

# House Bill 2395

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Health Care for Governor's Health Professionals Regulatory Board Workgroup)

## 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**.

Regulates use of terms "clinic," "institute" and "specialist" by health professionals.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to health professionals; amending ORS 676.110 and 677.060; and declaring an emergency.

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

4 **SECTION 1.** ORS 676.110 is amended to read:

5 676.110. (1) An individual practicing a health care profession may not use the title "doctor,"  
6 "**clinic**," "**institute**" or "**specialist**" in connection with the profession, unless the individual:

7 (a) Has earned a doctoral degree in the individual's field of practice; and

8 (b)(A) Is licensed by a health professional regulatory board as defined in ORS 676.160 to practice  
9 the particular health care profession in which the individual's doctoral degree was earned; or

10 (B) Is working under a board-approved residency contract and is practicing under the license  
11 of a supervisor who is licensed by a health professional regulatory board as defined in ORS 676.160  
12 to practice the particular health care profession in which the individual's doctoral degree was  
13 earned.

14 (2) When an individual uses the title "doctor," "**clinic**," "**institute**" or "**specialist**" on written  
15 or printed matter or in connection with advertising, billboards, signs or professional notices, the  
16 individual shall designate the health care profession in which the individual's doctoral degree was  
17 earned. The designation must be in letters or print at least one-fourth the size of the largest letters  
18 used in the title "doctor," "**clinic**," "**institute**" or "**specialist**," and in material, color, type or il-  
19 lumination to give display and legibility of at least one-fourth that of the title "doctor[.]," "**clinic**,"  
20 "**institute**" or "**specialist**."

21 (3) Subsection (1) of this section does not prohibit:

22 (a) A chiropractic physician licensed under ORS chapter 684 from using the title "chiropractic  
23 physician";

24 (b) A naturopathic physician licensed under ORS chapter 685 from using the title "naturopathic  
25 physician";

26 (c) A person licensed to practice optometry under ORS chapter 683 from using the title "doctor  
27 of optometry" or "optometric physician"; or

28 (d) A podiatric physician licensed under ORS 677.805 to 677.840 from using the title "podiatric  
29 physician."

30 **SECTION 2.** ORS 677.060 is amended to read:

31 677.060. This chapter does not affect or prevent the following:

**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 (1) The practice of medicine or podiatry in this state by any commissioned medical or podiatric  
2 officer serving in the Armed Forces of the United States or Public Health Service, or any medical  
3 or podiatric officer on duty with the United States Department of Veterans Affairs, while any such  
4 medical or podiatric officer is engaged in the performance of the actual duties prescribed by the  
5 laws and regulations of the United States.

6 (2) The meeting in this state of any licensed practitioner of medicine of any other state or  
7 country with a licensed practitioner of medicine in this state, for consultation.

8 (3) Supervised clinical training by an acupuncture student who is enrolled in a school approved  
9 to offer credit for post-secondary clinical education in Oregon or clinical practice of acupuncture  
10 by a practitioner licensed to practice acupuncture in another state or foreign country who is en-  
11 rolled in clinical training approved by the Oregon Medical Board.

12 (4) The furnishing of medical or surgical assistance in cases of emergency requiring immediate  
13 attention.

14 (5) The domestic administration of family remedies.

15 (6) The practice of dentistry, pharmacy, nursing, optometry, psychology, regulated social work,  
16 chiropractic, naturopathic medicine or cosmetic therapy, by any person authorized by this state.

17 (7) The practice of the religion of persons who endeavor to prevent or cure disease or suffering  
18 by prayer or other spiritual means in accordance with the tenets of any church. Nothing in this  
19 chapter interferes in any manner with the individual's right to select the practitioner or mode of  
20 treatment of an individual's choice, or interferes with the right of the person so employed to give  
21 the treatment so chosen if public health laws and rules are complied with.

22 (8) The sale of lenses, artificial eyes, limbs or surgical instruments or other apparatus or appli-  
23 ances of a similar character.

24 (9) The sale, rent or use for hire of any device or appliance, the sale of which is not prohibited  
25 by the laws of Oregon or the United States.

26 (10) The practice of physiotherapy, electrotherapy or hydrotherapy carried on by a duly licensed  
27 practitioner of medicine, naturopathic medicine or chiropractic, or by ancillary personnel certified  
28 by the State Board of Chiropractic Examiners, pursuant to ORS 684.155 (1)(c)(A), to provide  
29 physiotherapy, electrotherapy or hydrotherapy and working under the direction of a chiropractic  
30 physician.

31 (11) The practice or use of massage, Swedish movement, physical culture, or other natural  
32 methods requiring use of the hands.

33 (12) The use of the title "doctor," "**clinic,**" "**institute,**" "**specialist,**" "chiropractic physician,"  
34 "naturopathic physician," "doctor of optometry," "optometric physician" or "podiatric physician" in  
35 accordance with ORS 676.110 and 676.120.

36 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**  
37 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
38 **on its passage.**

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