

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 1507

By COMMITTEE ON RULES

February 28

1 On page 1 of the printed A-engrossed bill, line 2, before “amending” insert “creating new pro-
2 visions;”.

3 In line 3, after “674.330” delete the rest of the line and insert “, 674.340, 686.130, 686.132, 686.150
4 and 686.160; and declaring an emergency.”.

5 On page 7, delete lines 16 and 17 and insert:

6 “**SECTION 8.** ORS 686.130 is amended to read:

7 “686.130. ‘Unprofessional or dishonorable conduct,’ as used in this chapter, includes:

8 “(1) The fraudulent use or misuse of any health certificate, shipping certificate, brand inspection
9 certificate, or other blank forms used in practice, that might lead to the dissemination of disease
10 or the transportation of diseased animals or the sale of inedible food products of animal origin for
11 human consumption.

12 “(2) Dilatory methods, willful neglect or misrepresentation in the inspection of meat.

13 “(3) Misrepresentation of services rendered.

14 “(4) Failure to report, or the negligent handling of the serious epidemic diseases of animals, such
15 as anthrax, rabies, glanders, brucellosis, tuberculosis, foot and mouth disease, hog cholera, blackleg,
16 and any other communicable disease known to medical science as being a menace to human and
17 animal health.

18 “(5) The dispensing or giving to anyone live culture or attenuated live virus vaccine to be ad-
19 ministered by a layperson without providing instruction as to its administration and use and without
20 prior written authorization from the State Veterinarian when such product is declared to be pro-
21 hibited under ORS 596.075.

22 “(6) Having professional connection with, or lending one’s name to any illegal practitioner of
23 veterinary medicine and the various branches thereof.

24 “(7) Impairment as defined in ORS 676.303.

25 “(8) Fraud or dishonesty in applying or reporting on any test for disease in animals.

26 “(9) False or misleading advertising.

27 “(10) [*Conviction of*] **Commission of** a crime involving moral turpitude or [*conviction*] of a felony.
28 The record of [*the*] conviction is conclusive evidence.

29 “(11) [*Conviction of a charge*] **An act** of cruelty to animals in Oregon or any other state, county,
30 or municipal court **that resulted in a conviction.** The record of conviction is conclusive evidence.

31 “(12) **Conduct that resulted in** the revocation, suspension or refusal to issue or renew a license
32 or practice credential to practice veterinary medicine in any other state, territory or foreign juris-
33 diction if the cause of that revocation, suspension or refusal to issue or renew is cause in this state.
34 The record of revocation, suspension or refusal to issue or renew is conclusive evidence.

35 “(13) Failure to keep one’s premises and equipment therein in a clean and sanitary condition.

1 “(14) Gross ignorance, incompetence or inefficiency in the profession. In determining what con-
2 stitutes ‘gross ignorance, incompetence or inefficiency in the profession,’ the Oregon State
3 Veterinary Medical Examining Board may take into account all relevant factors, and practices, in-
4 cluding but not limited to the practices generally and currently followed and accepted by the per-
5 sons licensed to practice veterinary medicine in this state, the current teaching at accredited
6 veterinary schools, relevant technical reports published in recognized veterinary medical journals
7 and the desirability of reasonable experimentation in the furtherance of the veterinary medicine
8 arts.

9 “(15) Permitting the veterinary technician, preceptee, or student intern to perform a duty, task
10 or procedure not specifically permitted by the board.

11 “(16) **Violations of the pharmacy or drug laws of this state, of any other state or of the**
12 **federal government, or rules or regulations pertaining thereto.**

13 “**SECTION 9.** ORS 686.132 is amended to read:

14 “686.132. **Notwithstanding ORS 686.045 and 686.160,** the Oregon State Veterinary Medical
15 Examining Board may refuse to issue or renew a license or permit if it finds that the applicant has
16 committed any act or omission which if committed by a licensee or permittee would constitute un-
17 professional or dishonorable conduct under ORS 686.120[,] **or** 686.130 or any rule of the board.

18 “**SECTION 10.** ORS 686.150 is amended to read:

19 “686.150. (1) If, pursuant to ORS 686.120 and 686.135, the Oregon State Veterinary Medical Ex-
20 amining Board determines that disciplinary action is necessary, the board may take any or all of the
21 following actions:

22 “[1] (a) Revoke, suspend or refuse to renew the license;

23 “[2] (b) Place the [person] **individual** on probation;

24 “[3] (c) Suspend execution of an order of the board;

25 “[4] (d) Place limitations on an individual’s license or permit to practice veterinary medicine
26 in Oregon;

27 “[5] (e) Issue a reprimand or assess to the individual the costs of the disciplinary proceedings;

28 “[6] (f) Require board-approved community services; or

29 “[7] (g) Impose a civil penalty not to exceed \$1,000 for each violation.

30 “(2) **The board shall establish by rule a schedule of permanent and fixed-term revocation**
31 **periods to be imposed on an individual who has been found, at two separate disciplinary**
32 **actions, to have committed unprofessional or dishonorable conduct as described in:**

33 “(a) **ORS 686.130 (7);**

34 “(b) **ORS 686.130 (11);**

35 “(c) **ORS 686.130 (14); or**

36 “(d) **ORS 686.130 (16).**

37 “**SECTION 11.** ORS 686.160 is amended to read:

38 “686.160. (1)(a) If a license is withheld, not renewed, or revoked for a violation of ORS 686.120
39 or 686.130, the [practitioner] **individual** may not again apply for a license until after [a period of six
40 months has elapsed, and then only by paying the regular examination fee, and again complying with
41 the requirements for obtaining a license in accordance with ORS 686.045.] **the longer of:**

42 “(A) **A period of six months; or**

43 “(B) **A period of time imposed by the Oregon State Veterinary Medical Examining Board**
44 **as a disciplinary sanction under ORS 686.150.**

45 “(b) **To again apply for a license, the individual shall pay the regular examination fee and**

1 **meet the qualification requirements in ORS 686.045.**

2 **“(c) Notwithstanding paragraphs (a) and (b) of this subsection, the board may, under ORS**
3 **686.132, refuse to issue or renew a license.**

4 **“(2) If a license has been suspended and time of suspension has elapsed, permission to practice**
5 **shall be given only upon the payment of the regular annual renewal fee.**

6 **“SECTION 12. The amendments to ORS 674.200, 674.205, 674.220, 674.250, 674.310, 674.330**
7 **and 674.340 by sections 1 to 7 of this 2020 Act become operative on the 91st day after the date**
8 **on which the 2020 regular session of the Eightieth Legislative Assembly adjourns sine die.**

9 **“SECTION 13. This 2020 Act being necessary for the immediate preservation of the public**
10 **peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect**
11 **on its passage.”.**

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