

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1507**

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

3 In line 3, after “674.330” delete the rest of the line and insert “, 674.340,
4 686.130, 686.132, 686.150 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 chap-
8 ter, includes:

9 “(1) The fraudulent use or misuse of any health certificate, shipping cer-
10 tificate, brand inspection certificate, or other blank forms used in practice,
11 that might lead to the dissemination of disease or the transportation of dis-
12 eased animals or the sale of inedible food products of animal origin for hu-
13 man consumption.

14 “(2) Dilatory methods, willful neglect or misrepresentation in the in-
15 spection of meat.

16 “(3) Misrepresentation of services rendered.

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

1 “(5) The dispensing or giving to anyone live culture or attenuated live
2 virus vaccine to be administered by a layperson without providing instruc-
3 tion as to its administration and use and without prior written authorization
4 from the State Veterinarian when such product is declared to be prohibited
5 under ORS 596.075.

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

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

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

11 “(9) False or misleading advertising.

12 “(10) [*Conviction of*] **Commission of** a crime involving moral turpitude
13 or [*conviction*] of a felony. The record of [*the*] conviction is conclusive evi-
14 dence.

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

18 “(12) **Conduct that resulted in** the revocation, suspension or refusal to
19 issue or renew a license or practice credential to practice veterinary medi-
20 cine in any other state, territory or foreign jurisdiction if the cause of that
21 revocation, suspension or refusal to issue or renew is cause in this state. The
22 record of revocation, suspension or refusal to issue or renew is conclusive
23 evidence.

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

26 “(14) Gross ignorance, incompetence or inefficiency in the profession. In
27 determining what constitutes ‘gross ignorance, incompetence or inefficiency
28 in the profession,’ the Oregon State Veterinary Medical Examining Board
29 may take into account all relevant factors, and practices, including but not
30 limited to the practices generally and currently followed and accepted by the

1 persons licensed to practice veterinary medicine in this state, the current
2 teaching at accredited veterinary schools, relevant technical reports pub-
3 lished in recognized veterinary medical journals and the desirability of rea-
4 sonable experimentation in the furtherance of the veterinary medicine arts.

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

7 “(16) **Violations of the pharmacy or drug laws of this state, of any**
8 **other state or of the federal government, or rules or regulations per-**
9 **taining thereto.**

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

11 “686.132. **Notwithstanding ORS 686.045 and 686.160,** the Oregon State
12 Veterinary Medical Examining Board may refuse to issue or renew a license
13 or permit if it finds that the applicant has committed any act or omission
14 which if committed by a licensee or permittee would constitute unprofes-
15 sional or dishonorable conduct under ORS 686.120[,] **or** 686.130 or any rule
16 of the board.

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

18 “686.150. (1) If, pursuant to ORS 686.120 and 686.135, the Oregon State
19 Veterinary Medical Examining Board determines that disciplinary action is
20 necessary, the board may take any or all of the following actions:

21 “[1] (a) Revoke, suspend or refuse to renew the license;

22 “[2] (b) Place the [*person*] **individual** on probation;

23 “[3] (c) Suspend execution of an order of the board;

24 “[4] (d) Place limitations on an individual’s license or permit to practice
25 veterinary medicine in Oregon;

26 “[5] (e) Issue a reprimand or assess to the individual the costs of the
27 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**

1 **fixed-term revocation periods to be imposed on an individual who has**
2 **been found, at two separate disciplinary actions, to have committed**
3 **unprofessional or dishonorable conduct as described in:**

4 **“(a) ORS 686.130 (7);**

5 **“(b) ORS 686.130 (11);**

6 **“(c) ORS 686.130 (14); or**

7 **“(d) ORS 686.130 (16).**

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

9 **“686.160. (1)(a) If a license is withheld, not renewed, or revoked for a vi-**
10 **olation of ORS 686.120 or 686.130, the [practitioner] **individual** may not again**
11 **apply for a license until after [a period of six months has elapsed, and then**
12 **only by paying the regular examination fee, and again complying with the re-**
13 **quirements for obtaining a license in accordance with ORS 686.045.] **the****
14 **longer of:**

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

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

18 **“(b) To again apply for a license, the individual shall pay the regu-**
19 **lar examination fee and meet the qualification requirements in ORS**
20 **686.045.**

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

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

26 **“SECTION 12. The amendments to ORS 674.200, 674.205, 674.220,**
27 **674.250, 674.310, 674.330 and 674.340 by sections 1 to 7 of this 2020 Act**
28 **become operative on the 91st day after the date on which the 2020**
29 **regular session of the Eightieth Legislative Assembly adjourns sine**
30 **die.**

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

4
