

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	7 - 0 - 0
Yeas:	Boquist, Clem, Dingfelder, Macpherson, Maurer, Smith P., Roblan
Nays:	0
Exc.:	0
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	5/1, 5/22

WHAT THE MEASURE DOES: Authorizes the Veterinary Medical Examining Board to inspect the premises of a veterinary facility and order examinations when the board has evidence indicating incapacity of an applicant or licensee to practice veterinary medicine safely.

ISSUES DISCUSSED:

- Whether the board has adequate authority to investigate complaints
- Standards for when an agency requires an examination

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The 2005 Legislative Assembly enacted Senate Bill 318, authorizing the Veterinary Medical Examining Board to discipline a permit or license holder who, after undergoing a physical or mental health examination ordered by the board, is determined to be unable to safely conduct the practice of veterinary medicine. However, upon attempting to enforce the statute during the interim, the board was successfully challenged by a licensee who refused to undergo an examination. Board representatives have indicated that they believe this to be an omission in the original law and are seeking to gain clear authority to order a mental or physical examination when there is evidence of noncompliance.

Senate Bill 134A authorizes the Oregon Veterinary Medical Examining Board to inspect the premises of a veterinary facility and to order an applicant or licensee to undergo a mental, physical, or competency examination when the board has evidence of incapacity. The measure applies to all complaints that are before the board and investigations undertaken by the board on its own initiative on or after the effective date.