# House Bill 2122

Introduced and printed pursuant to House Rule 12.00. Presession 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

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

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

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

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

(2) In conducting investigations, the board may:

(a) Take evidence;

(b) Take depositions of witnesses, including the person under investigation, in the manner prescribed by law for depositions in civil actions;

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

(d) Require answers to interrogatories; [and]

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

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

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

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

5 The board may adopt rules to carry out this section.

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

(2) The Oregon Board of Naturopathic Medicine may take any action before the operative
date specified in subsection (1) of this section that is necessary to enable the board 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 board by the amendments to ORS 685.225 by section 1 of this 2021 Act.

SECTION 3. 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.