

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 5 - 0 - 0
Yeas: Bates, Kruse, Morse, Shields, Monnes Anderson
Nays: 0
Exc.: 0
Prepared By: Brian Niebuurt, Administrator
Meeting Dates: 2/9, 3/2, 3/28

WHAT THE MEASURE DOES: Expands authority of Oregon Board of Naturopathic Medicine (Board) during disciplinary proceedings to allow Board to assess costs of proceedings and impose other disciplinary action the Board finds proper. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Increase in number of licensees, complaints and contested case costs
- Comparison to other boards' statutes
- Contested case hearing proceedings
- Amount of annual license fees

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Board, established by the 1927 Legislative Assembly, is empowered to protect the public by licensing and regulating naturopathic physicians in Oregon. The Board is authorized by law to examine, register and license naturopathic physicians. The board enforces compliance with the naturopathic statute through administrative procedures, continuing education, discipline of licensees, and court actions.

One of the Board's responsibilities is investigating complaints against licensees. The cost of conducting these investigations is supported by annual fees paid by licensees. As the number of licensees increases, so do the number of requests for hearings. In 1999 there were less than 225 licensees; currently there are over 925. Costs of contested case hearings are difficult to account for in the Board's budget. SB 138 would allow the Board to recoup the costs of contested case hearing when the Board prevails. Other health care regulatory boards, including the Oregon Medical Board, the Oregon Board of Dentistry and the Oregon State Board of Chiropractic Examiners have parallel statutory provisions.