

Senate Bill 234

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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**.

Repeals requirement that Department of Corrections and other correctional facilities jointly promulgate rules authorizing purchase of products to be manufactured by Oregon Corrections Enterprises.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to rules authorizing the purchase of goods to be manufactured by Oregon Corrections En-
3 terprises; amending ORS 421.990 and 655.505; repealing ORS 421.340; and declaring an emer-
4 gency.

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

6 **SECTION 1. ORS 421.340 is repealed.**

7 **SECTION 2.** ORS 421.990 is amended to read:

8 421.990. [(1) *Violation of ORS 421.340 is a Class A misdemeanor.*]

9 [(2)] Violation of ORS 421.105 (2) is punishable in the same manner as if the individual injured
10 unlawfully was not convicted or sentenced.

11 **SECTION 3.** ORS 655.505 is amended to read:

12 655.505. As used in ORS 655.505 to 655.555:

13 (1) "Attending practitioner" means Department of Corrections or Oregon Youth Authority med-
14 ical staff, or specialists assisting Department of Corrections or Oregon Youth Authority medical
15 staff, while the inmate is committed to the physical and legal custody of the Department of Cor-
16 rections. At all other times, "attending practitioner" means a person licensed in Oregon or another
17 state as a medical doctor, doctor of osteopathy, doctor of optometry, doctor of dentistry or nurse
18 practitioner who provides services within the scope of the license.

19 (2) "Authorized work or occupational training assignment" means the work assignment of an
20 inmate:

21 (a) As authorized by ORS 421.305 [*to 421.340*] **and 421.312**;

22 (b) As authorized by ORS 421.450 to 421.480;

23 (c) As authorized by ORS 144.410 to 144.525;

24 (d) As authorized by ORS 420.011;

25 (e) As authorized by ORS 420.240 to 420.265; or

26 (f) In any other inmate activity or program, including, but not limited to, on-the-job training
27 established by the Department of Corrections under section 41, Article I, Oregon Constitution,
28 whether or not compensation has been established by the Director of the Department of Corrections
29 for participation in the activity or program.

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 (3) "Department" means the Oregon Department of Administrative Services.

2 (4) "Injury" means:

3 (a) An accidental injury or accidental injury to prosthetic devices occurring in the course of,
4 and caused in major part by, an authorized work or occupational training assignment requiring
5 medical services and resulting in disability or death; or

6 (b) Any disease or infection that:

7 (A) Arises out of, and in the course of, an authorized work or occupational training assignment;

8 (B) Is caused in major part by ingestion, absorption or inhalation of, or contact with, dust,
9 fumes, vapors, gases, radiation or other substances to which a worker who is not an inmate is not
10 ordinarily subjected or exposed while working;

11 (C) Requires medical services; and

12 (D) Results in disability or death.

13 (5) "Inmate" means a person committed to the physical and legal custody of the Department of
14 Corrections.

15 (6) "Medical services" means reasonable and necessary services prescribed by an attending
16 practitioner for conditions resulting from injury for a period that the nature of the injury or the
17 process of recovery requires. "Medical services" includes medical, surgical, hospital, nursing, am-
18 bulance and other related services, drugs, medicine, crutches and prosthetic appliances, braces and
19 supports and, when necessary, physical restorative services.

20 (7) "Medically stationary" means that no further material improvement would reasonably be
21 expected from medical treatment or the passage of time.

22 (8) The terms "beneficiary," "child" and "dependent" have the meanings given those terms in
23 ORS 656.005.

24 **SECTION 4. This 2015 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
26 **on its passage.**