

# Senate Bill 139

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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**.

Deletes requirement for Oregon State Board of Nursing to issue wallet sized licenses as evidence of current licensure.

## A BILL FOR AN ACT

1  
2 Relating to Oregon State Board of Nursing; amending ORS 678.050 and 678.080.

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

4 **SECTION 1.** ORS 678.050 is amended to read:

5 678.050. (1) Examinations for the licensing of applicants under ORS 678.010 to 678.445 shall be  
6 held at least once a year, and at such times and places as the Oregon State Board of Nursing may  
7 determine. Notice of the examination dates shall be given by mail to all accredited nursing educa-  
8 tion programs in Oregon. [*The board shall issue a wallet sized license as evidence of current*  
9 *licensure.*] The applicant shall be required to pass an examination in such subjects relating to  
10 nursing at the practical or registered level as the board may determine necessary to protect the  
11 public health and welfare.

12 (2) All duly qualified applicants who pass the examination and meet other standards established  
13 by the board shall be issued the license provided for in ORS 678.010 to 678.445 according to the  
14 nature of the license for which application is made and examination taken and passed. **The board**  
15 **shall provide evidence of current licensure. The board shall determine by rule the form and**  
16 **manner of the evidence of current licensure.**

17 (3)(a) The board may issue a license by indorsement to an applicant qualified as provided in ORS  
18 678.040 who has passed the examination used by the Oregon State Board of Nursing and meets other  
19 standards established by the board. The board may also require evidence of competency to practice  
20 nursing at the level for which application is made.

21 (b) For the purposes of the licensing procedure, the board shall not accept monetary assistance  
22 from anyone except the nurse applying for licensure by indorsement.

23 (c) The board shall process in order applications for licensure by indorsement of qualified ap-  
24 plicants and immediately issue licenses or license memoranda when the applications are received  
25 and review of supportive documentation is completed. However, this paragraph does not prohibit  
26 the board from immediately issuing a license out of order to applicants appearing in person.

27 (d) The provisions of paragraphs (b) and (c) of this subsection do not prohibit the board from  
28 processing requests to employ nurses to meet temporary staffing shortages, as described in ORS  
29 678.031 or 678.034, in facilities in this state not involved in labor disputes.

30 (4) Subject to such terms and conditions as the board may impose, the board may issue a limited

**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 license to practice registered or practical nursing:

2 (a) To a graduate of an accredited nursing education program at the appropriate level upon the  
3 applicant's filing for the first examination to be given following the applicant's graduation. The li-  
4 cense issued under this paragraph expires when the results of the examinations are received by the  
5 applicant. The board may extend the limited license if the applicant shows to the satisfaction of the  
6 board that an emergency situation has prevented the applicant from taking or completing the first  
7 examination administered following graduation. The extension expires when the results of the next  
8 examination are received by the applicant or on the filing date of the next examination if the ap-  
9 plicant has not reapplied.

10 (b) To an applicant whose license has become void by reason of nonpayment of fees at either  
11 level and who otherwise meets the requirements of the board. The board may, in issuing a limited  
12 license, require the applicant to demonstrate ability to give safe nursing care by undergoing a  
13 supervised experience in nursing practice as shall be designated by the board, or by satisfactorily  
14 completing a continuing education program as approved by the board. The license issued under this  
15 paragraph expires on the date set in the license by the board. Upon satisfactorily completing the  
16 board's requirements, and payment of the renewal fee and delinquency fee, the board shall issue to  
17 the applicant a license to practice nursing.

18 (c) To an applicant who has not practiced nursing in any state for a period of five years, but  
19 has maintained a current license by the payment of fees. Such applicant shall not practice nursing  
20 in Oregon unless an application is made to the board for a limited license and it is issued to the  
21 applicant. The board, in issuing such limited license, may require the applicant to demonstrate  
22 ability to give safe nursing care by undergoing a supervised experience in nursing practice as shall  
23 be designated by the board, or by satisfactorily completing a continuing education program approved  
24 or designated by the board. No person shall be issued a license if, in the judgment of the board, the  
25 person's conduct has been such, during absence from practice, that the applicant would be denied  
26 a license if applying for an initial license to practice nursing in this state.

27 (d) To a licensee who has been placed on probation or has been otherwise subjected to disci-  
28 plinary action by the board.

29 (e) To any of the following persons if the person is affiliated with a planned program of study  
30 in Oregon consistent with the standards and requirements established by the board:

31 (A) A foreign nurse;

32 (B) A foreign student nurse; or

33 (C) A nurse licensed in another jurisdiction.

34 (5) The board may adopt by rule requirements and procedures for placing a license or certificate  
35 in inactive status.

36 (6)(a) Retired status may be granted to a person licensed or certified as a registered nurse, li-  
37 censed practical nurse, nurse practitioner, certified registered nurse anesthetist or clinical nurse  
38 specialist and who surrenders the person's license or certificate while in good standing with the is-  
39 suing authority if the person is not subject to any pending disciplinary investigation or action. The  
40 board may adopt by rule requirements, procedures and fees for placing a license or certificate in  
41 retired status.

42 (b) A person granted retired status by the Oregon State Board of Nursing under the provisions  
43 of paragraph (a) of this subsection:

44 (A) Shall pay a fee in an amount to be determined by the board for retired status.

45 (B) May not practice nursing or offer to practice nursing in this state.

1 (C) May use the title or abbreviation with the retired license or certificate only if the desig-  
2 nation “retired” appears after the title or abbreviation.

3 **SECTION 2.** ORS 678.080 is amended to read:

4 678.080. Any person to whom a license is issued under ORS 678.010 to 678.445, whenever re-  
5 quested to do so in relation to employment as a registered or practical nurse or in relation to  
6 enforcement of ORS 678.010 to 678.445, shall [*exhibit the*] **provide** evidence of current licensure  
7 [*described in ORS 678.050 (1)*].

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