

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

**Vote:** 5 - 0 - 0

**Yeas:** Knopp, Kruse, Shields, Steiner Hayward, Monnes Anderson

**Nays:** 0

**Exc.:** 0

**Prepared By:** Sandy Thiele-Cirka, Administrator

**Meeting Dates:** 5/16, 5/28

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**WHAT THE MEASURE DOES:** Defines substantial noncompliance as relates to certain health professional licensees to include criminal behavior, conduct that causes harm to public or patient, impairment in health care setting in the course of employment, sexual impropriety with patient, positive drug test, civil commitment for mental illness, failure to participate in program after entering into agreement and failure to enroll after being referred. Defines direct supervisor and responsibilities. Allows regulatory boards discretion to require drug testing when program reports substantial noncompliance. Exempts licensees with mental health diagnosis from random drug testing requirement. Deletes specific program assessment and evaluation requirements. Requires third party independent audit every four years. Allows certain boards to contract with other programs to deliver therapeutic services to licensees. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Training for supervisors
- Defining direct supervisor
- Intent of substantial noncompliance
- Current program assessment and evaluation process
- Proposed amendment
- Provisions of the amendment

**EFFECT OF COMMITTEE AMENDMENT:** Replaces original measure.

**BACKGROUND:** In 2009, House Bill 2345 was enacted, which requires the establishment of a statewide confidential monitoring program for health professional licensees who are unable to practice with professional skill and safety due to substance use disorder or a mental health disorder. Four health boards currently participate in the Health Professionals' Services Program (HPSP) administered by the Oregon Health Authority and the Department of Human Services. To participate in HPSP, boards are required to meet minimum training requirements for an enrolled licensee's supervisor; the program must report certain information to a licensee's board, including admittance to a hospital for mental illness or judgment for mental incompetence.

House Bill 2124-B provides updates, definitions, and clarifications to statutes governing the Health Professionals' Services Program.

5/31/2013 10:05:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*