

SB 1173-2
(LC 2012)
5/13/25 (MNJ/ps)

Requested by Senator PROZANSKI

**PROPOSED AMENDMENTS TO
SENATE BILL 1173**

Delete lines 5 through 15 of the printed bill and insert:

“SECTION 1. ORS 30.902 is amended to read:

“30.902. (1) A physician licensed pursuant to ORS chapter 677 is not a manufacturer, distributor, seller or lessor of a product for the purposes of ORS 30.900 to 30.920 if:

“(a) *[The product is provided by the physician]* **The physician provides the product** to a patient as part of *[a medical procedure]* **health care services; and**

“(b) The physician was not involved in the design or manufacture of the product.

“(2)(a) Except as provided in paragraph (b) of this subsection, a health care facility as defined in ORS 442.015 or a hospital-affiliated clinic as defined in ORS 442.612 is not a manufacturer, distributor, seller or lessor of a product for the purposes of ORS 30.900 to 30.920 if:

“(A) The health care facility or hospital-affiliated clinic provides the product to a patient as part of health care services; and

“(B) The health care facility or hospital-affiliated clinic was not involved in the design or manufacture of the product.

“(b) This subsection does not apply to a product that a health care facility or hospital-affiliated clinic offers to the general public in a retail setting.

1 “(3)(a) Except as provided in paragraph (b) of this subsection, a
2 professional corporation or entity organized for the purpose of prac-
3 ticing medicine pursuant to ORS chapter 677 or rendering professional
4 health care services pursuant to ORS 677.505 to 677.525 or 678.375 to
5 678.390 is not a manufacturer, distributor, seller or lessor of a product
6 for the purposes of ORS 30.900 to 30.920 if:

7 “(A) The professional corporation or entity provides the product to
8 a patient as part of health care services; and

9 “(B) The professional corporation or entity was not involved in the
10 design or manufacture of the product.

11 “(b) This subsection does not apply to a product that a professional
12 corporation or entity offers to the general public in a retail setting.

13 “(4)(a) Except as provided in paragraph (b) of this subsection, a
14 residential care facility licensed under ORS chapter 443, including a
15 facility with a memory care endorsement under ORS 443.886 and an
16 assisted living facility, is not a manufacturer, distributor, seller or
17 lessor of a product for the purposes of ORS 30.900 to 30.920 if:

18 “(A) The residential care facility provides the product to a patient
19 as part of health care services; and

20 “(B) The residential care facility was not involved in the design or
21 manufacture of the product.

22 “(b) This subsection does not apply to a product that a residential
23 care facility offers to the general public in a retail setting.”.

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