

House Bill 2378

Sponsored by Representative BURLEY (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Board of Medical Examiners to establish procedure for issuing limited volunteer physician licenses to retired out-of-state physicians. Establishes criteria for licensure. Prohibits limited volunteer physician licensees from receiving compensation for providing medical services. Requires board to adopt certain rules.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to licensure of volunteer physicians; and declaring an emergency.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. Sections 2 and 3 of this 2007 Act are added to and made a part of ORS**
4 **chapter 677.**

5 **SECTION 2. (1) The Board of Medical Examiners shall establish a procedure for issuing**
6 **limited volunteer physician licenses to retired out-of-state physicians who volunteer to**
7 **practice medicine in this state.**

8 **(2) Notwithstanding ORS 677.120, the board shall issue a limited volunteer physician li-**
9 **cense to an applicant who:**

10 **(a) Has been retired from the practice of medicine for less than three years.**

11 **(b) Has practiced medicine for at least 10 years:**

12 **(A) Based on a lawfully issued license to practice in another state or territory of the**
13 **United States or the District of Columbia; or**

14 **(B) As a commissioned medical officer serving in the Armed Forces of the United States,**
15 **the United States Public Health Service or the United States Department of Veterans Af-**
16 **fairs.**

17 **(c) Volunteers to provide medical services without compensation or the expectation of**
18 **compensation to a public health clinic or a health clinic in a medically underserved or critical**
19 **need population area of the state that is operated by a nonprofit corporation or organization**
20 **and provides physical health, dental or mental health services to low-income patients without**
21 **charge or using a sliding fee scale based on the income of the patient.**

22 **(d) Has not been the recipient of a professional sanction by a medical licensing authority**
23 **in any jurisdiction in which the applicant held an active license.**

24 **(e) Has no actions recorded with the National Practitioner Data Bank.**

25 **(f) Meets the criteria for limited volunteer physician licensure established by the board**
26 **by rule.**

27 **(3) A physician holding a limited volunteer physician license may practice medicine only:**

28 **(a) In a public health clinic or a health clinic in a medically underserved or critical need**
29 **population area of the state that is operated by a nonprofit corporation or organization and**
30

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 provides physical health, dental or mental health services to low-income patients without
2 charge or using a sliding fee scale based on the income of the patient.

3 (b) Under the supervision of a physician holding an active, unrestricted license to prac-
4 tice medicine in Oregon who is physically present on the premises of the clinic in which the
5 limited volunteer physician licensee is practicing when the licensee is practicing medicine.

6 (c) If the limited volunteer physician licensee has filed with the board a notarized state-
7 ment that the licensee will not receive compensation for medical services provided while
8 practicing as a limited volunteer physician in this state.

9 **SECTION 3.** (1) The Board of Medical Examiners shall adopt rules establishing:

10 (a) The qualifications for licensure as a limited volunteer physician.

11 (b) The standards of practice for physicians practicing with a limited volunteer physician
12 license.

13 (2) The rules adopted under this section shall include but are not limited to:

14 (a) Specification of the documentation that must be submitted to the board in support
15 of an application for a limited volunteer physician license.

16 (b) Limitations on the scope of practice under a limited volunteer physician license that
17 include prohibitions on performing major surgery and prescribing controlled substances.

18 (c) Prohibition of a physician practicing medicine with a limited volunteer physician li-
19 cense from receiving compensation for providing medical services.

20 (3) The board may not require a physician who has met the requirements of this section
21 and section 2 of this 2007 Act to take an examination in order to obtain a limited volunteer
22 physician license.

23 (4) The board shall establish initial and renewal terms for a limited volunteer physician
24 license and shall impose fees for a limited volunteer physician license that are the same as
25 those established and assessed for other volunteer licenses issued by the board.

26 **SECTION 4.** The Board of Medical Examiners shall adopt rules necessary to implement
27 the provisions of sections 2 and 3 of this 2007 Act no later than 180 days from the effective
28 date of this 2007 Act.

29 **SECTION 5.** This 2007 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
31 on its passage.

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