

Senate Bill 148

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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**.

Increases maximum amount of civil penalty that may be assessed by Board of Medical Examiners.

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

1
2 Relating to civil penalties imposed by Board of Medical Examiners; amending ORS 677.205; and de-
3 claring an emergency.

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

5 **SECTION 1.** ORS 677.205 is amended to read:

6 677.205. (1) The Board of Medical Examiners for the State of Oregon may discipline as provided
7 in this section any person licensed, registered or certified under this chapter who has:

8 (a) Admitted the facts of a complaint filed in accordance with ORS 677.200 (1) alleging facts
9 which establish that such person is in violation of one or more of the grounds for suspension or
10 revocation of a license as set forth in ORS 677.190;

11 (b) Been found to be in violation of one or more of the grounds for disciplinary action of a
12 licensee as set forth in this chapter; or

13 (c) Had an automatic license suspension as provided in ORS 677.225.

14 (2) In disciplining a licensee as authorized by subsection (1) of this section, the board may use
15 any or all of the following methods:

16 (a) Suspend judgment.

17 (b) Place the licensee on probation.

18 (c) Suspend the license.

19 (d) Revoke the license.

20 (e) Place limitations on the license.

21 (f) Take such other disciplinary action as the board in its discretion finds proper, including as-
22 sessment of the costs of the disciplinary proceedings as a civil penalty or assessment of a civil
23 penalty not to exceed [~~\$5,000~~] **\$50,000**, or both.

24 (3) In addition to the action authorized by subsection (2) of this section, the board may tempo-
25 rarily suspend a license without a hearing, simultaneously with the commencement of proceedings
26 under ORS 677.200 if the board finds that evidence in its possession indicates that a continuation
27 in practice of the licensee constitutes an immediate danger to the public.

28 (4) If the board places any licensee on probation as set forth in subsection (2)(b) of this section,
29 the board may determine, and may at any time modify, the conditions of the probation and may in-
30 clude among them any reasonable condition for the purpose of protection of the public or for the

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 purpose of the rehabilitation of the probationer, or both. Upon expiration of the term of probation,
2 further proceedings shall be abated if the licensee has complied with the terms of the probation.

3 (5) If a license issued under this chapter is suspended, the holder of the license may not practice
4 during the term of suspension. Upon the expiration of the term of suspension, the license shall be
5 reinstated by the board if the conditions for which the license was suspended no longer exist.

6 (6) The board shall enter each case of disciplinary action on its records.

7 (7) Civil penalties under this section shall be imposed as provided in ORS 183.745.

8 **SECTION 2. This 2007 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
10 **July 1, 2007.**