

Risk Management Weekly Report

Report Date: Wed, Jul 20, 2011

Bill #	Relating To Clause	Summary	Bill Manager	Priority	Last Action
HB2036A	Relating to discriminatory practices; and declaring an emergency.	<i>Lowers standard for determining whether individual is substantially limited in major life activity.]</i> Clarifies application of statutes related to unlawful discrimination against persons with disabilities. Gives Bureau of Labor and Indust	Penny Evans	4	06/01/11 - Chapter 210, (2011 Laws): Effective date June 1, 2011.
HB2092B	Relating to workers compensation.	Modifies manner in which notice of compliance is made available to subject employers. Eliminates requirement for consultation with certain professional licensing boards when rules are adopted concerning appropriateness of certain types of medical	Teresa Boes	4	06/30/11 - In Conference Committee upon adjournment.
HB2118	Relating to higher education; appropriating money; declaring an emergency.	Redefines Oregon University System as public university system, consisting of office of Chancellor of Oregon University System and seven public universities with more authority and independence to manage affairs, operations and obligations. Creates	Teresa Boes	2	01/31/11 - Assigned to Subcommittee On Higher Education.
HB2316	Relating to the integration of Portland State University and Oregon Health and Science University.	Establishes Portland State University as public corporation under control of Portland Metropolitan Universities Board of Directors. Removes Portland State University from Oregon University System. Declares legislative intent regarding Portland S	Teresa Boes	2	04/05/11 - Public Hearing held.
HB2319	Relating to compensability disputes in workers compensation claims.	Establishes process for random external file review in certain workers compensation claims. Limits independent medical examination requests in workers compensation claim to one request by employer or self-insured employer and one request by worker	Deb Bogart	3	01/21/11 - Referred to Business and Labor.
HB2346	Relating to medical services provided to injured workers.	Prohibits employer or insurer from requiring injured worker to obtain nonemergency medical services from specific provider. Exempts employer or insurer that has managed care organization contract. Requires employer to provide injured worker with wri	Deb Bogart	3	04/13/11 - Informational Meeting scheduled.
HB2348	Relating to supervisory employees under public collective bargaining law.	Modifies definition of supervisory employee for purposes of public employee collective bargaining law.	Deb Bogart	4	01/21/11 - Referred to Business and Labor.
HB2349	Relating to workers compensation claims for bloodborne diseases by public safety officers.	Establishes presumption that certain bloodborne diseases are compensable occupational diseases for public safety officers.	Deb Bogart	4	01/21/11 - Referred to Business and Labor.

HB2360	Relating to employment.	Provides that employer who discloses information about current or former employees job performance to prospective employer of employee is presumed to be acting in good faith and immune from civil liability unless presumption is rebutted by clear an	Deb Bogart	4	01/21/11 - Referred to Business and Labor with subsequent referral to Judiciary.
HB2507	Relating to the use of a mobile communication device while operating a motor vehicle.	Permits person to use mobile communication device while operating motor vehicle in frontier counties. Directs Department of Transportation to post on website names of counties that qualify as frontier counties.	Deb Bogart	4	01/21/11 - Referred to Transportation and Economic Development.
HB2762	Relating to voluntary service by retired state police officers.	Establishes Oregon Retired Senior Volunteer Program within Department of State Police. Permits retired state police officers to volunteer in exchange for health care insurance coverage for themselves and, when appropriate, their spouses.	Deb Bogart	4	01/21/11 - Referred to Judiciary.
HB3005	Relating to certificates of insurance.	Sets standards for certificates of insurance. Authorizes Director of Department of Consumer and Business Services to make rules regulating issuance of certificates of insurance. Makes misuse of certificate of insurance violation of Insurance Code.	Teresa Boes	4	03/01/11 - Public Hearing held.
HB3319	Relating to public records; declaring an emergency.	Establishes deadlines by which public bodies must respond to public records requests. Provides exceptions. Delays application of deadlines to local governments until July 1, 2013. Provides exceptions. Limits amount of fees public bodies may charge	Deb Bogart		02/22/11 - Referred to Rules.
HB3650C	Relating to health; appropriating money; and declaring an emergency.	Establishes Oregon Integrated and Coordinated Health Care Delivery System to replace managed care systems for recipients of medical assistance by January 1, 2014. Requires Oregon Health Authority to develop proposal for consideration by Legislative	Teresa Boes	3	07/07/11 - Chapter 602, (2011 Laws): Effective date July 1, 2011.
SB77A	Relating to civil actions by inmates; and declaring an emergency.	<i>Provides that inmate may not bring action against public body unless inmate has exhausted administrative remedies.] Limits inmate action against public body in small claims department to claim for loss or destruction of property.]</i>	Betsy Enos		06/07/11 - Effective date, June 7, 2011.
SB112	Relating to the Oregon University System; declaring an emergency.	Exempts Oregon University System from Oregon Department of Administrative Services direction of state risk management and insurance programs. Declares emergency, effective on passage.	Teresa Boes	2	06/30/11 - In committee upon adjournment.
SB172	Relating to suspension of compensation to injured worker enrolled in managed care organization.	Increases period during which injured worker enrolled in managed care organization may receive care not authorized by managed care organization from attending physician or nurse practitioner before insurer or self-insured employer may suspend compen	Deb Bogart	4	06/30/11 - In committee upon adjournment.

SB242C	Relating to education; appropriating money; and declaring an emergency.	Creates Higher Education Coordinating Commission. Grants commission authority to coordinate higher education policy with Oregon University System and community colleges. Abolishes Office of Degree Authorization within Oregon Student Assistance Commi	Teresa Boes	2	06/30/11 - Co-Speakers signed.
SB258	Relating to the Oregon Institute of Technology; declaring an emergency.	Establishes Oregon Institute of Technology as independent public university, governed by Oregon Institute of Technology Board of Directors. Exempts institute from certain laws. Allows institute to obtain insurance, adopt alternative employee benef	Teresa Boes	2	06/30/11 - In committee upon adjournment.
SB283	Relating to liability; declaring an emergency.	Requires entry of judgment with installment payments in medical liability actions in which \$100,000 or more is awarded for losses that will be incurred by plaintiff after entry of judgment. Modifies law governing liability of individual tortfeasor	Penny Evans	3	06/30/11 - In committee upon adjournment.
SB372A	Relating to personal injury protection benefits; and declaring an emergency.	<i>Allows injured person to retain from payments on claims of injured person reimbursement for both economic and noneconomic damages prior to reimbursement of personal injury protection benefits paid by insurer. Extends personal injury protection c</i>	Penny Evans	4	06/28/11 - Co-Speakers signed.
SB397A	Relating to tort claims against public bodies.	Allows action based on tort to be brought against officer, employee or agent of public body if complaint alleges that plaintiff is entitled to damages in excess of limitations imposed by Oregon Torts Claims Act.	Penny Evans	3	06/07/11 - Effective date, January 1, 2012.
SB407	Relating to exceptions to prohibition against operating a motor vehicle while using a mobile communication device.	Removes exception for person operating motor vehicle in scope of persons employment from offense of operating motor vehicle while using mobile communication device.	Deb Bogart	4	06/30/11 - In committee upon adjournment.
SB421	Relating to design professionals.	Provides that civil action based on negligence, including but not limited to claim for indemnity or contribution, may not be brought against design professional for damages arising out of work performed by design professional on improvement unless a	Teresa Boes	2	06/30/11 - In committee upon adjournment.
SB422	Relating to insurance requirements in public contracts for professional services; declaring an emergency.	Prohibits contracting agency from requiring contractor in contract for architectural, engineering and land surveying services or related services to obtain and maintain in force liability insurance with combined single limit that exceeds \$1 million	Teresa Boes	2	06/30/11 - In committee upon adjournment.
SB559	Relating to the University of Oregon; declaring an emergency.	Establishes University of Oregon as independent public university, governed by University of Oregon Board of Directors. Empowers State Board of Higher Education to adopt performance benchmarks to be achieved by University of Oregon. Exempts univer	Teresa Boes	2	06/30/11 - In committee upon adjournment.

SB563A	Relating to emergency health care providers.	Allows <i>retired</i>] previously licensed, certified or otherwise authorized health care provider to register as emergency health care provider and to provide health care services without license or certification during Governor-declared em	Deb Bogart	4	05/19/11 - Effective date, January 1, 2012.
SB734	Relating to indemnification; declaring an emergency.	Prohibits state from indemnifying person in exempt service, unclassified service or management service position for costs of counsel and other costs of defense when judgment is entered against person based on determination that person has engaged in	Betsy Enos	2	06/30/11 - In committee upon adjournment.
SB876	Relating to damages; declaring an emergency.	Modifies law relating to offset of collateral benefits in tort actions. Provides that if award of damages is made for personal injury or death, and before entry of verdict person who was injured or died received benefits by reason of injury or dea	Penny Evans	3	06/30/11 - In committee upon adjournment.
SB5502A	Relating to the financial administration of the Oregon Department of Administrative Services; appropriating money; and declaring an emergency.	Appropriates moneys from General Fund to Oregon Department of Administrative Services for certain biennial expenses. Limits certain biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery	Not assigned		06/30/11 - Effective date, July 1, 2011.
SJR5	Proposing amendment to Oregon Constitution relating to health care providers.	Proposes amendment to Oregon Constitution to impose limitation on noneconomic damages in claims against health care providers based on provision of medical care or failure to provide medical care. Provides that limit is \$500,000 for claims arising i	Penny Evans		06/30/11 - In committee upon adjournment.
SJR19	Proposing amendment to Oregon Constitution relating to limitations on noneconomic damages.	Proposes amendment to Oregon Constitution to impose limitations on awards of noneconomic damages in civil actions. Refers proposed amendment to people for their approval or rejection at next regular general election.	Penny Evans		06/30/11 - In committee upon adjournment.
SJR33	Proposing amendment to Oregon Constitution relating to health care providers.	Proposes amendment to Oregon Constitution to impose limitation on damages in claims against health care providers based on provision of medical care or failure to provide medical care. Provides for adjustment based on cost of living in subsequent ca	Penny Evans	3	06/30/11 - In committee upon adjournment.