

# Senate Bill 155

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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**.

Allows appointing authority of Oregon State Hospital, Blue Mountain Recovery Center or Eastern Oregon Training Center to contract with person to serve as chief medical officer or to appoint chief medical officer who may be employed by or receive compensation from outside sources concurrent with appointment.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to chief medical officers of state institutions; amending ORS 426.020 and 427.010; and de-  
3 claring an emergency.

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

5 **SECTION 1.** ORS 426.020 is amended to read:

6 426.020. The superintendent of a hospital referred to in ORS 426.010 shall be a person the De-  
7 partment of Human Services considers qualified to administer the hospital. If the superintendent of  
8 any hospital is a physician licensed by the Oregon Medical Board, the superintendent shall serve  
9 as chief medical officer. If the superintendent is not a physician, the Director of Human Services  
10 or the designee of the director shall **contract with or** appoint a physician to serve as chief medical  
11 officer *[who shall be in the unclassified service]*. **A chief medical officer appointed by the director**  
12 **or the designee of the director under this section shall be in the unclassified service, but the**  
13 **director may authorize the person appointed to be concurrently employed by or receive**  
14 **compensation from a public or private entity.**

15 **SECTION 2.** ORS 427.010 is amended to read:

16 427.010. (1) Except as otherwise ordered by the Department of Human Services pursuant to ORS  
17 179.325, the Eastern Oregon Training Center in Pendleton, Umatilla County, shall be used for the  
18 care, treatment and training of persons with mental retardation who are assigned to the care of the  
19 institution by the department according to procedures defined in ORS 427.185 or who were residents  
20 on October 3, 1979.

21 (2) Upon receipt of an application approved by the department or its designee, pursuant to its  
22 rules, a person with mental retardation may be entitled to admission to the state training center for  
23 emergency, respite or part-time care. Part-time care means presence of the person at the facility less  
24 than 24 hours per day and may include day or night care. Admission for emergency care or respite  
25 care may not exceed 90 days. Admission for part-time care may exceed 90 days. The fee schedule for  
26 such care, training and treatment in the training center shall be established by the department in  
27 the same manner as for other residents. The fees shall be charged and collected by the department  
28 in the same manner as charges are collected under ORS 179.610 to 179.770.

**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           (3) The superintendent of the training center named in subsection (1) of this section shall be a  
2 person the department considers qualified to administer the training center. If the superintendent  
3 of the training center is a physician licensed by the Oregon Medical Board, the superintendent shall  
4 serve as chief medical officer. If not a physician, the superintendent shall **contract with or** appoint  
5 a physician to serve as chief medical officer [*who shall be in the unclassified service*]. **A chief**  
6 **medical officer appointed by the superintendent under this section shall be in the unclassified**  
7 **service, but the superintendent may authorize the person appointed to be concurrently em-**  
8 **ployed by or receive compensation from a public or private entity.**

9           SECTION 3. **This 2009 Act being necessary for the immediate preservation of the public**  
10 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
11 **on its passage.**