

**Enrolled**  
**Senate Bill 433**

Sponsored by Senator MORRISETTE

CHAPTER .....

AN ACT

Relating to disciplinary action taken by Oregon State Board of Nursing; amending ORS 678.112.

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

**SECTION 1.** ORS 678.112 is amended to read:

678.112. (1) When a person licensed to practice nursing voluntarily seeks treatment for chemical dependency or an emotional or physical problem that otherwise may lead to formal disciplinary action under ORS 678.111, the Oregon State Board of Nursing may abstain from taking such formal disciplinary action if the board finds that the licensee can be treated effectively and that there is no danger to the public health, **safety or welfare**.

(2) If the board abstains from taking such formal disciplinary action, it may require the licensee to be subject to the voluntary monitoring program as established by the board.

(3) All records of the voluntary monitoring program are confidential and shall not be subject to public disclosure, nor shall the records be admissible as evidence in any judicial proceedings.

(4) A licensee voluntarily participating in the voluntary monitoring program shall not be subject to investigation or disciplinary action by the board for the same offense, if the licensee complies with the terms and conditions of the monitoring program.

(5) The board shall establish by rule criteria for eligibility to participate in the voluntary monitoring program and criteria for successful completion of the program.

(6) Licensees who elect not to participate in the voluntary monitoring program or who fail to comply with the terms of participation shall be reported to the board for formal disciplinary action under ORS 678.111.

**Passed by Senate March 14, 2007**

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Secretary of Senate

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President of Senate

**Passed by House May 24, 2007**

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Speaker of House

**Received by Governor:**

.....M,....., 2007

**Approved:**

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2007

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Secretary of State