

**OREGON BOARD OF DENTISTRY
1500 SW 1st^H AVENUE, SUITE 770
PORTLAND, OR 97201**

**DENTAL & DENTAL HYGIENE REGISTRY
OF LIMITATION ON LIABILITY
ORS 676.340**

Name: _____ License Number: _____

Mailing Address: _____

Street or P.O. Box

City

State

Zip Code

Home Address: _____

Street or P.O. Box

City

State

Zip Code

I certify that:

1. Prior to the patient receiving health care services I will obtain the signature of the patient, or the signature of a person who has authority under law to make health care decisions for the patient, acknowledging receipt of a written statement that notifies the patient that services are provided without compensation and that my liability is limited and that I may not be held liable for any injury, death or other loss arising out of the provision of those services that is caused by my negligence, unless the injury, death or other loss results from gross negligence.
2. I will provide health care services to patients without compensation, except for reimbursement for laboratory fees, testing services, and other out-of-pocket expenses.
3. I will only provide health care services without compensation that are within the scope of my dental/dental hygiene license.

This Registration is effective for two years from the date it is received by the Board. Biennial renewals must be made for this limitation of liability to remain in effect.

Signature

Date

676.340 Limitations on liability of health practitioners providing health care services without compensation; requirements; exceptions; attorney fees; applicability. (1)

Notwithstanding any other provision of law, a health practitioner described in subsection (7) of this section who has registered under ORS 676.345 and who provides health care services without compensation is not liable for any injury, death or other loss arising out of the provision of those services, unless the injury, death or other loss results from the gross negligence of the health practitioner.

(2) A health practitioner may claim the limitation on liability provided by this section only if the patient receiving health care services, or a person who has authority under law to make health care decisions for the patient, signs a statement that notifies the patient that the health care services are provided without compensation and that the health practitioner may be held liable for death, injury or other loss only to the extent provided by this section. The statement required under this subsection must be signed before the health care services are provided.

(3) A health practitioner may claim the limitation on liability provided by this section only if the health practitioner obtains the patient's informed consent for the health care services before providing the services, or receives the informed consent of a person who has authority under law to make health care decisions for the patient.

(4) A health practitioner provides health care services without compensation for the purposes of subsection (1) of this section even though the practitioner requires payment of laboratory fees, testing services and other out-of-pocket expenses.

(5) A health practitioner provides health care services without compensation for the purposes of subsection (1) of this section even though the practitioner provides services at a health clinic that receives compensation from the patient, as long as the health practitioner does not personally receive compensation for the services.

(6) In any civil action in which a health practitioner prevails based on the limitation on liability provided by this section, the court shall award all reasonable attorney fees incurred by the health practitioner in defending the action.

(7) This section applies only to:

(a) A physician licensed under ORS 677.100 to 677.228;

(b) A nurse licensed under ORS 678.040 to 678.101;

(c) A nurse practitioner licensed under ORS 678.375 to 678.390;

(d) A clinical nurse specialist certified under ORS 678.370 and 678.372;

(e) A physician assistant licensed under ORS 677.505 to 677.525;

(f) A dental hygienist licensed under ORS 680.010 to 680.205; and

(g) A dentist licensed under ORS 679.060 to 679.180. [1999 c.771 §1; 1999 c.771 §3; 2005 c.462

§2]