

## HOUSE AMENDMENTS TO HOUSE BILL 3232

By COMMITTEE ON HEALTH CARE

May 4

- 1 On page 1 of the printed bill, line 4, after “680.556,” insert “681.230.”
- 2 In line 7, after “690.550,” delete the rest of the line and insert “694.025, 694.036, 694.055, 694.065,  
3 694.085, 694.125, 694.142,”.
- 4 In line 8, after the last comma insert “681.605.”
- 5 On page 15, delete lines 22 through 42 and insert:
- 6 “**SECTION 23.** ORS 687.470 is amended to read:
- 7 “687.470. (1) There is established within the Oregon Health Licensing Agency the State Board  
8 of Direct Entry Midwifery consisting of [seven] **eight** members appointed by the Governor.
- 9 “(2) **The term of office of each member of the board is four years, but a member serves**  
10 **at the pleasure of the Governor. Vacancies shall be filled by the Governor by appointment**  
11 **for the unexpired term. A member shall hold the member’s office until the appointment and**  
12 **qualification of a successor. A member is eligible for reappointment. If a person serves two**  
13 **consecutive full terms, a period of at least four years must elapse before the person is again**  
14 **eligible for appointment to serve on the board.** [Each member of the board shall serve a term of  
15 three years and until a successor is appointed and qualified. If there is a vacancy for any cause, the  
16 Governor shall make an appointment to become immediately effective for the unexpired term. All ap-  
17 pointments of members of the board are subject to confirmation by the Senate in the manner provided  
18 in ORS 171.562 and 171.565.]
- 19 “(3) The [membership of the board shall include] **board consists of:**
- 20 “[1] (a) Four licensed direct entry midwives.
- 21 “[2] (b) Two certified nurse midwives.
- 22 “[3] (c) One physician licensed under ORS chapter 677 involved at the time of appointment in  
23 obstetrical care or education.
- 24 “(d) **One public member.**
- 25 “(4) **A member of the board may be removed by the Governor for neglect of duty, in-**  
26 **competence or unethical conduct.”.**
- 27 On page 32, line 13, before “license” insert “hearing aid specialist”.
- 28 In line 34, delete “under this chapter” and insert “as a hearing aid specialist under ORS  
29 694.085”.
- 30 On page 33, line 3, after “licensure” insert “as a hearing aid specialist”.
- 31 In line 31, after “a” insert “hearing aid specialist”.
- 32 On page 35, line 25, after “(c)” delete the rest of the line and insert “A person may not sell a  
33 hearing aid by direct”.
- 34 On page 36, line 11, after “renew” insert “hearing aid specialist”.
- 35 On page 37, line 14, after “Original” insert “hearing aid specialist”.

1 After line 31, insert:

2 “**SECTION 62a.** ORS 694.025 is amended to read:

3 “694.025. (1) *[No person, including an audiologist or a physician, shall]* **A person may not** deal  
4 in hearing aids or display a sign or in any other way advertise or represent that the person deals  
5 in hearing aids unless the person holds a valid license issued by the Oregon Health Licensing  
6 Agency as provided in ORS 694.015 to 694.185.

7 “(2) **Notwithstanding subsection (1) of this section, ORS 694.015 to 694.185 do not apply**  
8 **to:**

9 “(a) **An audiologist licensed under ORS chapter 681.**

10 “(b) **A physician licensed under ORS chapter 677.**

11 “**SECTION 62b.** ORS 694.085 is amended to read:

12 “694.085. (1) Subject to ORS 676.612, the agency shall **grant a hearing aid specialist** license  
13 **to** each applicant, without discrimination, who possesses the required training and experience and  
14 who satisfactorily passes the examination and pays the required fees. The license *[shall be]* **is ef-**  
15 **fective** for one year following issuance.

16 “(2) The agency shall waive the examination required under subsection (1) of this section and  
17 grant a license to an applicant who:

18 “[*a*] *Is licensed by the State Board of Examiners for Speech-Language Pathology and Audiology*  
19 *under ORS 681.250;*]

20 “[*b*] (a) Is certified by the Educational Service Board of the American Speech-Language-  
21 Hearing Association *[on or after January 1, 1992,]* or, if not so certified, satisfies the agency that the  
22 applicant possesses equivalent training and education achievements; and

23 “[*c*] (b) Passes an examination related to Oregon law in the area of hearing aid dispensing and  
24 pays the required fees.

25 “**SECTION 62c.** ORS 681.230 is amended to read:

26 “681.230. (1) Nothing in this chapter *[is intended to prevent]* **prevents** a person licensed in this  
27 state under any other law from engaging in the profession for which the person is licensed.

28 “(2) Nothing in this chapter *[is intended to restrict or prevent]* **restricts or prevents** a person  
29 from engaging in speech-language pathology or audiology activities or from using the official title  
30 of the position for which the person is employed if the person:

31 “(a)(A) Holds a valid and current teaching license with a communications disorder endorsement  
32 issued by the Teacher Standards and Practices Commission; and

33 “(B) Is employed by an education service district, a school district or a charter school; or

34 “(b) Is a speech-language pathologist or audiologist who is:

35 “(A) Employed by a federal agency; or

36 “(B) Employed by an approved college or university.

37 “(3) A person who performs activities described in subsection (2) of this section who is not li-  
38 censed under this chapter must do so solely within the confines of or under the jurisdiction of the  
39 organization in which the person is employed and may not offer to render speech-language pathology  
40 or audiology services to the public for compensation over and above the salary the person receives  
41 for performance of the person’s official duties with organizations in which the person is employed.  
42 However, without obtaining a license under this chapter, a person may consult or disseminate the  
43 person’s research findings and scientific information to other accredited academic institutions or  
44 governmental agencies. The person also may offer lectures to the public for a fee, monetary or  
45 otherwise, without being licensed under this chapter.

1           “(4) Nothing in this chapter [*is intended to restrict*] **restricts the** activities and services of a  
2 student of speech-language pathology [*from*] pursuing a course of study in speech-language pathology  
3 at an approved college or university or an approved clinical training facility. However, these ac-  
4 tivities and services must constitute a part of the supervised course of study of the student and a  
5 fee may not accrue directly or indirectly to the student. A student shall be designated by a title such  
6 as ‘Speech-Language Pathology Intern,’ ‘Speech-Language Pathology Trainee’ or other title clearly  
7 indicating the training status appropriate to the level of training of the student.

8           “(5) Nothing in this chapter [*is intended to restrict*] **restricts the** activities and services of a  
9 student of audiology [*from*] pursuing a course of study in audiology at an approved college or uni-  
10 versity or an approved clinical training facility. However, these activities and services must con-  
11 stitute a part of the supervised course of study of the student and a fee may not accrue directly or  
12 indirectly to the student. The student shall be designated by a title such as ‘Audiology Intern,’  
13 ‘Audiology Trainee’ or other title clearly indicating the training status appropriate to the level of  
14 training of the student.

15           “(6) Nothing in this chapter [*is intended to restrict any*] **restricts a** person holding a Class A  
16 certificate issued by the Conference of Executives of American Schools of the Deaf from performing  
17 the functions for which the person qualifies.

18           “(7) Nothing in this chapter [*is intended to restrict any*] **restricts a** person holding a license in  
19 this state as a hearing aid specialist from consulting with respect to the selling of hearing aids un-  
20 der ORS chapter 694.

21           “[(8) *Nothing in this chapter is intended to exempt an audiologist from licensure under ORS*  
22 *694.025.*]

23           “[(9)] **(8)** Notwithstanding subsections (4) and (5) of this section, the State Board of Examiners  
24 for Speech-Language Pathology and Audiology may adopt rules authorizing payment of a stipend to  
25 students of speech-language pathology and students of audiology who are pursuing a course of study  
26 at an approved college or university or an approved clinical training facility.”.

27           On page 39, line 24, after the first comma insert “681.605.”.  
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