

# Enrolled House Bill 2074

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Health Authority)

CHAPTER .....

AN ACT

Relating to prescription monitoring program fees; creating new provisions; amending ORS 431A.880; and prescribing an effective date.

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

**SECTION 1.** ORS 431A.880 is amended to read:  
431A.880. (1) As used in this section, “board” means:

- (a) The Oregon Medical Board;
- (b) The Oregon Board of Dentistry;
- (c) The Oregon Board of Naturopathic Medicine;
- (d) The Oregon State Board of Nursing;
- (e) The Oregon Board of Optometry; and
- (f) The State Board of Pharmacy.

(2)(a) At the time of issuing or renewing a license, a board shall provide the Oregon Health Authority with the licensing information of each person licensed by the board who is authorized to prescribe or dispense controlled substances. The authority shall use the licensing information to qualify the licensee to report information to, or receive information from, the prescription monitoring program established under ORS 431A.855.

(b) A board by rule may adopt exceptions to the requirement described in paragraph (a) of this subsection.

(3)(a) In addition to other licensing fees imposed by a board on licensees, a board shall adopt rules imposing a fee of [~~\$25~~] **\$35** per year on each person licensed by the board who is authorized to prescribe or dispense controlled substances. A board shall collect the fee at the same time the board collects other licensing fees imposed on licensees.

(b) A board shall retain 10 percent of the fees collected under paragraph (a) of this subsection to cover the costs of administering this section.

(c) On the first day of each calendar quarter, a board shall transmit 90 percent of the fees collected under paragraph (a) of this subsection during the preceding calendar quarter to the Electronic Prescription Monitoring Fund established in ORS 431A.885.

(4) A board may adopt rules necessary for the administration of this section.

**SECTION 2. The amendments to ORS 431A.880 by section 1 of this 2021 Act apply to fees collected on or after the operative date specified in section 3 (1) of this 2021 Act.**

**SECTION 3. (1) The amendments to ORS 431A.880 by section 1 of this 2021 Act become operative on January 1, 2022.**

(2) The Oregon Health Authority and the boards listed in ORS 431A.880 may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the authority and the boards to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the authority and the boards by the amendments to ORS 431A.880 by section 1 of this 2021 Act.

**SECTION 4.** This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

**Passed by House June 15, 2021**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate June 22, 2021**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M.,....., 2021

**Approved:**

.....M.,....., 2021

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2021

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Shemia Fagan, Secretary of State