

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 8 - 0 - 1 |
| Yeas: | Bonamici, Bruun, Cannon, Flores, Kotek, Maurer, Richardson, Greenlick |
| Nays: | 0 |
| Exc.: | Gelser |
| Prepared By: | Sandy Thiele-Cirka, Administrator |
| Meeting Dates: | 5/14, 5/15, 5/24, 5/29, 5/31 |

WHAT THE MEASURE DOES: Changes name of Diversion Program Supervisory Council (Board of Medical Examiners) to Health Professionals Program Supervisory Council (HPPSC). Increases council membership from five to seven members. Exempts the council and the medical director from disclosing information concerning a licensee without written consent of the licensee or court order. Exempts the council meetings, case reviews, deliberations and communications relating to a program participant from the public meeting and public record laws (ORS 192.610 – 192.690). Establishes January 1, 2009 as effective date.

ISSUES DISCUSSED:

- Current Oregon physician suicide rate
- Importance of including mental disorders in Health Professionals Program
- Concerns with amendment that allows licensees to request a contested case hearing
- Review of Board of Medical Examiner’s due process; circuit court process
- Potential expense for holding a contested case hearing
- Proposed amendments
- Concerns with implementation date
- HPPSC requires time for adequate implementation
- Stakeholders state that if issues arise during the interim they will return to the legislature

EFFECT OF COMMITTEE AMENDMENT: Exempts the council and the medical director from disclosing information concerning a licensee without written consent of the licensee or court order. Exempts the council meetings, case reviews, deliberations and communications relating to a program participant from the public meeting and public record laws (ORS 192.610 – 192.690). Establishes January 1, 2009 as effective date.

BACKGROUND: In 1989, the Legislative Assembly enacted SB 1032, which created the Health Professionals Program (HPP). The program is a collaborative program between the Oregon Medical Association and the Board of Medical Examiners. The program provides a therapeutic avenue for licensees to access confidential treatment and protection from professional investigation and/or disciplinary action based on the diagnosis of chemical abuse or dependency.

Eighty-four percent of health professional diversion programs allow licensees with mental disorders to enter the program, including neighboring states California and Idaho.

Currently there are 93 licensees in Oregon in the HPP, 60 percent have a dual diagnosis—a chemical abuse problem and a mental disorder.