists in causing the death of a person by with-
 22 holding from the person ordinary food and water.

23 (h) Gender-affirming treatment.

24 (2)(a) An abortion is a medical emergency for purposes of subsection (1)(a) of this section
 25 if, in the reasonable medical judgment of the health care provider, failure to immediately
 26 terminate the pregnancy:

27 (A) Is reasonably likely to result in the pregnant person's death; or

28 (B) Creates a serious risk of substantial and irreversible physical impairment of one or
 29 more of the pregnant person's major bodily functions, not including psychological or emo-
 30 tional functions.

31 (b) The likelihood that a pregnant person will engage in conduct that would result in the
 32 person's death or in substantial and irreversible physical impairment of a major bodily
 33 function does not constitute a medical emergency for the purposes of subsection (1)(a) of this
 34 section.

35 (3) A health care facility, employer or school may not discriminate against a person with
 36 regard to admission, hiring or firing, tenure, terms, conditions or privileges of employment,
 37 student status or staff status on the grounds that the person refuses, or expresses an in-
 38 tention to refuse, to participate in a procedure described in subsection (1) of this section if
 39 the refusal is based on the person's ethical, moral or religious convictions. Except as pro-
 40 vided in subsection (1) of this section, a person may not be required to:

41 (a) Participate in a procedure described in subsection (1) of this section;

42 (b) Make facilities under the person's control available to another person so that the
 43 other person can participate in a procedure described in subsection (1) of this section; or

44 (c) Provide personnel under the person's control who will participate in a procedure de-
 45 scribed in subsection (1) of this section.

