



Limited Liability Registration

OREGON BOARD OF OPTOMETRY

Registry for Limited Liability for Optometrists

Name: _____ License Number: _____

Primary Practice Location Address: _____

City: _____ State: _____ ZIP: _____

I certify that:

1. I will notify the Board of each practice location before providing services.
2. Before providing optometric services to the patient, 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.
3. I will provide optometric services to patients without compensation, except for reimbursement for laboratory fees, testing services, and other out-of-pocket expenses, which must be authorized by the patient prior to incurring the expense.
4. I will provide without compensation only those services that are within the scope of my Active Oregon optometry license.
5. I understand that this registration is effective until the due date of my next renewal, and I must renew annually for this limitation of liability to remain in effect. I understand that I will receive no renewal notice for this liability limitation from the Board.
6. I wish the Board to acknowledge receipt of this form by:
 - A telephone call to: _____
 - An email to: _____

Signature _____ Date: _____

Keep a copy for your files.

Mail to: Oregon Board of Optometry, 1500 Liberty Street SE, Suite 210, Salem, Oregon 97302

ORS 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;
 - (g) A dentist licensed under ORS 679.060 to 679.180;
 - (h) A pharmacist licensed under ORS chapter 689; and
 - (i) An optometrist licensed under ORS chapter 683.

OAR 852-050-0022 - Liability Limitations for Volunteers

- (1) An active status licensee may register with the Board at no additional charge to qualify for the provisions of ORS 676.340, which provides registrants with specific exemptions from liability for the provision of optometric services to defined charitable organizations without compensation under the terms of the law.
- (2) Registration requires submission of a signed form provided by the Board in accordance with ORS 676.345 (2).
- (3) Initial registration will expire at the licensee's next annual license renewal date, and annually thereafter. It is the licensee's responsibility to ensure his or her active registration in this program; no notice will be sent regarding expiration of licensee's registration.
- (4) Nothing in this section relieves licensee from the responsibility to comply with all other provisions of ORS 683 and OAR 852, including reporting start and end dates of providing services at any practice location.
- (5) Patients treated under the provisions of ORS 676.340 and 676.345 in no way waive their rights to file complaints against the doctor of optometry with the Board, and the Board retains all rights and responsibilities under OAR 852 Division 60.