

House Bill 2121

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

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 **as introduced**.

Prohibits Oregon Board of Naturopathic Medicine from imposing sanction on naturopathic physician who performs abortion.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to naturopathic physicians; creating new provisions; amending ORS 685.110; and prescribing
3 an effective date.

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

5 **SECTION 1.** ORS 685.110 is amended to read:

6 685.110. (1) The Oregon Board of Naturopathic Medicine may **impose any of these sanctions**
7 **for a reason specified in subsection (2) of this section:**

8 (a) Refuse to grant a license[, *may*];

9 (b) Suspend or revoke a license[, *may*];

10 (c) Limit a license[, *may*];

11 (d) Impose probation[, *may*];

12 (e) Issue a letter of reprimand [*and may*]; **or**

13 (f) Impose a civil penalty not to exceed \$5,000 for each offense[*for any of the following*
14 *reasons*:].

15 (2) **The board may impose the sanctions listed in subsection (1) of this section upon a**
16 **person for any of the following reasons:**

17 [(1)] (a) Using fraud or deception in securing a license.

18 [(2)] (b) Impersonating another **naturopathic** physician.

19 [(3)] (c) Practicing naturopathic medicine under an assumed name.

20 [(4)] *Performing an abortion.*

21 [(5)] (d) Being convicted of a crime involving moral turpitude.

22 [(6)] (e) Any other reason that renders the applicant or licensee unfit to perform the duties of
23 a naturopathic physician.

24 [(7)] (f) Being convicted of a crime relating to practice of naturopathic medicine.

25 [(8)] (g) Committing negligence related to the practice of naturopathic medicine.

26 [(9)] (h) Having an impairment as defined in ORS 676.303.

27 [(10)] (i) Prescribing or dispensing drugs outside the scope of practice.

28 [(11)] (j) Obtaining a fee through fraud or misrepresentation.

29 [(12)] (k) Committing gross or repeated malpractice.

30 [(13)] (l) Representing to a patient that a manifestly incurable condition of sickness, disease or

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 injury can be permanently cured.

2 [(14)] (m) Engaging in any conduct or practice contrary to a recognized standard of ethics of
3 the profession or any conduct or practice that does or might constitute a danger to the health or
4 safety of a patient or the public or any conduct, practice or condition that does or might adversely
5 affect a **naturopathic** physician's ability safely and skillfully to practice naturopathic medicine.

6 [(15)] (n) Willfully and consistently utilizing any naturopathic service, X-ray equipment or
7 treatment contrary to recognized standards of practice of the naturopathic profession.

8 [(16)] (o) Failing to notify the board within 30 days of a change in the location of practice or
9 of mailing address.

10 [(17)] (p) Attempting to practice naturopathic medicine or practicing or claiming to practice
11 naturopathic medicine or any of its components in this state without first complying with the pro-
12 visions of this chapter.

13 [(18)] (q) Having a license to practice naturopathic medicine in another jurisdiction suspended
14 or revoked.

15 [(19)] (r) Employing unlicensed persons to practice naturopathic medicine.

16 [(20)] (s) Practicing natural childbirth without first obtaining a certificate of special competency.

17 [(21)] (t) Failing to respond in a timely manner to a request for information regarding a com-
18 plaint or the investigation of a complaint by the board.

19 [(22)] (u) Failing to pay a civil penalty in the time specified by the order imposing the penalty.

20 [(23)] (v) Violating any provision of this chapter or rules adopted by the board.

21 **SECTION 2. (1) The amendments to ORS 685.110 by section 1 of this 2021 Act become**
22 **operative on January 1, 2022.**

23 **(2) The Oregon Board of Naturopathic Medicine may take any action before the operative**
24 **date specified in subsection (1) of this section that is necessary for the board to exercise, on**
25 **and after the operative date specified in subsection (1) of this section, all of the duties,**
26 **functions and powers conferred on the board by the amendments to ORS 685.110 by section**
27 **1 of this 2021 Act.**

28 **SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021**
29 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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