

# House Bill 2122

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**.

Allows Oregon Board of Naturopathic Medicine to require person under investigation by board to undergo mental, physical, chemical dependency or competency evaluation.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to Oregon Board of Naturopathic Medicine; creating new provisions; amending ORS  
3 685.225; and prescribing an effective date.

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

5 **SECTION 1.** ORS 685.225 is amended to read:

6 685.225. (1) Upon the complaint of a [*citizen*] **resident** of this state, or upon its own motion, the  
7 Oregon Board of Naturopathic Medicine may investigate an alleged violation of this chapter.

8 (2) In conducting investigations, the board may:

9 (a) Take evidence;

10 (b) Take depositions of witnesses, including the person under investigation, in the manner pre-  
11 scribed by law for depositions in civil actions;

12 (c) Compel the appearance of witnesses, including the person under investigation, in the manner  
13 prescribed by law for appearances in civil actions;

14 (d) Require answers to interrogatories; [*and*]

15 (e) Compel the production of books, papers, accounts, documents or testimony that pertains to  
16 the matter under investigation[.]; **and**

17 **(f) Require a person under investigation to undergo a mental, physical, chemical de-**  
18 **pendency or competency evaluation, at the person's expense, if the board has objectively**  
19 **reasonable grounds to believe that the person is or may be unable to practice naturopathic**  
20 **medicine with reasonable skill and safety.**

21 (3) In exercising its authority under subsection (2) of this section, the board or a designee of the  
22 board may issue subpoenas.

23 **(4) The results of an evaluation conducted under subsection (2)(f) of this section must**  
24 **be reported to the board. The results may not be disclosed to the public but may be received**  
25 **into evidence in a proceeding involving the person subjected to the evaluation, regardless of**  
26 **any claim of privilege by the person.**

27 **(5) The board may adopt rules to carry out this section.**

28 **SECTION 2.** (1) **The amendments to ORS 685.225 by section 1 of this 2021 Act become**  
29 **operative on January 1, 2022.**

30 **(2) The Oregon Board of Naturopathic Medicine may take any action before the operative**

**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 **date specified in subsection (1) of this section that is necessary to enable the board to exer-**  
2 **cise, on and after the operative date specified in subsection (1) of this section, all of the du-**  
3 **ties, functions and powers conferred on the board by the amendments to ORS 685.225 by**  
4 **section 1 of this 2021 Act.**

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

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