

Enrolled
Senate Bill 1519

Sponsored by Senators GIROD, BATES, Representatives ESQUIVEL, BUCKLEY (Presession filed.)

CHAPTER

AN ACT

Relating to dentistry; and declaring an emergency.

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

MANDATORY TESTING OF HEAT STERILIZATION DEVICES

SECTION 1. Section 2 of this 2014 Act is added to and made a part of ORS chapter 679.

SECTION 2. A dentist shall test, at least once per week, any autoclave or other heat sterilization device that is used by the dentist in the practice of dentistry, in order to ensure that the device is functioning properly. The Oregon Board of Dentistry shall adopt rules to implement this section.

**PENDING AND PAST DISCIPLINARY ACTIONS
FOR FAILURE TO TEST HEAT STERILIZATION DEVICES**

SECTION 3. (1) The Oregon Board of Dentistry shall dismiss any disciplinary matter addressed by the board involving a person licensed to practice dentistry under ORS chapter 679 that is pending on the effective date of this 2014 Act if the matter before the board is whether the licensee tested an autoclave or other heat sterilization device less frequently than once per week. The board is not required to dismiss any other matter in a pending disciplinary proceeding taken by the board against the licensee.

(2) If the board has disciplined a person licensed to practice dentistry under ORS chapter 679 prior to the effective date of this 2014 Act because the licensee tested an autoclave or other heat sterilization device less frequently than once per week, the board shall:

(a) Remove from the board's website the name of the licensee anywhere that the name of the licensee is posted in connection with that disciplinary action; and

(b) Pay the licensee an amount that is equal to any civil penalty imposed by the board pursuant to that disciplinary action.

PROTECTION FROM CAUSE OF ACTION

SECTION 4. (1) If a person who is licensed to practice dentistry under ORS chapter 679 has been disciplined prior to the effective date of this 2014 Act by the Oregon Board of Dentistry for testing an autoclave or other heat sterilization device less frequently than once

per week, the licensee may not bring a cause of action against an entity that tested for the licensee the autoclave or other heat sterilization device on grounds related to that testing.

(2) For purposes of this section, "entity" includes Oregon Health and Science University.

CAPTIONS

SECTION 5. The unit captions used in this 2014 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2014 Act.

EMERGENCY CLAUSE

SECTION 6. This 2014 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect on its passage.

Passed by Senate February 14, 2014

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House February 21, 2014

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2014

Approved:

.....M.,....., 2014

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2014

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Kate Brown, Secretary of State