

Senate Bill 650

Sponsored by Senator WHITSETT

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**.

Provides that Oregon State Veterinary Medical Examining Board may impose fine of up to \$100 for violation that does not create risk of harm to public.

A BILL FOR AN ACT

1 Relating to veterinary medicine; creating new provisions; and amending ORS 686.260.

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

3 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 686.**

4 **SECTION 2. (1) During an investigation conducted under ORS 686.260, the Oregon State**
5 **Veterinary Medical Examining Board may impose a fine of up to \$100 for each violation of**
6 **this chapter that does not create a risk of harm to the public as established by the board**
7 **by rule.**

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9 **(2) A person who is fined under this section may request a hearing with the board.**
10 **Hearings conducted under this section are subject to the requirements for contested case**
11 **proceedings under ORS chapter 183.**

12 **SECTION 3. ORS 686.260 is amended to read:**

13 686.260. (1) Upon the complaint of [*any*] a resident of this state, or upon its own initiative, the
14 Oregon State Veterinary Medical Examining Board may investigate [*any*] **an** alleged violation of this
15 chapter.

16 (2) While conducting an investigation, the board may:

17 (a) Take evidence;

18 (b) Take depositions of witnesses, including the deposition of the person who is the subject of
19 the investigation, in the manner provided by law in civil cases;

20 (c) Compel the appearance of witnesses, including the person who is the subject of the investi-
21 gation, in the manner provided by law in civil cases;

22 (d) Require answers to interrogatories;

23 (e) Compel the production of books, papers, electronic files, accounts and other documents per-
24 taining to the investigation;

25 (f) Issue subpoenas;

26 (g) Inspect the premises of a veterinary facility in which any part of a licensee's practice of
27 veterinary medicine is conducted if the board has evidence of conditions that are deficient or not
28 in compliance with standards for veterinary medical facilities adopted by rule by the board; and

29 (h) Order an applicant or licensee to undergo a mental examination, a physical examination or
30 a professional competency examination when the board has evidence indicating the incapacity of the
31 applicant or licensee to practice veterinary medicine safely.

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 (3) If after [*such*] **an** investigation the board has reason to believe that [*any*] **a** person is subject
2 to **criminal** prosecution [*criminally*] for [*the*] **a** violation of this chapter, the board shall report the
3 case to the appropriate district attorney or to the Attorney General.

4 (4) **Information obtained during an investigation by the board is not subject to ORS**
5 **676.175 if the investigation concerns a matter that does not create a risk of harm to the**
6 **public as established by the board under section 2 of this 2013 Act.**

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