

House Bill 2909

Sponsored by Representative WILLIAMSON

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**.

Renames Center for Research on Occupational and Environmental Toxicology to Oregon Institute of Occupational Health Sciences.

A BILL FOR AN ACT

1
2 Relating to naming of Oregon Institute of Occupational Health Sciences; creating new provisions;
3 and amending ORS 353.460, 353.470, 634.550 and 656.630.

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

5 **SECTION 1.** ORS 353.460 is amended to read:

6 353.460. (1) [*Subject to the provisions of sections 13 and 16, chapter 770, Oregon Laws 1985,*] There
7 is created [*a Center for Research on Occupational and Environmental Toxicology*] **the Oregon In-**
8 **stitute of Occupational Health Sciences**. The Oregon Health and Science University shall admin-
9 ister the [*center*] **institute**.

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

13 (a) Basic and applied research into the incidence and causes of occupational diseases.

14 (b) Epidemiology and other data collection.

15 (c) Design of programs for clinical management of occupational diseases.

16 (d) Education and training programs.

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

23 **SECTION 2.** ORS 353.470 is amended to read:

24 353.470. [*It is expected that the Center for Research on Occupational and Environmental*
25 *Toxicology will*] **The Oregon Institute of Occupational Health Sciences shall** operate, on an on-
26 going basis, from funds provided by the Department of Consumer and Business Services, in addition
27 to any gifts, grants or donations made to carry out the activities of the [*center*] **institute**. Oregon
28 Health and Science University is not expected to provide funds for operation of the [*center*] **insti-**
29 **tute** from any other sources of funds for operation of the university.

30 **SECTION 3.** ORS 634.550 is amended to read:

31 634.550. (1) There is created a Pesticide Analytical and Response Center with a governing board

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 consisting of the following members:

2 (a) The Director of Agriculture or designee.

3 (b) The State Forester or designee.

4 (c) The State Fish and Wildlife Director or designee.

5 (d) The Director of the Department of Environmental Quality or designee.

6 (e) The Director of the Oregon Health Authority or designee.

7 (f) The Administrator of the Occupational Safety and Health Division or designee.

8 (g) The State Fire Marshal or designee.

9 (h) The Director of the Poison Control and Drug Information Program of the Oregon Health and
10 Science University or designee.

11 (i) One citizen from the state at large appointed jointly by the Director of Agriculture and the
12 Director of the Oregon Health Authority.

13 (2) The Director of Agriculture shall appoint an administrator for the Pesticide Analytical and
14 Response Center, who shall be responsible to the board for performance of the duties of the center
15 and the board.

16 (3) The Director of Agriculture or designee and the Director of the Oregon Health Authority
17 or designee shall alternate as chairperson of the board for terms of one year each. When one is
18 serving as chairperson, the other shall serve as vice chairperson.

19 (4) The board shall seek expert consultation from the extension service toxicology program, the
20 [*Center for Research on Occupational and Environmental Toxicology*] **Oregon Institute of Occupa-**
21 **tional Health Sciences** and such other sources as may be needed.

22 (5) The functions of the board are to:

23 (a) Direct the activities and priorities of the administrator of the center.

24 (b) Centralize receiving of information relating to actual or alleged health and environmental
25 incidents involving pesticides.

26 (c) Mobilize expertise necessary for timely and accurate investigation of pesticide incidents and
27 analyses of associated samples.

28 (d) Identify trends and patterns of problems related to pesticide use.

29 (e) Make recommendations for action to a state agency when a majority of the board considers
30 that such action may be warranted on the basis of the findings of an incident investigation or on
31 the basis of identification of a trend or pattern of problems. Recommended actions may include, but
32 not be limited to, regulatory action, modification of administrative rules, proposal of new legislation,
33 public education and consultation to industry.

34 (f) Report in a standardized format the results of the investigations of pesticide incidents.

35 (g) Establish by consensus, procedures for carrying out its responsibilities within the limits of
36 available resources.

37 (h) Prepare and submit to each odd-numbered year regular session of the Legislative Assembly
38 a report of the activities of the center that includes a record of recommendations made by the board
39 and the actions resulting from the board's work.

40 (6) Upon receipt of a recommendation from the board, a state agency shall respond in a timely
41 manner to inform the board of actions taken or the reasons for taking no action on the recommen-
42 dation.

43 (7) Any medical information received by a member of the board or by a staff member of the
44 center in the course of carrying out the duties of the center or the board shall be held confidential
45 as provided in ORS 192.553 to 192.581 and 433.008.

1 (8) The functions of the board do not supersede the regulatory authority of any agency and are
2 not in lieu of the regulatory authority of any agency.

3 **SECTION 4.** ORS 656.630 is amended to read:

4 656.630. (1) There is transferred to and continuously appropriated to the [*Center for Research*
5 *on Occupational and Environmental Toxicology*] **Oregon Institute of Occupational Health Sciences**
6 of the Oregon Health and Science University, the following amounts from the following sources:

7 (a) The amount of revenue equivalent to one-sixteenth of one cent of the money deductible from
8 workers' wages pursuant to ORS 656.506 (2).

9 (b) An amount equal to the amount raised by paragraph (a) of this subsection from those as-
10 sessments made pursuant to ORS 656.612 (2).

11 (2) The moneys referred to in subsection (1) of this section may only be used for paying the
12 expenses of the [*Center for Research on Occupational and Environmental Toxicology*] **Oregon Insti-**
13 **tute of Occupational Health Sciences.** If the Director of the Department of Consumer and Busi-
14 ness Services determines adequate funds are available and the director reduces or suspends for a
15 period of time the assessments made pursuant to ORS 656.506 (2) and 656.612 (2), the reduction or
16 suspension of the assessments does not terminate the transfers to the [*Center for Research on Oc-*
17 *cupational and Environmental Toxicology*] **Oregon Institute of Occupational Health Sciences** au-
18 thorized in subsection (1) of this section.

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

24 **SECTION 5.** (1) **The amendments to ORS 353.460, 353.470, 634.550 and 656.630 by sections**
25 **1 to 4 of this 2013 Act are intended to change the name of the "Center for Research on Oc-**
26 **cupational and Environmental Toxicology" to the "Oregon Institute of Occupational Health**
27 **Sciences."**

28 (2) **For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel**
29 **may substitute for words designating the "Center for Research on Occupational and Envi-**
30 **ronmental Toxicology," wherever they occur in statutory law, other words designating the**
31 **"Oregon Institute of Occupational Health Sciences."**

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