

Requested by Representative JAVADI

**PROPOSED AMENDMENTS TO
HOUSE BILL 3080**

1 On page 2 of the printed bill, delete lines 34 to 45.

2 On page 3, delete lines 1 to 20 and insert:

3 **“SECTION 3.** ORS 127.520 is amended to read:

4 “127.520. (1) [*Except as provided in ORS 127.635 or as may be*] **Unless**
5 **otherwise** allowed by court order, the following persons may not serve as
6 health care representatives:

7 “(a) If unrelated to the principal by blood, marriage or adoption:

8 “(A) **Except as permitted under ORS 127.635 (1)(c)(A)(ii)**, the attend-
9 ing physician or attending health care provider of the principal, or an em-
10 ployee of the attending physician or attending health care provider of the
11 principal; [*or*]

12 “(B) An owner, operator or employee of a health care facility in which
13 the principal is a patient or resident, unless the health care representative
14 was appointed before the principal’s admission to the facility; or

15 “(C) **Any other person who receives compensation to provide care**
16 **to the principal; or**

17 “(b) **Notwithstanding section 2 of this 2025 Act**, a person who is the
18 principal’s parent or former guardian if:

19 “(A) At any time while the principal was under the care, custody or
20 control of the person, a court entered an order:

21 “(i) Taking the principal into protective custody under ORS 419B.150; or

1 “(ii) Committing the principal to the legal custody of the Department of
2 Human Services for care, placement and supervision under ORS 419B.337;
3 and

4 “(B) The court entered a subsequent order that:

5 “(i) The principal should be permanently removed from the person’s home,
6 or continued in substitute care, because it was not safe for the principal to
7 be returned to the person’s home, and no subsequent order of the court was
8 entered that permitted the principal to return to the person’s home before
9 the principal’s wardship was terminated under ORS 419B.328; or

10 “(ii) Terminated the person’s parental rights under ORS 419B.500 and
11 419B.502 to 419B.524.

12 “(2) A principal, while not incapable, may petition the court to remove a
13 prohibition described in subsection (1)(b) of this section.

14 “(3) A capable adult may disqualify any other person from making health
15 care decisions for the capable adult. The disqualification must be in writing
16 and signed by the capable adult. The disqualification must specifically des-
17 ignate those persons who are disqualified.

18 “(4) A health care representative whose authority has been revoked by a
19 court is disqualified.

20 “(5) A health care provider who has actual knowledge of a disqualifica-
21 tion may not accept a health care decision from the disqualified person.

22 “(6) A person who has been disqualified from making health care deci-
23 sions for a principal, and who is aware of that disqualification, may not
24 make health care decisions for the principal.”

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