

Oregon

Shield Law Fact Sheet

May 2026

For both reproductive and gender-affirming health care, Oregon's shield laws provide protections against out-of-state investigations and prosecutions, professional discipline, and civil liability. Additionally, Oregon's shield laws provide protections for health care providers' professional liability insurance. Oregon's shield laws also provide limited privacy protections related to the personal information of providers of reproductive and gender-affirming care.

Protection against Out-of-State Investigations and Prosecutions

Protection Barring State Agency/Employee Assistance

A state or local government body or its officer, employee, or agent may not subject someone to criminal or civil liability or penalty, or otherwise deprive them of any rights because they exercised or assisted another person in exercising their reproductive health rights, including the right to use or refuse contraception, continue a pregnancy and give birth, or terminate a pregnancy.¹ In addition, officers, employees, or agents of a state or local government body may not cooperate, provide information, or expend resources in furtherance of an investigation into legally-protected reproductive or gender-affirming health care activity if the activity would be lawful if it occurred entirely in Oregon, except as required by federal law.²

Protection against Extradition and Arrests

The governor may not surrender a person to another state who is charged with engaging in a legally-protected reproductive or gender-affirming health care activity, except as required by federal law, or

¹ HB 2002 (Or. 2023) (Or. Rev. Stat. §§ 435.240, 435.210).

² HB 4088 (Or. 2026).

pursuant to the governor’s duty under state law to arrest and deliver a person charged with committing a crime while in another state and then fleeing to Oregon.³

Protection against Issuance of Subpoenas

A person may not request issuance of an out-of-state subpoena related to reproductive and gender-affirming health care services lawful in Oregon and for which no legal claim would exist under Oregon law.⁴

Protection from Professional Discipline

Protection against Adverse Actions related to Providers’ Licenses and Other Board Discipline

Professional boards may not suspend, revoke, or refuse to grant a license or an authorization to practice to a psychologist, social worker, professional counselor, marriage therapist, physician, nurse, naturopathic practitioner, pharmacist, or midwife based solely on a conviction or license suspension or revocation issued in another state resulting from providing reproductive or gender-affirming health care lawful in Oregon.⁵

Protection against Civil Liability

Protection against Application or Enforcement of Another State’s Laws or Judgments in Oregon State Court

Oregon law governs all actions against providers related to reproductive and gender-affirming health care services they provide or attempt to provide in Oregon, all actions against patients related to reproductive and gender-affirming health care services they receive or attempt to receive in Oregon, and all actions against anyone who provides or attempts to provide aid, assistance, resources, encouragement, or support to a person providing or receiving reproductive or gender-affirming health care services in Oregon.⁶

³ HB 4088 (Or. 2026) (citing Or. Rev. Stat. § 133.747).

⁴ HB 2002 (Or. 2023), HB 4088 (Or. 2026) (Or. Rev. Stat. § 24.500(3)).

⁵ HB 2002 (Or. 2023), HB 4088 (Or. 2026) (Or. Rev. Stat. §§ 675.070 (psychologists), 675.540 (social workers), 675.745 (professional counselors and marriage therapists), 677.190 (physicians), 678.010 (nurses), 685.110 (naturopathic physicians), 689.405 (pharmacists), 687.445 (midwives)).

⁶ HB 2002 (Or. 2023), HB 4088 (Or. 2026) (adding protection for *attempting* to provide, receive, or aid reproductive or gender-affirming health care services) (Or. Rev. Stat. § 15.430). Another state’s law that authorizes an action for receiving, providing, attempting to provide, aiding or abetting reproductive or gender-affirming health care is against Oregon public policy. HB 2002 (Or. 2023), HB 4088 (Or. 2026) (Or. Rev. Stat. § 24.500).

Provision of a Civil Action to Prevent Interference with Protected Care

When a person interferes with access to a health care facility or disrupts the normal functioning of a health care facility, the health care facility or a person whose access or care is disrupted may bring a civil action against the interfering individual to recover damages and reasonable attorney fees incurred in bringing the action, among other remedies.⁷

Protection of Professional Liability Insurance

Protection against an Insurer’s Refusal to Issue Insurance, Increase in Premiums, or Denial of Coverage Based Solely on Providing Protected Care

Malpractice insurers may not impose upon health care providers any adverse action—including sanctions, fines, penalties, rate increases, or denial or revocation of coverage—based solely on the health care provider’s participation in reproductive or gender-affirming health care services lawful in Oregon, or based on an adverse action taken against a health care provider’s license in another state as a result of participating in reproductive or gender-affirming health care services lawful in Oregon, regardless of whether the care was lawful where the patient was located or the service was provided.⁸

Privacy of Medical Information and Other Data Related to Reproductive or Gender-Affirming Care⁹

Protection Against Disclosure of Medical Information

Individually identifiable health information related to receiving or inquiring about legally-protected reproductive or gender-affirming health care activities is confidential and may not be disclosed unless the individual consents to disclosure.¹⁰ The information is nondiscoverable and inadmissible in judicial or administrative proceedings under state law.¹¹

⁷ HB 2002 (Or. 2023) (Or. Rev. Stat. §§ 166.119, 30.851). Oregon’s shield laws do not provide a right to “clawback” litigation, which is offered in other shield law states and permits an individual who has been sued in another state related to reproductive or gender-affirming health care to recover damages, including the amount of the judgment issued against them in another state.

⁸ HB 2002 (Or. 2023) (Or. Rev. Stat. § 676.313).

⁹ In 2023, Oregon also enacted its Consumer Privacy Act, which provides consumers with rights to control the use of their data generally and may encompass information related to reproductive and gender-affirming health care.

¹⁰ HB 4088 (Or. 2026) (To be codified at Or. Rev. Stat. §§ 435.190 to 435.245.)

¹¹ HB 4088 (Or. 2026) (To be codified at Or. Rev. Stat. §§ 435.190 to 435.245). An exception to this rule applies if the proceeding is directly connected to the state medical assistance program or reproductive health services and education programs under ORS § 435.230. *Id.*

Protection of Providers' or Patients' Personal Information

Individuals who are authorized in Oregon to provide reproductive or gender-affirming health care services may participate in the state's address confidentiality program to protect their name, home address, professional address or location from public records disclosure.¹²

¹² HB 2002 (Or. 2023), HB 4088 (Or. 2026) (Or. Rev. Stat. §§ 192.345(43), 192.822, 676.177(5)).

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For more information

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