

Senate Bill 433

Sponsored by Senator MORRISETTE

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**.

Allows Oregon State Board of Nursing to abstain from imposing discipline on licensees who voluntarily seek treatment for chemical dependency or emotional or physical problems if board finds that licensee poses no danger to public health, safety or welfare.

A BILL FOR AN ACT

1
2 Relating to disciplinary action taken by Oregon State Board of Nursing; amending ORS 678.112.

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

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

5 678.112. (1) When a person licensed to practice nursing voluntarily seeks treatment for chemical
6 dependency or an emotional or physical problem that otherwise may lead to formal disciplinary
7 action under ORS 678.111, the Oregon State Board of Nursing may abstain from taking such formal
8 disciplinary action if the board finds that the licensee can be treated effectively and that there is
9 no danger to the public health, **safety or welfare**.

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

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

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

17 (5) The board shall establish by rule criteria for eligibility to participate in the voluntary mon-
18 itoring program and criteria for successful completion of the program.

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

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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.