

# House Bill 3515

Sponsored by Representative GILLIAM; Representatives BOONE, KENNEMER, TOMEI, WHISNANT (at the request of Brain Injury Association of Oregon)

## 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**.

Requires certain health care providers to complete continuing education about traumatic brain injury.

## A BILL FOR AN ACT

1  
2 Relating to continuing education about traumatic brain injury; creating new provisions; and  
3 amending ORS 677.228, 677.512, 678.101, 684.092 and 688.724.

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

5 **SECTION 1. (1) The Oregon Health Authority shall develop and offer a continuing edu-**  
6 **cation program about traumatic brain injury.**

7 **(2) The authority shall offer the program online and in person throughout this state.**

8 **SECTION 2. ORS 677.228 is amended to read:**

9 677.228. (1) A person's license to practice under this chapter automatically lapses if the licensee  
10 fails to:

11 (a) Pay the registration fee as required by rule of the Oregon Medical Board.

12 (b) Notify the board of a change of location not later than the 30th day after such change.

13 (c) Complete prior to payment of the registration fee described in paragraph (a) of this sub-  
14 section, or provide documentation of previous completion of, if required by rule of the board:

15 (A) A pain management education program approved by the board and developed in conjunction  
16 with the Pain Management Commission established under ORS 409.500; or

17 (B) An equivalent pain management education program, as determined by the board.

18 **(d) Every three years, complete six hours of continuing education about traumatic brain**  
19 **injury offered by the Oregon Health Authority pursuant to section 1 of this 2011 Act.**

20 (2) If a license issued automatically lapses under this section, the holder of the license shall not  
21 practice until the conditions for which the license automatically lapsed no longer exist.

22 (3) A person whose license has automatically lapsed under subsection (1)(a) of this section is  
23 reinstated automatically when the licensee pays the registration fee plus all late fees then due.

24 (4) A person whose license has automatically lapsed under subsection (1)(b) of this section is  
25 reinstated automatically if the board receives notification of the current and correct address of the  
26 licensee not later than the 10th day after such automatic lapse takes effect. Otherwise the lapse  
27 continues until terminated by the board.

28 (5) A person whose license has automatically lapsed under subsection (1)(c) **or (d)** of this section  
29 is reinstated automatically when the board receives documentation of the person's completion of a  
30 pain management education program **or continuing education about traumatic brain injury** if  
31 required by subsection (1)(c) **or (d)** of this section.

**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.

**SECTION 3.** ORS 677.512 is amended to read:

677.512. [(1) *A person seeking licensure as a physician assistant shall complete an application form provided by the Oregon Medical Board and submit the form to the board, accompanied by nonrefundable fees for the application and for the license in amounts determined by rule of the board.*]

[(2)] (1) [Upon application,] The **Oregon Medical Board** may issue a license to a physician assistant who:

(a) Meets the requirements for licensure under ORS 677.495 and 677.505 to 677.525[.];

**(b) Submits an application form as required by the board by rule; and**

**(c) Pays the fees established by the board by rule.**

[(3)] (2)(a) The board shall adopt necessary and proper rules to govern the renewal of licenses issued under this section.

**(b) The rules must require a physician assistant to complete, every three years, six hours of continuing education about traumatic brain injury offered by the Oregon Health Authority pursuant to section 1 of this 2011 Act in order to maintain a license.**

**SECTION 4.** ORS 678.101 is amended to read:

678.101. (1) [Every] **A** person licensed to practice nursing shall apply for renewal of the license other than a limited license in every second year before 12:01 a.m. on the anniversary of the birthdate of the person in the odd-numbered year for persons whose birth occurred in an odd-numbered year and in the even-numbered year for persons whose birth occurred in an even-numbered year. Persons whose birthdate anniversary falls on February 29 shall be treated as if the anniversary were March 1.

(2) Each application [shall] **must** be accompanied by a nonrefundable renewal fee payable to the Oregon State Board of Nursing.

(3) The board may not renew the license of a person licensed to practice nursing unless:

(a) The requirements of subsections (1) and (2) of this section are met; and

(b) Prior to payment of the renewal fee described in subsection (2) of this section the applicant completes, or provides documentation of previous completion of:

(A) A pain management education program approved by the board and developed in conjunction with the Pain Management Commission established under ORS 409.500; or

(B) An equivalent pain management education program, as determined by the board.

(4) [The] **A** license of any person **that is** not renewed for failure to comply with subsections (1) to (3) of this section is expired and the person [shall be considered] **is** delinquent and is subject to the delinquent fee specified in ORS 678.410.

(5)(a) A registered nurse who has been issued a certificate as a nurse practitioner shall apply[, personally or by appropriately postmarked letter,] for renewal of the certificate and for renewal of the prescriptive privileges in every second year before 12:01 a.m. on the anniversary of the birthdate, as determined for the person's license to practice nursing.

**(b) In order to renew a nurse practitioner certificate, a nurse practitioner must have completed, within the previous three years, six hours of continuing education about traumatic brain injury offered by the Oregon Health Authority pursuant to section 1 of this 2011 Act.**

**SECTION 5.** ORS 684.092 is amended to read:

684.092. (1) Except as provided in subsection (3) of this section, a chiropractic physician submitting a fee under ORS 684.090 shall, at the same time, verify with satisfactory evidence the suc-

1 cessional completion of approved continuing chiropractic education during the preceding 12-month  
 2 period as provided in subsection (2) of this section and completion, or documentation of previous  
 3 completion, of:

4 (a) A pain management education program approved by the State Board of Chiropractic Exam-  
 5 iners and developed in conjunction with the Pain Management Commission established under ORS  
 6 409.500; or

7 (b) An equivalent pain management education program, as determined by the board.

8 (2) A chiropractic physician submitting a fee under ORS 684.090 shall verify completion during  
 9 the previous 12-month period of:

10 (a) At least 20 hours of approved continuing chiropractic education, for a person actively prac-  
 11 ticing chiropractic.

12 (b) At least six hours of approved continuing chiropractic education, for an active senior.

13 **(3) A chiropractic physician submitting a fee under ORS 684.090 shall verify completion**  
 14 **during the previous three years of six hours of continuing education about traumatic brain**  
 15 **injury offered by the Oregon Health Authority pursuant to section 1 of this 2011 Act.**

16 ~~[(3)]~~ (4) The State Board of Chiropractic Examiners may exempt a chiropractic physician from  
 17 the requirements of subsection (1) of this section upon an application by the chiropractic physician  
 18 showing by evidence satisfactory to the board that the chiropractic physician is unable to comply  
 19 with the requirements because of unusual or extenuating circumstances or because no program has  
 20 been approved by the board.

21 **SECTION 6.** ORS 688.724 is amended to read:

22 688.724. (1) Except as provided in subsection (5) of this section, an athletic trainer registration  
 23 expires on the last day of the month, one year from the date of issuance.

24 (2) The filing of a registration renewal form is the responsibility of the registrant. The registrant  
 25 must submit to the Oregon Health Licensing Agency:

26 (a) A completed renewal application[.];

27 (b) **The** required renewal fee [*and*];

28 (c) Satisfactory evidence of having completed any required continuing education credits on or  
 29 before the expiration date of the registration as specified by agency rule[.]; **and**

30 **(d) Satisfactory evidence of having completed, within the previous three years, six hours**  
 31 **of continuing education about traumatic brain injury offered by the Oregon Health Authority**  
 32 **pursuant to section 1 of this 2011 Act.**

33 (3) The agency shall adopt by rule requirements for late renewal of a registration, reactivation  
 34 of an expired registration or reinstatement of a registration that has been expired for more than  
 35 three consecutive years.

36 (4) If the registration of an athletic trainer has been denied, suspended or revoked for commis-  
 37 sion of a prohibited act under ORS 676.612, the agency may refuse to issue or renew the registration  
 38 for up to one year from the date of denial, suspension or revocation.

39 (5) The agency may vary the date of registration renewal by giving the applicant written notice  
 40 of the renewal date being assigned and by making prorated adjustments to the renewal fee.

41 **SECTION 7. The amendments to ORS 677.228, 677.512, 678.101, 684.092 and 688.724 by**  
 42 **sections 2 to 6 of this 2011 Act apply to applications for renewal submitted on or after the**  
 43 **effective date of this 2011 Act.**