

# Senate Bill 100

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## 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 Board of Medical Imaging to issue subpoena over signature of board executive director when conducting investigation.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to subpoena authority of Board of Medical Imaging; creating new provisions; amending ORS  
3 688.600; and prescribing an effective date.

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

5 **SECTION 1.** ORS 688.600 is amended to read:

6 688.600. (1) Upon receipt of a complaint, or upon its own motion, the Board of Medical Imaging  
7 may investigate any alleged violation of ORS 688.405 to 688.605.

8 (2) In the conduct of investigations, the board may:

9 (a) Take evidence;

10 (b) Take the depositions of witnesses, including the person charged, in the manner provided by  
11 law in civil cases;

12 (c) Compel the appearance of witnesses, including the person charged, before the board in per-  
13 son the same as in civil cases;

14 (d) Require answers to interrogatories;

15 (e) Compel the production of books, papers, accounts, documents and testimony pertaining to the  
16 matter under investigation;

17 (f) Require a person to undergo a mental, physical, chemical dependency or competency evalu-  
18 ation at the person's expense when the board has reasonable grounds to believe that the person is  
19 or may be unable to practice a medical imaging modality with reasonable skill and safety or may  
20 constitute a risk to the public, with the results being reported to the board. The report may not be  
21 disclosed to the public but may be received into evidence in a proceeding between the board and  
22 the person when the mental, physical, chemical dependency or competency of the person is at issue,  
23 notwithstanding any claim of privilege by the person; and

24 (g) Issue subpoenas over the signature of the board chairperson **or executive director** and the  
25 seal of the board in the name of the State of Oregon.

26 (3) For the purpose of disciplinary issues concerning scope of practice and standards of practice,  
27 the board may form temporary peer review committees in the relevant modality or subspecialty to  
28 advise the board of appropriate action. The composition, authority and responsibilities of a tempo-  
29 rary committee must be defined in rules adopted by the board.

30 **SECTION 2. (1) The amendments to ORS 688.600 by section 1 of this 2021 Act become**

**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 **operative on January 1, 2022.**

2 **(2) The Board of Medical Imaging may take any action before the operative date specified**  
3 **in subsection (1) of this section that is necessary to enable the board to exercise, on and**  
4 **after the operative date specified in subsection (1) of this section, all of the duties, functions**  
5 **and powers conferred on the board by the amendments to ORS 688.600 by section 1 of this**  
6 **2021 Act.**

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

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