

Enrolled
Senate Bill 48

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CHAPTER

AN ACT

Relating to continuing education for professionals; creating new provisions; amending ORS 675.140, 675.330, 675.597, 675.805, 677.290, 678.170, 684.171, 685.201 and 688.201; and declaring an emergency.

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

SECTION 1. (1) As used in this section:

(a) "Board" means:

- (A) Occupational Therapy Licensing Board;**
- (B) Oregon Board of Licensed Professional Counselors and Therapists;**
- (C) Oregon Board of Naturopathic Medicine;**
- (D) Oregon Medical Board;**
- (E) Oregon State Board of Nursing;**
- (F) Physical Therapist Licensing Board;**
- (G) State Board of Chiropractic Examiners;**
- (H) State Board of Licensed Social Workers;**
- (I) State Board of Psychologist Examiners; and**
- (J) Teacher Standards and Practices Commission.**

(b) "Licensee" means a person authorized to practice one of the following professions:

- (A) Clinical social worker, as defined in ORS 675.510;**
- (B) Licensed marriage and family therapist, as defined in ORS 675.705;**
- (C) Licensed professional counselor, as defined in ORS 675.705;**
- (D) Licensed psychologist, as defined in ORS 675.010;**
- (E) Occupational therapist, as defined in ORS 675.210;**
- (F) Regulated social worker, as defined in ORS 675.510;**
- (G) School counselor, as defined by rule by the Teacher Standards and Practices Commission;**
- (H) Certified registered nurse anesthetist, as defined in ORS 678.245;**
- (I) Chiropractic physician, as defined in ORS 684.010;**
- (J) Clinical nurse specialist, as defined in ORS 678.010;**
- (K) Naturopathic physician, as defined in ORS 685.010;**
- (L) Nurse practitioner, as defined in ORS 678.010;**
- (M) Physician, as defined in ORS 677.010;**
- (N) Physician assistant, as defined in ORS 677.495;**

- (O) Physical therapist, as defined in ORS 688.010; and
- (P) Physical therapist assistant, as defined in ORS 688.010.

(2) In collaboration with the Oregon Health Authority, a board shall adopt rules to require a licensee regulated by the board to report to the board, upon reauthorization to practice, the licensee's completion of any continuing education regarding suicide risk assessment, treatment and management.

(3) A licensee shall report the completion of any continuing education described in subsection (2) of this section to the board that regulates the licensee.

(4)(a) A board shall document completion of any continuing education described in subsection (2) of this section by a licensee regulated by the board. The board shall document the following data:

(A) The number of licensees who complete continuing education described in subsection (2) of this section;

(B) The percentage of the total of all licensees who complete the continuing education;

(C) The counties in which licensees who complete the continuing education practice; and

(D) The contact information for licensees willing to share information about suicide risk assessment, treatment and management with the authority.

(b) The board shall remove any personally identifying information from the data submitted to the board under this subsection, except for the personally identifying information of licensees willing to share such information with the authority.

(c) For purposes of documenting completion of continuing education under this subsection, a board may adopt rules requiring licensees to submit documentation of completion to the board.

(5) A board, on or before March 1 of each even-numbered year, shall report to the authority on the data documented under subsection (4) of this section, as well as information about any initiatives by the board to promote suicide risk assessment, treatment and management among its licensees.

(6) The authority, on or before August 1 of each even-numbered year, shall report to the interim committees of the Legislative Assembly related to health care on the information submitted to the authority under subsection (5) of this section. The authority shall include in the report information about initiatives by boards to promote awareness about suicide risk assessment, treatment and management and information on how boards are promoting continuing education described in subsection (2) of this section to licensees.

(7) The authority may use the information submitted to the authority under subsection (5) of this section to develop continuing education opportunities related to suicide risk assessment, treatment and management for licensees and to facilitate improvements in suicide risk assessment, treatment and management efforts in this state.

SECTION 2. (1) The Oregon Health Authority shall develop a list of continuing education opportunities related to suicide risk assessment, treatment and management and make the list available to each board, as defined in section 1 of this 2017 Act.

(2) In developing the list, the authority shall:

(a) Consider suicide risk assessment, treatment and management training programs recommended by organizations that provide suicide awareness advocacy and education; and

(b) Consult with institutions of higher education and experts in suicide risk assessment, treatment and management.

SECTION 3. ORS 675.140, as amended by section 3, chapter 240, Oregon Laws 2013, is amended to read:

675.140. On or before the 10th day of each month, the State Board of Psychologist Examiners shall pay into the State Treasury all moneys received by the board during the preceding calendar month. The State Treasurer shall credit the moneys to the State Board of Psychologist Examiners Account. The moneys in the State Board of Psychologist Examiners Account are continuously ap-

propriated to the board for the purpose of paying the expenses of administering and enforcing ORS 675.010 to 675.150 and 676.850 **and section 1 of this 2017 Act.**

SECTION 4. ORS 675.330, as amended by section 4, chapter 240, Oregon Laws 2013, is amended to read:

675.330. (1) The Occupational Therapy Licensing Board Account is established in the State Treasury, separate and distinct from the General Fund. All moneys received by the Occupational Therapy Licensing Board under ORS 675.210 to 675.340 shall be deposited into the account and are continuously appropriated to the board to be used only for the administration and enforcement of ORS 675.210 to 675.340, 675.990 (2) and 676.850 **and section 1 of this 2017 Act.** Any interest or other income from moneys in the account shall be credited to the account.

(2) All civil penalties collected or received for violations of or in prosecutions under ORS 675.210 to 675.340 shall be deposited into the Occupational Therapy Licensing Board Account and shall be used only for the administration and enforcement of ORS 675.210 to 675.340.

SECTION 5. ORS 675.597, as amended by section 5, chapter 240, Oregon Laws 2013, is amended to read:

675.597. The State Board of Licensed Social Workers Account is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the State Board of Licensed Social Workers Account shall be credited to the account. Moneys in the account are continuously appropriated to the board for the administration and enforcement of ORS 675.510 to 675.600 and 676.850 **and section 1 of this 2017 Act.**

SECTION 6. ORS 675.805, as amended by section 6, chapter 240, Oregon Laws 2013, is amended to read:

675.805. All moneys received by the Oregon Board of Licensed Professional Counselors and Therapists under ORS 675.715 to 675.835 shall be paid into the General Fund in the State Treasury and placed to the credit of the Oregon Board of Licensed Professional Counselors and Therapists Account, which is hereby established. Such moneys are appropriated continuously and shall be used only for the administration and enforcement of ORS 675.715 to 675.835 and 676.850 **and section 1 of this 2017 Act.**

SECTION 7. ORS 677.290, as amended by section 8, chapter 240, Oregon Laws 2013, is amended to read:

677.290. (1) All moneys received by the Oregon Medical Board under this chapter shall be paid into the General Fund in the State Treasury and placed to the credit of the Oregon Medical Board Account which is established. Such moneys are appropriated continuously and shall be used only for the administration and enforcement of this chapter and ORS 676.850 **and section 1 of this 2017 Act.**

(2) Notwithstanding subsection (1) of this section, the board may maintain a revolving account in a sum not to exceed \$50,000 for the purpose of receiving and paying pass-through moneys relating to peer review pursuant to its duties under ORS 441.055 (4) and (5) and in administering programs pursuant to its duties under this chapter relating to the education and rehabilitation of licensees in the areas of chemical substance abuse, inappropriate prescribing and medical competence. The creation of and disbursement of moneys from the revolving account shall not require an allotment or allocation of moneys pursuant to ORS 291.234 to 291.260. All moneys in the account are continuously appropriated for purposes set forth in this subsection.

(3) Each year \$10 shall be paid to the Oregon Health and Science University for each in-state physician licensed under this chapter, which amount is continuously appropriated to the Oregon Health and Science University to be used in maintaining a circulating library of medical and surgical books and publications for the use of practitioners of medicine in this state, and when not so in use to be kept at the library of the School of Medicine and accessible to its students. The balance of the money received by the board is appropriated continuously and shall be used only for the administration and enforcement of this chapter, but any part of the balance may, upon the order of the board, be paid into the circulating library fund.

SECTION 8. ORS 678.170, as amended by section 9, chapter 240, Oregon Laws 2013, is amended to read:

678.170. (1) All money received by the Oregon State Board of Nursing under ORS 678.010 to 678.448 shall be paid into the General Fund in the State Treasury and placed to the credit of the Oregon State Board of Nursing Account. Such moneys are appropriated continuously and shall be used only for the administration and enforcement of ORS 676.850 and 678.010 to 678.448 **and section 1 of this 2017 Act.**

(2) The board shall keep a record of all moneys deposited in the Oregon State Board of Nursing Account. This record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual activity or program against which each withdrawal is charged.

(3) The board may maintain a petty cash fund in compliance with ORS 293.180 in the amount of \$1,000.

SECTION 9. ORS 684.171, as amended by section 13, chapter 240, Oregon Laws 2013, is amended to read:

684.171. All moneys received by the State Board of Chiropractic Examiners under this chapter shall be paid into the General Fund in the State Treasury and placed to the credit of the State Board of Chiropractic Examiners Account which is hereby established and such moneys are appropriated continuously and shall be used only for the administration and enforcement of this chapter and ORS 676.850 **and section 1 of this 2017 Act.**

SECTION 10. ORS 685.201, as amended by section 14, chapter 240, Oregon Laws 2013, is amended to read:

685.201. The Oregon Board of Naturopathic Medicine Account is established in the State Treasury, separate and distinct from the General Fund. All moneys received by the Oregon Board of Naturopathic Medicine under this chapter shall be deposited into the account and are continuously appropriated to the board to be used only for the administration and enforcement of this chapter and ORS 676.850 **and section 1 of this 2017 Act.** Any interest or other income from moneys in the account shall be credited to the account.

SECTION 11. ORS 688.201, as amended by section 16, chapter 240, Oregon Laws 2013, and section 8, chapter 13, Oregon Laws 2016, is amended to read:

688.201. (1) All moneys received under ORS 688.010 to 688.201 shall be paid into an account established by the Physical Therapist Licensing Board under ORS 182.470. The board may establish an additional account under ORS 182.470 for the purpose of meeting financial obligations imposed on the State of Oregon as a result of this state's participation in the Physical Therapy Licensure Compact established under section 1, chapter 13, Oregon Laws 2016.

(2) The moneys paid into the accounts established by the board under ORS 182.470 are continuously appropriated to the board and may be used only for the administration and enforcement of ORS 676.850 and 688.010 to 688.201 **and section 1 of this 2017 Act** and for the purpose of meeting financial obligations imposed on the State of Oregon as a result of this state's participation in the Physical Therapy Licensure Compact established under section 1, chapter 13, Oregon Laws 2016.

SECTION 12. (1) **Sections 1 and 2 of this 2017 Act and the amendments to ORS 675.140, 675.330, 675.597, 675.805, 677.290, 678.170, 684.171, 685.201 and 688.201 by sections 3 to 11 of this 2017 Act become operative on January 1, 2018.**

(2) **A board, as defined in section 1 of this 2017 Act, and the Oregon Health Authority may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the board and the authority to exercise, on or after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the board and the authority by sections 1 and 2 of this 2017 Act and the amendments to ORS 675.140, 675.330, 675.597, 675.805, 677.290, 678.170, 684.171, 685.201 and 688.201 by sections 3 to 11 of this 2017 Act.**

SECTION 13. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by Senate April 25, 2017

Received by Governor:

Repassed by Senate June 19, 2017

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Approved:

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Lori L. Brocker, Secretary of Senate

.....M,....., 2017

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Peter Courtney, President of Senate

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Kate Brown, Governor

Passed by House June 14, 2017

Filed in Office of Secretary of State:

.....M,....., 2017

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Tina Kotek, Speaker of House

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Dennis Richardson, Secretary of State