

B-Engrossed Senate Bill 48

Ordered by the House June 5
Including Senate Amendments dated April 21 and House Amendments
dated June 5

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Oregon Health Authority)

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.

Directs Oregon Health Authority and certain professional regulatory boards to adopt rules requiring professionals to complete continuing education [*related to*] **regarding** suicide risk assessment, treatment and management. **Directs boards to report to authority information relating to professionals' completion of continuing education and information about boards' initiatives to promote suicide risk assessment, treatment and management among their licensees.** Requires authority to report biennially to interim committee of Legislative Assembly on [*completion of training by professionals*] **information reported by boards. Allows authority to use information reported by boards for development of continuing education on suicide risk assessment, treatment and management and for other related purposes.**

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to continuing education for professionals; creating new provisions; amending ORS 675.140,
3 675.330, 675.597, 675.805, 677.290, 678.170, 684.171, 685.201 and 688.201; and declaring an emer-
4 gency.

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

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

7 (a) **"Board" means:**

8 (A) **Occupational Therapy Licensing Board;**

9 (B) **Oregon Board of Licensed Professional Counselors and Therapists;**

10 (C) **Oregon Board of Naturopathic Medicine;**

11 (D) **Oregon Medical Board;**

12 (E) **Oregon State Board of Nursing;**

13 (F) **Physical Therapist Licensing Board;**

14 (G) **State Board of Chiropractic Examiners;**

15 (H) **State Board of Licensed Social Workers;**

16 (I) **State Board of Psychologist Examiners; and**

17 (J) **Teacher Standards and Practices Commission.**

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

19 (A) **Clinical social worker, as defined in ORS 675.510;**

20 (B) **Licensed marriage and family therapist, as defined in ORS 675.705;**

21 (C) **Licensed professional counselor, as defined in ORS 675.705;**

22 (D) **Licensed psychologist, as defined in ORS 675.010;**

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 (E) Occupational therapist, as defined in ORS 675.210;
2 (F) Regulated social worker, as defined in ORS 675.510;
3 (G) School counselor, as defined by rule by the Teacher Standards and Practices Com-
4 mission;
5 (H) Certified registered nurse anesthetist, as defined in ORS 678.245;
6 (I) Chiropractic physician, as defined in ORS 684.010;
7 (J) Clinical nurse specialist, as defined in ORS 678.010;
8 (K) Naturopathic physician, as defined in ORS 685.010;
9 (L) Nurse practitioner, as defined in ORS 678.010;
10 (M) Physician, as defined in ORS 677.010;
11 (N) Physician assistant, as defined in ORS 677.495;
12 (O) Physical therapist, as defined in ORS 688.010; and
13 (P) Physical therapist assistant, as defined in ORS 688.010.
- 14 (2) In collaboration with the Oregon Health Authority, a board shall adopt rules to re-
15 quire a licensee regulated by the board to report to the board, upon reauthorization to
16 practice, the licensee's completion of any continuing education regarding suicide risk as-
17 sessment, treatment and management.
- 18 (3) A licensee shall report the completion of any continuing education described in sub-
19 section (2) of this section to the board that regulates the licensee.
- 20 (4)(a) A board shall document completion of any continuing education described in sub-
21 section (2) of this section by a licensee regulated by the board. The board shall document the
22 following data:
- 23 (A) The number of licensees who complete continuing education described in subsection
24 (2) of this section;
25 (B) The percentage of the total of all licensees who complete the continuing education;
26 (C) The counties in which licensees who complete the continuing education practice; and
27 (D) The contact information for licensees willing to share information about suicide risk
28 assessment, treatment and management with the authority.
- 29 (b) The board shall remove any personally identifying information from the data submit-
30 ted to the board under this subsection, except for the personally identifying information of
31 licensees willing to share such information with the authority.
- 32 (c) For purposes of documenting completion of continuing education under this sub-
33 section, a board may adopt rules requiring licensees to submit documentation of completion
34 to the board.
- 35 (5) A board, on or before March 1 of each even-numbered year, shall report to the au-
36 thority on the data documented under subsection (4) of this section, as well as information
37 about any initiatives by the board to promote suicide risk assessment, treatment and man-
38 agement among its licensees.
- 39 (6) The authority, on or before August 1 of each even-numbered year, shall report to the
40 interim committees of the Legislative Assembly related to health care on the information
41 submitted to the authority under subsection (5) of this section. The authority shall include
42 in the report information about initiatives by boards to promote awareness about suicide risk
43 assessment, treatment and management and information on how boards are promoting con-
44 tinuing education described in subsection (2) of this section to licensees.
- 45 (7) The authority may use the information submitted to the authority under subsection

1 (5) of this section to develop continuing education opportunities related to suicide risk as-
2 sessment, treatment and management for licensees and to facilitate improvements in suicide
3 risk assessment, treatment and management efforts in this state.

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

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

8 (a) Consider suicide risk assessment, treatment and management training programs re-
9 commended by organizations that provide suicide awareness advocacy and education; and

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

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

14 675.140. On or before the 10th day of each month, the State Board of Psychologist Examiners
15 shall pay into the State Treasury all moneys received by the board during the preceding calendar
16 month. The State Treasurer shall credit the moneys to the State Board of Psychologist Examiners
17 Account. The moneys in the State Board of Psychologist Examiners Account are continuously ap-
18 propriated to the board for the purpose of paying the expenses of administering and enforcing ORS
19 675.010 to 675.150 and 676.850 **and section 1 of this 2017 Act.**

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

22 675.330. (1) The Occupational Therapy Licensing Board Account is established in the State
23 Treasury, separate and distinct from the General Fund. All moneys received by the Occupational
24 Therapy Licensing Board under ORS 675.210 to 675.340 shall be deposited into the account and are
25 continuously appropriated to the board to be used only for the administration and enforcement of
26 ORS 675.210 to 675.340, 675.990 (2) and 676.850 **and section 1 of this 2017 Act.** Any interest or
27 other income from moneys in the account shall be credited to the account.

28 (2) All civil penalties collected or received for violations of or in prosecutions under ORS
29 675.210 to 675.340 shall be deposited into the Occupational Therapy Licensing Board Account and
30 shall be used only for the administration and enforcement of ORS 675.210 to 675.340.

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

33 675.597. The State Board of Licensed Social Workers Account is established in the State
34 Treasury, separate and distinct from the General Fund. Interest earned by the State Board of Li-
35 censed Social Workers Account shall be credited to the account. Moneys in the account are con-
36 tinuously appropriated to the board for the administration and enforcement of ORS 675.510 to
37 675.600 and 676.850 **and section 1 of this 2017 Act.**

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

40 675.805. All moneys received by the Oregon Board of Licensed Professional Counselors and
41 Therapists under ORS 675.715 to 675.835 shall be paid into the General Fund in the State Treasury
42 and placed to the credit of the Oregon Board of Licensed Professional Counselors and Therapists
43 Account, which is hereby established. Such moneys are appropriated continuously and shall be used
44 only for the administration and enforcement of ORS 675.715 to 675.835 and 676.850 **and section 1**
45 **of this 2017 Act.**

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

3 677.290. (1) All moneys received by the Oregon Medical Board under this chapter shall be paid
4 into the General Fund in the State Treasury and placed to the credit of the Oregon Medical Board
5 Account which is established. Such moneys are appropriated continuously and shall be used only for
6 the administration and enforcement of this chapter and ORS 676.850 **and section 1 of this 2017**
7 **Act.**

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

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

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

26 678.170. (1) All money received by the Oregon State Board of Nursing under ORS 678.010 to
27 678.448 shall be paid into the General Fund in the State Treasury and placed to the credit of the
28 Oregon State Board of Nursing Account. Such moneys are appropriated continuously and shall be
29 used only for the administration and enforcement of ORS 676.850 and 678.010 to 678.448 **and section**
30 **1 of this 2017 Act.**

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

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

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

39 684.171. All moneys received by the State Board of Chiropractic Examiners under this chapter
40 shall be paid into the General Fund in the State Treasury and placed to the credit of the State
41 Board of Chiropractic Examiners Account which is hereby established and such moneys are appro-
42 priated continuously and shall be used only for the administration and enforcement of this chapter
43 and ORS 676.850 **and section 1 of this 2017 Act.**

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

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

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

9 688.201. (1) All moneys received under ORS 688.010 to 688.201 shall be paid into an account es-
10 tablished by the Physical Therapist Licensing Board under ORS 182.470. The board may establish
11 an additional account under ORS 182.470 for the purpose of meeting financial obligations imposed
12 on the State of Oregon as a result of this state's participation in the Physical Therapy Licensure
13 Compact established under section 1, chapter 13, Oregon Laws 2016.

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

19 **SECTION 12.** (1) **Sections 1 and 2 of this 2017 Act and the amendments to ORS 675.140,**
20 **675.330, 675.597, 675.805, 677.290, 678.170, 684.171, 685.201 and 688.201 by sections 3 to 11 of this**
21 **2017 Act become operative on January 1, 2018.**

22 (2) **A board, as defined in section 1 of this 2017 Act, and the Oregon Health Authority**
23 **may take any action before the operative date specified in subsection (1) of this section that**
24 **is necessary to enable the board and the authority to exercise, on or after the operative date**
25 **specified in subsection (1) of this section, all of the duties, functions and powers conferred**
26 **on the board and the authority by sections 1 and 2 of this 2017 Act and the amendments to**
27 **ORS 675.140, 675.330, 675.597, 675.805, 677.290, 678.170, 684.171, 685.201 and 688.201 by sections**
28 **3 to 11 of this 2017 Act.**

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

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