

Enrolled Senate Bill 62

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CHAPTER

AN ACT

Relating to medical imaging; creating new provisions; and amending ORS 688.415.

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

SECTION 1. ORS 688.415 is amended to read:

688.415. (1) A person may not:

(a) Practice a medical imaging modality or purport to be a medical imaging licensee unless the person is licensed in accordance with the provisions of ORS 688.405 to 688.605;

(b) Operate an X-ray machine as described in ORS 688.515 (1) and (2) or purport to be a limited X-ray machine operator unless the person holds a valid limited X-ray machine operator permit in accordance with the provisions of ORS 688.405 to 688.605;

(c) Practice any medical imaging modality or as a limited X-ray machine operator under a false or assumed name;

(d) [*Knowingly*] Employ a person for the purpose of practicing a medical imaging modality or as a limited X-ray machine operator if the **employer knows, or with the exercise of reasonable care should know, that the** person is not licensed or does not hold a valid permit in accordance with the provisions of ORS 688.405 to 688.605;

(e) Obtain or attempt to obtain a license or permit or a renewal of a license or permit by bribery or fraudulent representation;

(f) [*Knowingly*] Make a false statement on an application for a license or permit or a renewal for a license or permit **if the person knows, or with the exercise of reasonable care should know, that the statement is false;** or

(g) Perform a medical imaging procedure on a person unless the procedure:

(A) Serves a medical purpose;

(B) Is ordered by a health care practitioner who is licensed to practice a profession in this state and who is acting within the scope of the licensee’s authority, as determined by the agency that licensed the licensee, to order the medical imaging procedure; and

(C) Is interpreted by a health care practitioner who is licensed to practice a profession in this state and who is acting within the scope of the licensee’s authority, as determined by the agency that licensed the licensee, to interpret the medical imaging procedure.

(2) Subsection (1)(g) of this section does not apply to screening mammography. As used in this subsection, “screening mammography” means a radiologic procedure performed on a woman for the early detection of breast cancer.

SECTION 2. The amendments to ORS 688.415 by section 1 of this 2019 Act apply to persons employed and statements made on and after the effective date of this 2019 Act.

Passed by Senate April 4, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 22, 2019

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State