

## HOUSE AMENDMENTS TO HOUSE BILL 2381

By COMMITTEE ON HEALTH CARE

March 4

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest of the line and delete  
2 lines 3 through 5 and insert “amending ORS 182.460, 182.462, 182.470, 671.655 and 687.250.”

3 Delete lines 20 through 22 and insert:

4 “(3) Notwithstanding subsection (1) of this section, ORS chapter 240 applies to the Oregon Board  
5 of Optometry, the State Board of Massage Therapists and the Physical Therapist Licensing  
6 Board.”

7 On page 2, delete lines 26 through 45 and delete pages 3 through 9 and insert:

8 “(2) In addition to the reports required by ORS 182.472, the Oregon Board of Optometry, the  
9 State Board of Massage Therapists and the Physical Therapist Licensing Board shall, on or before  
10 February 1 of each odd-numbered year, present the budget adopted by the board under this section  
11 to the Governor, the President of the Senate, the Speaker of the House of Representatives and the  
12 Legislative Fiscal Officer.

13 “**SECTION 3.** ORS 182.470 is amended to read:

14 “182.470. (1) Notwithstanding ORS 670.335, except where otherwise specifically provided by  
15 statute pursuant to ORS 182.462 [(5)] (1)(e), all moneys collected or received by a board, placed to  
16 the credit of that board and remaining unexpended and unobligated on the date that the board is  
17 established as a semi-independent state agency, and all moneys collected or received by a board af-  
18 ter the date that the board is established as a semi-independent state agency, must be deposited into  
19 an account established by that board in a depository insured by the Federal Deposit Insurance  
20 Corporation or the National Credit Union Share Insurance Fund. In a manner consistent with the  
21 requirements of ORS 295.001 to 295.108, the chairperson, president or administrator of a board shall  
22 ensure that sufficient collateral secures any amount of funds on deposit that exceeds the limits of  
23 the coverage of the Federal Deposit Insurance Corporation or the National Credit Union Share In-  
24 surance Fund. All moneys in the account are continuously appropriated to the board making the  
25 deposit for the purpose of carrying out the functions of the board.

26 “(2) Subject to the approval of the chairperson, president or administrator, a board may invest  
27 moneys collected or received by the board. Investments made by a board are:

28 “(a) Limited to investments described in ORS 294.035;

29 “(b) Subject to the investment maturity date limitations described in ORS 294.135; and

30 “(c) Subject to the conduct prohibitions listed in ORS 294.145.

31 “(3) Interest earned from any accounts invested under subsection (2) of this section shall be  
32 made available to a board in a manner consistent with the board’s annual budget.

33 “(4) Subject to the approval of the chairperson, president or administrator, all necessary board  
34 expenses shall be paid from the moneys collected or earned by a board.

35 “(5) As used in this section, ‘depository’ has the meaning given that term in ORS 295.001.

1           “**SECTION 4.** ORS 687.250 is amended to read:  
2           “687.250. (1) The State Board of Massage Therapists shall report to the proper district attorney  
3 all cases that in the judgment of the board warrant criminal prosecution under ORS 687.991.  
4           “(2) The board may, in its own name, assess a civil penalty against any licensed or unlicensed  
5 person violating a provision of ORS 687.011 to 687.250, 687.895 and 687.991. The board may assess  
6 the civil penalty instead of or in addition to disciplinary action under ORS 687.081, an injunction  
7 issued under ORS 687.021 or criminal prosecution by the district attorney under this section. The  
8 amount of the civil penalty may not exceed \$1,000 for any single violation. Except as the board may  
9 otherwise provide under ORS 182.462 [(5)] (1)(e), moneys collected through the assessment of civil  
10 penalties by the board under this subsection or ORS 687.081 shall be deposited into the account  
11 created by the board pursuant to ORS 182.470 and are continuously appropriated to the board for  
12 carrying out the provisions of ORS 687.011 to 687.250, 687.895 and 687.991.”  
13           On page 10, delete lines 1 through 11.  
14           In line 12, delete “18” and insert “5”.  
15           Delete lines 16 through 18.  
16

---