

**SENATE AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2058  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON HEALTH CARE AND VETERANS' AFFAIRS

June 5

1 On page 1 of the printed A-engrossed bill, line 5, after “692.300” insert “and section 38, chapter  
2 43, Oregon Laws 2009 (Enrolled Senate Bill 131), and section 49, chapter \_\_\_, Oregon Laws 2009  
3 (Enrolled Senate Bill 177)”.

4 In line 6, after “689.125” insert “and section 1, chapter 43, Oregon Laws 2009 (Enrolled Senate  
5 Bill 131), and section 20, chapter \_\_\_, Oregon Laws 2009 (Enrolled Senate Bill 177)”.

6 On page 3, line 4, restore “four” and delete “three”.

7 In line 45, restore “four” and delete “three”.

8 On page 4, line 25, delete “seven” and insert “eight”.

9 Delete lines 33 and 34 and insert:

10 “(d) Two must be members of the public who have demonstrated an interest in the fields of  
11 professional counseling and marriage and family therapy but who are not a:”.

12 On page 5, delete lines 26 through 45 and delete page 6.

13 On page 7, delete lines 1 through 4 and insert:

14 “**SECTION 5.** ORS 677.235 is amended to read:

15 “677.235. (1) The Oregon Medical Board consists of 12 members appointed by the Governor[.]  
16 **and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565.**  
17 **All members of the board must be residents of this state. Of the members of the board:**

18 “(a) Seven [*of the members shall be appointed from among persons having*] **must have** the degree  
19 of Doctor of Medicine[.];

20 “(b) Two [*from among persons having*] **must have** the degree of Doctor of Osteopathy [*and*];

21 “(c) One [*from among persons having*] **must have** the degree of Doctor of Podiatric Medicine[.  
22 *Of the seven members who hold the degree of Doctor of Medicine, there shall be at least one member*  
23 *appointed from each federal congressional district. In addition to the 10 named persons described, there*  
24 *shall be appointed*]; **and**

25 “(d) Two [*public*] **must be members of the public** representing health consumers[. *All persons*  
26 *appointed must have been residents of this state for at least seven years.*] **who are not otherwise**  
27 **eligible for appointment to the board.**

28 “(2)(a)(A) **Board members required to possess the degree of Doctor of Medicine may be**  
29 **selected by the Governor from a list of three to five physicians for each physician member**  
30 **of the board whose term expires in that year, submitted by the Oregon Medical Association**  
31 **not later than February 1.**

32 “(B) **Board members required to possess the degree of Doctor of Osteopathy may be se-**  
33 **lected by the Governor from a list of three to five qualified physicians for each vacancy,**  
34 **submitted by the Osteopathic Physicians and Surgeons of Oregon, Inc., not later than Feb-**

1 **ruary 1 of each odd-numbered year.**

2 **“(C) The board member required to possess the degree of Doctor of Podiatric Medicine**  
3 **may be selected by the Governor from a list of three to five qualified physicians submitted**  
4 **by the Oregon Podiatric Medical Association not later than February 1 of each fourth year.**

5 **“(b) The physician members and the member who is a podiatric physician and surgeon must**  
6 **have been in the active practice of their profession for at least five years immediately preceding**  
7 **their appointment.**

8 **“(c) Neither the public members nor any person [within the immediate family of the public mem-**  
9 **bers shall] who is a spouse, domestic partner, child, parent or sibling of a public member may**  
10 **be employed as a health professional [or in any health-related industry]. The public members [shall**  
11 **be] are members of the investigative committee of the board.**

12 **“(d)(A) In selecting the members of the board, the Governor shall strive to balance the**  
13 **representation on the board according to geographic areas of this state and ethnic group.**

14 **“(B) Of the seven members who hold the degree of Doctor of Medicine, there shall be at**  
15 **least one member appointed from each federal congressional district.**

16 *“(2) Not later than February 1 of each year, the Oregon Medical Association shall nominate three*  
17 *qualified physicians for each physician member of the board whose term expires in that year, and shall*  
18 *certify its nominees to the Governor. Not later than February 1 of each odd-numbered year, the*  
19 *Osteopathic Physicians and Surgeons of Oregon, Inc., shall nominate three physicians possessing the*  
20 *degree of Doctor of Osteopathy and shall certify its nominees to the Governor. Not later than February*  
21 *1 of each third year, the Oregon Podiatric Medical Association shall nominate three podiatric physi-*  
22 *cians and surgeons possessing the degree of Doctor of Podiatric Medicine and shall certify its nominees*  
23 *to the Governor. The Governor shall consider these nominees in selecting successors to retiring board*  
24 *members.]*

25 **“(3)(a) [Each member of the board shall serve for a term of three years beginning] The term of**  
26 **office of each board member is three years, but a member serves at the pleasure of the**  
27 **Governor. The terms must be staggered so that no more than four terms end each year. A**  
28 **term begins** on March 1 of the year the member is appointed and *[ending]* **ends** on the last day of  
29 February of the third year thereafter. *[No member shall]* **A member may not** serve more than two  
30 consecutive terms.

31 **“(b) If a vacancy occurs on the board, another qualifying member possessing the same profes-**  
32 **sional degree or fulfilling the same public capacity as the person whose position has been vacated**  
33 **shall be appointed as provided in this section to fill the unexpired term.**

34 **“(c) A board member shall be removed immediately from the board if, during the mem-**  
35 **ber’s term, the member:**

36 **“(A) Is not a resident of this state;**

37 **“(B) Has been absent from three consecutive board meetings, unless at least one absence**  
38 **is excused; or**

39 **“(C) Is not a current licensee or a retired licensee whose license was in good standing**  
40 **at the time of retirement, if the board member was appointed to serve on the board as a**  
41 **licensee.**

42 *“(4) All appointments of members of the board by the Governor are subject to confirmation by the*  
43 *Senate in the manner provided in ORS 171.562 and 171.565.]*

44 **“(4) Members of the board are entitled to compensation and expenses as provided in ORS**  
45 **292.495. The board may provide by rule for compensation to board members for the per-**

1 **formance of official duties at a rate that is greater than the rate provided in ORS 292.495.”.**

2 In line 43, delete “Oregon Acupuncture Association, the”.

3 In line 44, delete “Acupuncture and Oriental Medicine Society of Oregon” and insert “Oregon  
4 Association of Acupuncture and Oriental Medicine”.

5 On page 8, delete lines 10 through 45.

6 On page 9, delete lines 1 through 30 and insert:

7 **“SECTION 9.** ORS 678.140 is amended to read:

8 **“678.140. (1) There is created an Oregon State Board of Nursing composed of nine members[,]**  
9 **appointed by the Governor and subject to confirmation by the Senate in the manner provided**  
10 **in ORS 171.562 and 171.565. All members of the board must be residents of this state. Of the**  
11 **members of the board:**

12 **“(a) Five [of whom shall] must be registered nurses[,];**

13 **“(b) [Two of whom shall] One must be a licensed practical [nurses and] nurse;**

14 **“(c) One must be a certified nursing assistant; and**

15 **“(d) Two [of whom shall] must be members of the public who are otherwise not eligible for**  
16 **appointment to the board.**

17 **“(2)(a) Board members required to be nurse members may be selected by the Governor**  
18 **from a list of three to five nominees for each vacancy, submitted two months before the**  
19 **expiration of the term of office of a nurse member by:**

20 **“(A) The Oregon Nurses Association or any other professional organization representing**  
21 **registered nurses, if the vacancy is in a registered nurse position;**

22 **“(B) The Oregon Licensed Practical Nurses Association or any other professional organ-**  
23 **ization representing licensed practical nurses, if the vacancy is in a licensed practical nurse**  
24 **position; or**

25 **“(C) A professional organization representing certified nursing assistants, if the vacancy**  
26 **is in a certified nursing assistant position.**

27 **“(b) Each nurse or certified nursing assistant member must:**

28 **“(A) Be currently licensed and not under disciplinary status with the board in the cate-**  
29 **gory for which the member is appointed; and**

30 **“(B) Have at least five years’ experience in the category in which the member is ap-**  
31 **pointed, three of which were immediately prior to appointment.**

32 **“(c) The public members and any person who is a spouse, domestic partner, child, parent**  
33 **or sibling of a public member may not be licensed by the board.**

34 **“[(2)] (d) In making appointments of registered nurses, the Governor shall [consider geographic**  
35 **balance in making the appointments and shall] ensure that the following areas of practice are re-**  
36 **presented on the board:**

37 **“[(a)] (A) One nursing educator;**

38 **“[(b)] (B) One nursing administrator;**

39 **“[(c)] (C) Two nonsupervisory nurses involved in direct patient care; and**

40 **“[(d)] (D) One nurse practitioner.**

41 **“(e) In selecting the members of the board, the Governor shall strive to balance the**  
42 **representation on the board according to:**

43 **“(A) Geographic areas of this state; and**

44 **“(B) Ethnic group.**

45 **“(3)(a) The members of the board shall be appointed by the Governor for terms of three years,**

1 beginning on January 1. *[No member shall be eligible to appointment for more than two consecutive*  
2 *terms.] A member serves at the pleasure of the Governor. The terms must be staggered so*  
3 **that no more than three terms end each year. A member is eligible for reappointment.** An  
4 unexpired term of a board member shall be filled in the same manner as an original appointment is  
5 made. The appointment shall be for the remainder of the unexpired term. *[All appointments of mem-*  
6 *bers of the board by the Governor are subject to confirmation by the Senate pursuant to section 4,*  
7 *Article III of the Oregon Constitution.]*

8 “(b) **A board member shall be removed immediately from the board if, during the mem-**  
9 **ber’s term, the member:**

10 “(A) **Is not a resident of this state;**

11 “(B) **Has been absent from three consecutive board meetings, unless at least one absence**  
12 **is excused; or**

13 “(C) **Is not a registered nurse or licensed practical nurse or a retired registered nurse**  
14 **or licensed practical nurse who was a registered nurse in good standing or licensed practical**  
15 **nurse in good standing at the time of retirement, if the board member was appointed to**  
16 **serve on the board as a nurse member.**

17 “*[(4) Two months before the expiration of the term of office of a nurse member of the board, or*  
18 *when a vacancy occurs in the office of a nurse member, the Oregon Nurses Association or any other*  
19 *organization representing registered nurses, if the vacancy is in a registered nurse position, or the*  
20 *Oregon Licensed Practical Nurses Association or any other organization representing licensed practical*  
21 *nurses, if the vacancy is in a licensed practical nurse position, may submit a list of three names of*  
22 *persons qualified for the appointment. The appointment of nurse members or practical nurse members*  
23 *may be made from the respective lists.]*

24 “*[(5) At the time of appointment, each member of the board must be a citizen of the United States*  
25 *and a resident of Oregon. Each nurse member must be currently licensed and not under disciplinary*  
26 *status with the board in the category for which appointed with at least five years’ experience therein,*  
27 *three of which were immediately prior to appointment. The public members and any person in the im-*  
28 *mediate family of the public members shall not be employed as a health professional or in any health-*  
29 *related industry.]*

30 “*[(6) The Governor may remove a member of the board for cause.]*

31 “(4) **Members of the board are entitled to compensation and expenses as provided in ORS**  
32 **292.495. The board may provide by rule for compensation to board members for the per-**  
33 **formance of official duties at a rate that is greater than the rate provided in ORS 292.495.”.**

34 On page 13, line 1, delete “nine” and insert “10”.

35 Delete line 10 and insert:

36 “(c) Two must be members of the public who are not:”.

37 In line 25, delete “three” and insert “four”.

38 On page 19, line 45, delete “three” and insert “four”.

39 On page 20, line 26, delete “seven” and insert “eight”.

40 After line 33, insert:

41 “(d) One must be a member of the public.”.

42 On page 21, delete lines 26 through 45 and delete pages 22 through 24.

43 On page 25, delete lines 1 through 30 and insert:

44 “**SECTION 26.** ORS 688.160 is amended to read:

45 “688.160. (1) The Physical Therapist Licensing Board *[shall operate]* **operates** as a semi-

1 independent state agency subject to ORS 182.456 to 182.472, for purposes of carrying out the pro-  
2 visions of ORS 688.010 to 688.201 and 688.990 (1). The Physical Therapist Licensing Board [*shall*  
3 *consist*] **consists** of [*seven*] **eight** members appointed by the Governor [*who may be appointed from*  
4 *a list of not fewer than nine names, submitted by the Oregon Physical Therapy Association.*] **and**  
5 **subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565.**  
6 **All members of the board must be residents of this state. Of the members of the board:**

7 “(a) Five [*members shall*] **must** be physical therapists who are Oregon residents, possess unre-  
8 stricted licenses to practice physical therapy in this state, have been practicing in this state for at  
9 least two years immediately preceding their appointments and have been practicing in the field of  
10 physical therapy for at least five years.

11 “(b) One [*member shall*] **must** be a licensed physical therapist assistant.

12 “(c) [*One member shall be a public member who has*] **Two must be public members who have**  
13 **an interest in consumer rights**[. *All members shall have equal voting privileges.*] **and who are not:**

14 “(A) **Otherwise eligible for appointment to the board; or**

15 “(B) **The spouse, domestic partner, child, parent or sibling of a physical therapist or**  
16 **physical therapist assistant.**

17 “(2)(a) **Board members required to be physical therapists or physical therapist assistants**  
18 **may be selected by the Governor from a list of three to five nominees for each vacancy,**  
19 **submitted by the Oregon Physical Therapy Association.**

20 “(b) **In selecting the members of the board, the Governor shall strive to balance the**  
21 **representation on the board according to:**

22 “(A) **Geographic areas of this state; and**

23 “(B) **Ethnic group.**

24 “[2] (3)(a) [*Upon the expiration of the term of a member of the board, the Governor shall appoint*  
25 *a successor who may be appointed from a list of three names submitted to the Governor by the Oregon*  
26 *Physical Therapy Association to serve a term of four years. A member may not serve for more than two*  
27 *consecutive four-year terms.*] **The term of office of each member is four years, but a member**  
28 **serves at the pleasure of the Governor. The terms must be staggered so that no more than**  
29 **three terms end each year. A member is eligible for reappointment.**

30 “[3] (b) **In the event of a vacancy in the office of a member of the board other than by reason**  
31 **of the expiration of a term, the Governor, not later than 90 days after the occurrence of the va-**  
32 **cancy, shall appoint a person to fill the vacancy for the unexpired term.** [*The person may be ap-*  
33 *pointed from a list of three names submitted as provided in subsection (2) of this section. If requested*  
34 *by the board, the Governor may remove any member of the board for misconduct, incompetence or*  
35 *neglect of duty.*]

36 “(c) **A board member shall be removed immediately from the board if, during the mem-**  
37 **ber’s term, the member:**

38 “(A) **Is not a resident of this state;**

39 “(B) **Has been absent from three consecutive board meetings, unless at least one absence**  
40 **is excused;**

41 “(C) **Is not a licensed physical therapist or a retired physical therapist who was a licensed**  
42 **physical therapist in good standing at the time of retirement, if the board member was ap-**  
43 **pointed to serve on the board as a physical therapist; or**

44 “(D) **Is not a licensed physical therapist assistant or a retired physical therapist assistant**  
45 **who was a licensed physical therapist assistant in good standing at the time of retirement,**

1 **if the board member was appointed to serve on the board as a retired physical therapist as-**  
2 **sistant.**

3 “(4) Each member of the board is entitled to compensation and expenses as provided in ORS  
4 292.495. **The board may provide by rule for compensation to board members for the per-**  
5 **formance of official duties at a rate that is greater than the rate provided in ORS 292.495.**

6 “(5) A board member who acts within the scope of board duties, without malice and in reason-  
7 able belief that the member’s action is warranted by law, is immune from civil liability.

8 “(6) The board shall have power to:

9 “(a) Establish matters of policy affecting administration of ORS 688.010 to 688.201;

10 “(b) Provide for examinations for physical therapists and physical therapist assistants and adopt  
11 passing scores for the examinations;

12 “(c) Adopt rules necessary to carry out and enforce the provisions of ORS 688.010 to 688.201;

13 “(d) Establish standards and tests to determine the qualifications of applicants for licenses to  
14 practice physical therapy in this state;

15 “(e) Issue licenses to persons who meet the requirements of ORS 688.010 to 688.201;

16 “(f) Adopt rules relating to the supervision and the duties of physical therapist aides who assist  
17 in performing routine work under supervision;

18 “(g) Adopt rules establishing minimum continuing education requirements for all licensees;

19 “(h) Exercise general supervision over the practice of physical therapy within this state;

20 “(i) Establish and collect fees for the application or examination for, or the renewal, rein-  
21 statement or duplication of, a license under ORS 688.040, 688.080 or 688.100 or for the issuance of  
22 a temporary permit under ORS 688.110; and

23 “(j) Establish and collect fees to carry out and enforce the provisions of ORS 688.010 to 688.201.

24 “(7) The board shall meet as determined by the board and at any other time at the call of the  
25 board chairperson, who shall be elected by the members of the board. **All members have equal**  
26 **voting privileges.**

27 “(8) The board may appoint and fix the compensation of an executive director and other staff  
28 as necessary to carry out the operations of the board.

29 “(9) The board shall:

30 “(a) Maintain a current list of all persons regulated under ORS 688.010 to 688.201, including the  
31 persons’ names, current business and residential addresses, telephone numbers, electronic mail ad-  
32 dresses and license numbers.

33 “(b) Provide information to the public regarding the procedure for filing a complaint against a  
34 physical therapist or physical therapist assistant.

35 “(c) Publish at least annually, and in a format or place determined by the board, final discipli-  
36 nary actions taken against physical therapists and physical therapist assistants and other informa-  
37 tion, including rules, in order to guide physical therapists and physical therapist assistants regulated  
38 pursuant to ORS 688.010 to 688.201.

39 “**SECTION 27.** ORS 688.545 is amended to read:

40 “688.545. (1)(a) There is created [*in the Department of Human Services*] a Board of Radiologic  
41 Technology [*consisting of nine members who shall be appointed by the Governor*]. **The board consists**  
42 **of nine members appointed by the Governor and subject to confirmation by the Senate in the**  
43 **manner provided in ORS 171.562 and 171.565.** Each member of the board [*shall be a citizen of the*  
44 *United States and a resident of the state of Oregon. Each appointed member is entitled to vote*] **must**  
45 **be a resident of this state.**

1       “(b) Of the members of the board:  
2       “(A) (a) One *[shall]* **must** be a radiologist;  
3       “(B) *At least one shall be a lay person;*  
4       “(C) (b) *[At least]* One *[shall]* **must** be a limited permit holder; *[and]*  
5       “(D) (c) *[At least]* Five *[shall]* **must** be licensed practicing radiologic technologists, one of  
6 whom *[shall]* **must** be a radiation therapist[.]; **and**  
7       “(d) **Two must be members of the public. A public member appointed under this para-**  
8 **graph may not be:**  
9       “(A) **Otherwise eligible for appointment to the board; or**  
10       “(B) **The spouse, domestic partner, child, parent or sibling of a radiologist, limited permit**  
11 **holder or radiologic technologist.**  
12       “(2)(a) **Board members required to be limited permit holders or licensed practicing**  
13 **radiologic technologists may be selected by the Governor from a list of three to five nomi-**  
14 **nees for each vacancy, submitted by:**  
15       “(A) **A professional organization representing limited permit holders, if the vacancy is in**  
16 **a limited permit holder position;**  
17       “(B) **A professional organization representing radiation therapists, if the vacancy is in**  
18 **the radiation therapist position; or**  
19       “(C) **A professional organization representing radiologic technologists, if the vacancy is**  
20 **in a radiologic technologist or radiation therapist position.**  
21       “(b) **In selecting the members of the board, the Governor shall strive to balance the**  
22 **representation on the board according to:**  
23       “(A) **Geographic areas of this state; and**  
24       “(B) **Ethnic group.**  
25       “(2) (3) The section manager of the Radiation Protection Services Section of the Department  
26 of Human Services, or a person appointed by the section manager, shall be an advisory member of  
27 the board for the purpose of providing counsel and *[shall not be]* **is not** entitled to vote.  
28       “(3) (4)(a) The term of office of the members of the board *[shall be three years and a member*  
29 *may be reappointed to serve not more than two full terms.]* **is three years, but a member serves**  
30 **at the pleasure of the Governor. The terms must be staggered so that no more than three**  
31 **terms end each year. A member is eligible for reappointment.**  
32       “(b) **A board member shall be removed immediately from the board if, during the mem-**  
33 **ber’s term, the member:**  
34       “(A) **Is not a resident of this state;**  
35       “(B) **Has been absent from three consecutive board meetings, unless at least one absence**  
36 **is excused;**  
37       “(C) **Is not a limited permit holder or a retired limited permit holder who was a limited**  
38 **permit holder in good standing at the time of retirement, if the board member was appointed**  
39 **to serve on the board as a limited permit holder;**  
40       “(D) **Is not a licensed practicing radiologic technologist or a retired radiologic**  
41 **technologist who was a licensed radiologic technologist in good standing at the time of re-**  
42 **irement, if the board member was appointed to serve on the board as a radiologic**  
43 **technologist; or**  
44       “(E) **Is not a licensed practicing radiation therapist or a retired radiation therapist who**  
45 **was a licensed radiation therapist in good standing at the time of retirement, if the board**

1 **member was appointed to serve on the board as a radiation therapist.**

2 “[4] (5) Members of the board [*shall be*] **are** entitled to compensation and expenses as provided  
3 in ORS 292.495. **The board may provide by rule for compensation to board members for the**  
4 **performance of official duties at a rate that is greater than the rate provided in ORS 292.495.**

5 “[5] (6) The board shall annually elect a board chairperson and a vice chairperson from the  
6 members of the board.

7 “[6] (7) For the purpose of transacting its business, the board shall meet at least once every  
8 three months at times and places designated by resolution. Special meetings may also be held at  
9 such times as the board may elect or at the call of the chairperson. Notification of the time, place  
10 and purpose of any special meeting shall be sent to all members of the board at least 15 days before  
11 the date of the meeting. All meetings are subject to ORS 192.610 to 192.690.

12 “[7] (8) Five members of the board [*shall*] constitute a quorum for the transaction of business  
13 at any meeting. Five affirmative votes [*shall be*] **are** required to take action.

14 **“SECTION 28.** ORS 688.820 is amended to read:

15 “688.820. (1) There is established within the Oregon Health Licensing Agency the Respiratory  
16 Therapist Licensing Board[.]. **The board consists** [*consisting*] of five members appointed by the  
17 Governor[.] **and subject to confirmation by the Senate in the manner provided in ORS 171.562**  
18 **and 171.565. All members of the board must be residents of this state.**

19 **“(2) Of the members of the board:**

20 **“(a) Four must be respiratory therapists; and**

21 **“(b) One must be a member of the general public.**

22 **“(3) Board members required to be respiratory therapists must have engaged in the**  
23 **practice of respiratory care for a period of five or more years immediately preceding ap-**  
24 **pointment to the board.**

25 **“(4)(a) Board members may be selected by the Governor from a list of three to five**  
26 **nominees for each vacancy, submitted by the Oregon Society for Respiratory Care or another**  
27 **professional organization representing respiratory care practitioners.**

28 **“(b) In selecting the members of the board, the Governor shall strive to balance the**  
29 **representation on the board according to:**

30 **“(A) Geographic areas of this state; and**

31 **“(B) Ethnic group.**

32 “[2] (5)(a) The term of office of each member of the board is four years[.], **but a member**  
33 **serves at the pleasure of the Governor. The terms must be staggered so that no more than**  
34 **two terms end each year.** A member is eligible for reappointment[, *but no member shall serve more*  
35 *than two full terms*]. If there is a vacancy for any cause, the Governor shall make an appointment  
36 to become immediately effective for the unexpired term.

37 **“(b) A board member shall be removed immediately from the board if, during the mem-**  
38 **ber’s term, the member:**

39 **“(A) Is not a resident of this state;**

40 **“(B) Has been absent from three consecutive board meetings, unless at least one absence**  
41 **is excused; or**

42 **“(C) Is not a respiratory care practitioner or a retired respiratory care practitioner**  
43 **whose license was in good standing at the time of retirement.**

44 “[3] *The members of the board must be citizens of this state who have engaged in the practice of*  
45 *respiratory care for a period of five or more years immediately preceding appointment to the board. In*



1 *making appointments to the board, the Governor shall take into consideration any nominations received*  
2 *from the Oregon Society for Respiratory Care, or its successor.]*

3 “[(4) A member of the board may be removed by the Governor for neglect of duty, incompetency  
4 or unethical or dishonorable conduct.]

5 “[5] (6) A member of the board is entitled to compensation and expenses as provided in ORS  
6 292.495. **The agency may provide by rule for compensation to board members for the per-**  
7 **formance of official duties at a rate that is greater than the rate provided in ORS 292.495.”.**

8 On page 26, line 29, delete “three” and insert “four”.

9 On page 31, after line 14, insert:

10 **“SECTION 36. (1) A member serving on the Oregon State Board of Nursing created in**  
11 **ORS 678.140 on the effective date of this 2009 Act continues to serve until the term of office**  
12 **for which the member was appointed terminates by expiration of time, resignation from the**  
13 **board by the member or removal of the member from office.**

14 **“(2) When a member’s term of service on the board terminates, a member who is oth-**  
15 **erwise eligible for reappointment to the board may be reappointed, unless the appointment**  
16 **exceeds the total appointments authorized for members within the member’s classification.**

17 **“SECTION 37. Section 36 of this 2009 Act is repealed on June 30, 2014.”.**

18 In line 15, delete “36” and insert “38”.

19 After line 27, insert:

20 **“SECTION 39. If Senate Bill 177 becomes law, section 20, chapter \_\_, Oregon Laws 2009**  
21 **(Enrolled Senate Bill 177) (amending ORS 675.590), is repealed and ORS 675.590, as amended**  
22 **by section 3 of this 2009 Act, is amended to read:**

23 **“675.590. (1) There is established a [State Board of Clinical Social Workers] State Board of Li-**  
24 **icensed Social Workers.** The board shall consist of seven members appointed by the Governor and  
25 subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All  
26 members of the board must be residents of this state. Of the members of the board:

27 *“(a) Four members must be licensed clinical social workers who are licensed in accordance with*  
28 *the provisions of ORS 675.510 to 675.600; and]*

29 **“(a) Four members shall be clinical social workers licensed under ORS 675.530; and**

30 **“(b) Three members must be members of the public who have demonstrated an interest in the**  
31 **field of clinical social work and who are not:**

32 **“(A) [Licensed clinical] Regulated social workers; or**

33 **“(B) A spouse, domestic partner, child, parent or sibling of a [licensed clinical] regulated social**  
34 **worker.**

35 **“(2)(a) Board members required to be [licensed] clinical social workers licensed under ORS**  
36 **675.530 may be appointed from a list of three to five nominees for each vacancy, submitted by any**  
37 **professional organization that represents clinical social workers.**

38 **“(b) In selecting the members of the board, the Governor shall strive to balance the represen-**  
39 **tation on the board according to:**

40 **“(A) Geographic areas of this state; and**

41 **“(B) Ethnic group.**

42 **“(3)(a) The term of office of each member is four years, but a member serves at the pleasure of**  
43 **the Governor. The terms must be staggered so that no more than three terms end each year.**

44 **“(b) Before the expiration of the term of a member, the Governor shall appoint a successor**  
45 **whose term begins on July 1 next following. A member is eligible for reappointment. If there is a**

1 vacancy for any cause, the Governor shall make an appointment to become immediately effective for  
2 the unexpired term.

3 “(c) A board member shall be removed immediately from the board if, during the member’s term,  
4 the member:

5 “(A) Is not a resident of this state;

6 “(B) Has been absent from three consecutive board meetings, unless at least one absence is ex-  
7 cused; or

8 “(C) Is not a [*licensed*] clinical social worker **licensed under ORS 675.530** or a retired clinical  
9 social worker who was a [*licensed*] clinical social worker **licensed under ORS 675.530** in good  
10 standing at the time of retirement, if the board member was appointed to serve on the board as a  
11 [*licensed*] clinical social worker **licensed under ORS 675.530**.

12 “(4) Members of the board are entitled to compensation and expenses as provided in ORS  
13 292.495. The board may provide by rule for compensation to board members for the performance of  
14 duties at a rate that is greater than the rate provided in ORS 292.495.

15 “**SECTION 40.** If Senate Bill 177 becomes law, section 49, chapter \_\_\_, Oregon Laws 2009 (En-  
16 rolled Senate Bill 177), is amended to read:

17 “**Sec. 49.** (1) The amendments to [*ORS 675.590 by section 20 of this 2009 Act*] **ORS 675.595 by**  
18 **section 21, chapter \_\_\_, Oregon Laws 2009 (Enrolled Senate Bill 177)**, are intended to change  
19 the name of the ‘State Board of Clinical Social Workers’ to the ‘State Board of Licensed Social  
20 Workers.’

21 “(2) For the purpose of harmonizing and clarifying statute sections published in Oregon Revised  
22 Statutes, the Legislative Counsel may substitute for words designating the ‘State Board of Clinical  
23 Social Workers,’ wherever they occur in Oregon Revised Statutes, other words designating the ‘State  
24 Board of Licensed Social Workers.’

25 “**SECTION 41.** If Senate Bill 131 becomes law, section 1, chapter 43, Oregon Laws 2009  
26 (Enrolled Senate Bill 131) (amending ORS 685.160), is repealed and ORS 685.160, as amended  
27 by section 21 of this 2009 Act, is amended to read:

28 “685.160. (1) There hereby is created the [*Board of Naturopathic Examiners*] **Oregon Board of**  
29 **Naturopathic Medicine.** The board consists of seven members appointed by the Governor and sub-  
30 ject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All members  
31 of the board must be residents of this state. Of the members of the board:

32 “(a) Five must be naturopathic physicians who have each practiced continuously in this state  
33 for the five years immediately prior to the date of appointment.

34 “(b) Two must be members of the general public who are not naturopathic physicians or a  
35 spouse, domestic partner, child, parent or sibling of a naturopathic physician.

36 “(2)(a) Board members required to be naturopathic physicians may be selected by the Governor  
37 from a list of three to five nominees for each vacancy, submitted by a professional organization  
38 representing naturopathic physicians.

39 “(b) In selecting the members of the board, the Governor shall strive to balance the represen-  
40 tation on the board according to:

41 “(A) Geographic areas of this state; and

42 “(B) Ethnic group.

43 “(3)(a) The term of office of each member is three years, but a member serves at the pleasure  
44 of the Governor. The terms must be staggered so that no more than three terms end each year. A  
45 member is eligible for reappointment. A term of office commences July 1. Unless a member is re-

1 moved prior to the end of the term, a member continues to serve on the board until a successor is  
2 appointed and qualified. A majority of the members of the board constitutes a quorum. If there is a  
3 vacancy for any cause, the Governor shall appoint a member to serve for the remainder of the un-  
4 expired term.

5 “(b) A board member shall be removed immediately from the board if, during the member’s term,  
6 the member:

7 “(A) Is not a resident of this state;

8 “(B) Has been absent from three consecutive board meetings, unless at least one absence is ex-  
9 cused; or

10 “(C) Is not a licensed naturopathic physician or a retired naturopathic physician who was a li-  
11 censed naturopathic physician in good standing at the time of retirement, if the board member was  
12 appointed to serve on the board as a naturopathic physician.

13 “(4) The board shall carry into effect the provisions of this chapter and is authorized to issue  
14 licenses to practice naturopathic medicine in this state. The possession of a common seal by the  
15 board hereby is authorized.

16 “**SECTION 42.** If Senate Bill 131 becomes law, section 38, chapter 43, Oregon Laws 2009 (En-  
17 rolled Senate Bill 131), is amended to read:

18 “**Sec. 38.** (1) The amendments to [*ORS 685.160 by section 1 of this 2009 Act*] **ORS 685.170 by**  
19 **section 28, chapter 43, Oregon Laws 2009 (Enrolled Senate Bill 131)**, are intended to change the  
20 name of the ‘Board of Naturopathic Examiners’ to the ‘Oregon Board of Naturopathic Medicine.’

21 “(2) For the purpose of harmonizing and clarifying statute sections published in Oregon Revised  
22 Statutes, the Legislative Counsel may substitute for words designating the ‘Board of Naturopathic  
23 Examiners,’ wherever they occur in Oregon Revised Statutes, other words designating the ‘Oregon  
24 Board of Naturopathic Medicine.’

25 “**SECTION 43.** **The amendments to ORS 675.590 and 685.160 and section 38, chapter 43,**  
26 **Oregon Laws 2009 (Enrolled Senate Bill 131), and section 49, chapter \_\_, Oregon Laws 2009**  
27 **(Enrolled Senate Bill 177), by sections 39 to 42 of this 2009 Act become operative on January**  
28 **1, 2010.”.**

29 In line 28, delete “37” and insert “44”.  
30 \_\_\_\_\_