

Enrolled Senate Bill 124

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for State Board of Examiners for Speech-Language Pathology and Audiology)

CHAPTER

AN ACT

Relating to membership of the State Board of Examiners for Speech-Language Pathology and Audiology; creating new provisions; amending ORS 681.400; and prescribing an effective date.

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

SECTION 1. ORS 681.400 is amended to read:

681.400. (1) There is established a State Board of Examiners for Speech-Language Pathology and Audiology. The board consists of *[seven]* **eight** members appointed by the Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All members of the board must be residents of this state. Of the members of the board:

- (a) Two must be audiologists licensed under this chapter.
- (b) Two must be speech-language pathologists licensed under this chapter.
- (c) One must be a speech-language pathology assistant certified under ORS 681.360.**
- [(c)] (d)* One must be a person licensed to practice medicine who also holds board certification from the American Board of Otolaryngology.
- [(d)] (e)* Two must be members of the public who are not:
 - (A) Otherwise eligible for appointment to the board; or
 - (B) A spouse, domestic partner, child, parent or sibling of:
 - (i) An audiologist[.];**
 - (ii) A speech-language pathologist;**
 - (iii) A speech-language pathology assistant; or**
 - (iv) A person licensed to practice medicine who also holds board certification from the American Board of Otolaryngology.**

(2)(a) Board members required to be licensed audiologists, *[or]* licensed speech-language pathologists **or certified speech-language pathology assistants** may be selected by the Governor from a list of three to five nominees for each vacancy, submitted by:

- (A) Any professional organization representing audiologists, if the vacancy on the board is for an audiologist position; *[or]*
- (B) Any professional organization representing speech-language pathologists, if the vacancy on the board is for a speech-language pathologist position[.]; **or**
- (C) Any professional organization representing speech-language pathology assistants, if the vacancy on the board is for a speech-language pathology assistant position.**

(b) In selecting the members of the board, the Governor shall strive to balance the representation on the board according to:

- (A) Geographic areas of this state; and
- (B) Ethnic group.

(3)(a) The term of office of each member is three years, but a member serves at the pleasure of the Governor. The terms must be staggered so that no more than three terms end each year. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(b) A board member shall be removed immediately from the board if, during the member's term, the member:

(A) Is not a resident of this state;

(B) Has been absent from three consecutive board meetings, unless at least one absence is excused;

(C) Is not a licensed audiologist or a retired audiologist who was a licensed audiologist whose license was in good standing at the time of retirement, if the board member was appointed to serve on the board as an audiologist; *[or]*

(D) Is not a licensed speech-language pathologist or a retired speech-language pathologist who was a licensed speech-language pathologist whose license was in good standing at the time of retirement, if the board member was appointed to serve on the board as a speech-language pathologist[.]; **or**

(E) Is not a certified speech-language pathology assistant or a retired speech-language pathology assistant who was a certified speech-language pathology assistant whose certificate was in good standing at the time of retirement, if the board member was appointed to serve on the board as a speech-language pathology assistant.

SECTION 2. The amendments to ORS 681.400 by section 1 of this 2021 Act apply to individuals who are members of the State Board of Examiners for Speech-Language Pathology and Audiology on and after the operative date specified in section 3 of this 2021 Act.

SECTION 3. (1) The amendments to ORS 681.400 by section 1 of this 2021 Act become operative on January 1, 2022.

(2) The State Board of Examiners for Speech-Language Pathology and Audiology may take any action before the operative date specified in subsection (1) of this section that is necessary for 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 681.400 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 Senate March 17, 2021

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 20, 2021

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Tina Kotek, Speaker of House

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