

Enrolled
House Bill 2909

Sponsored by Representative WILLIAMSON

CHAPTER

AN ACT

Relating to naming of Oregon Institute of Occupational Health Sciences; creating new provisions; and amending ORS 353.460, 353.470, 634.550 and 656.630.

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

SECTION 1. ORS 353.460 is amended to read:

353.460. (1) [*Subject to the provisions of sections 13 and 16, chapter 770, Oregon Laws 1985,*] There is created [*a Center for Research on Occupational and Environmental Toxicology*] **the Oregon Institute of Occupational Health Sciences**. The Oregon Health and Science University shall administer the [*center*] **institute**.

(2) The purposes of the [*center*] **institute** may include, but are not limited to, reducing the incidence of disease and reducing the costs and dangers to employers and employees associated with occupational disease. Specific functions of the [*center*] **institute** may include:

- (a) Basic and applied research into the incidence and causes of occupational diseases.
- (b) Epidemiology and other data collection.
- (c) Design of programs for clinical management of occupational diseases.
- (d) Education and training programs.

(3) Although the output of the [*center's*] **institute's** programs is intended to be of statewide use for employers, employees, health professionals and the public concerning occupational disease, it is not intended that the [*center*] **institute** shall assume any of the responsibilities or functions of the physical rehabilitation facility operated by the Director of the Department of Consumer and Business Services. The [*center*] **institute** may offer programs of diagnosis and treatment of occupational disease, but it is expected that such services shall be compensable under ORS chapter 656.

SECTION 2. ORS 353.470 is amended to read:

353.470. [*It is expected that the Center for Research on Occupational and Environmental Toxicology will*] **The Oregon Institute of Occupational Health Sciences shall** operate, on an on-going basis, from funds provided by the Department of Consumer and Business Services, in addition to any gifts, grants or donations made to carry out the activities of the [*center*] **institute**. Oregon Health and Science University is not expected to provide funds for operation of the [*center*] **institute** from any other sources of funds for operation of the university.

SECTION 3. ORS 634.550 is amended to read:

634.550. (1) There is created a Pesticide Analytical and Response Center with a governing board consisting of the following members:

- (a) The Director of Agriculture or designee.
- (b) The State Forester or designee.
- (c) The State Fish and Wildlife Director or designee.

- (d) The Director of the Department of Environmental Quality or designee.
- (e) The Director of the Oregon Health Authority or designee.
- (f) The Administrator of the Occupational Safety and Health Division or designee.
- (g) The State Fire Marshal or designee.
- (h) The Director of the Poison Control and Drug Information Program of the Oregon Health and Science University or designee.
- (i) One citizen from the state at large appointed jointly by the Director of Agriculture and the Director of the Oregon Health Authority.
- (2) The Director of Agriculture shall appoint an administrator for the Pesticide Analytical and Response Center, who shall be responsible to the board for performance of the duties of the center and the board.
- (3) The Director of Agriculture or designee and the Director of the Oregon Health Authority or designee shall alternate as chairperson of the board for terms of one year each. When one is serving as chairperson, the other shall serve as vice chairperson.
- (4) The board shall seek expert consultation from the extension service toxicology program, the [Center for Research on Occupational and Environmental Toxicology] **Oregon Institute of Occupational Health Sciences** and such other sources as may be needed.
- (5) The functions of the board are to:
 - (a) Direct the activities and priorities of the administrator of the center.
 - (b) Centralize receiving of information relating to actual or alleged health and environmental incidents involving pesticides.
 - (c) Mobilize expertise necessary for timely and accurate investigation of pesticide incidents and analyses of associated samples.
 - (d) Identify trends and patterns of problems related to pesticide use.
 - (e) Make recommendations for action to a state agency when a majority of the board considers that such action may be warranted on the basis of the findings of an incident investigation or on the basis of identification of a trend or pattern of problems. Recommended actions may include, but not be limited to, regulatory action, modification of administrative rules, proposal of new legislation, public education and consultation to industry.
 - (f) Report in a standardized format the results of the investigations of pesticide incidents.
 - (g) Establish by consensus, procedures for carrying out its responsibilities within the limits of available resources.
 - (h) Prepare and submit to each odd-numbered year regular session of the Legislative Assembly a report of the activities of the center that includes a record of recommendations made by the board and the actions resulting from the board's work.
- (6) Upon receipt of a recommendation from the board, a state agency shall respond in a timely manner to inform the board of actions taken or the reasons for taking no action on the recommendation.
- (7) Any medical information received by a member of the board or by a staff member of the center in the course of carrying out the duties of the center or the board shall be held confidential as provided in ORS 192.553 to 192.581 and 433.008.
- (8) The functions of the board do not supersede the regulatory authority of any agency and are not in lieu of the regulatory authority of any agency.

SECTION 4. ORS 656.630 is amended to read:

656.630. (1) There is transferred to and continuously appropriated to the [Center for Research on Occupational and Environmental Toxicology] **Oregon Institute of Occupational Health Sciences** of the Oregon Health and Science University, the following amounts from the following sources:

- (a) The amount of revenue equivalent to one-sixteenth of one cent of the money deductible from workers' wages pursuant to ORS 656.506 (2).
- (b) An amount equal to the amount raised by paragraph (a) of this subsection from those assessments made pursuant to ORS 656.612 (2).

(2) The moneys referred to in subsection (1) of this section may only be used for paying the expenses of the [*Center for Research on Occupational and Environmental Toxicology*] **Oregon Institute of Occupational Health Sciences**. If the Director of the Department of Consumer and Business Services determines adequate funds are available and the director reduces or suspends for a period of time the assessments made pursuant to ORS 656.506 (2) and 656.612 (2), the reduction or suspension of the assessments does not terminate the transfers to the [*Center for Research on Occupational and Environmental Toxicology*] **Oregon Institute of Occupational Health Sciences** authorized in subsection (1) of this section.

(3) Annually, the [*Center for Research on Occupational and Environmental Toxicology*] **Oregon Institute of Occupational Health Sciences** shall file a report with the Oregon Health and Science University, with a copy to the Director of the Department of Consumer and Business Services, describing the activities in sufficient detail for which moneys received under this section during the year have been obligated or expended.

SECTION 5. (1) The amendments to ORS 353.460, 353.470, 634.550 and 656.630 by sections 1 to 4 of this 2013 Act are intended to change the name of the “Center for Research on Occupational and Environmental Toxicology” to the “Oregon Institute of Occupational Health Sciences.”

(2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel may substitute for words designating the “Center for Research on Occupational and Environmental Toxicology,” wherever they occur in statutory law, other words designating the “Oregon Institute of Occupational Health Sciences.”

Passed by House March 11, 2013

.....
 Ramona J. Line, Chief Clerk of House

.....
 Tina Kotek, Speaker of House

Passed by Senate May 6, 2013

.....
 Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

.....
 John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

.....
 Kate Brown, Secretary of State