

House Bill 2600

Sponsored by Representative REYNOLDS; Representatives LEVY B, NOSSE, OWENS, SCHARF, SMITH G, Senators CAMPOS, GELSER BLOUIN (Pre-session filed.)

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**.

Requires Governor, in appointing members to Oregon State Board of Nursing, to balance diversity of setting in which nurse or certified nursing assistant members provide care.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to Oregon State Board of Nursing membership; creating new provisions; amending ORS
3 678.140; and prescribing an effective date.

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

5 **SECTION 1.** ORS 678.140 is amended to read:

6 678.140. (1) There is created an Oregon State Board of Nursing composed of nine members ap-
7 pointed by the Governor and subject to confirmation by the Senate in the manner provided in ORS
8 171.562 and 171.565. All members of the board must be residents of this state. Of the members of the
9 board:

10 (a) Five must be registered nurses;

11 (b) One must be a licensed practical nurse;

12 (c) One must be a certified nursing assistant; and

13 (d) Two must be members of the public who are otherwise not eligible for appointment to the
14 board.

15 (2)(a) Board members required to be nurse members may be selected by the Governor from a list
16 of three to five nominees for each vacancy, submitted two months before the expiration of the term
17 of office of a nurse member by:

18 (A) The Oregon Nurses Association or any other professional organization representing regis-
19 tered nurses, if the vacancy is in a registered nurse position;

20 (B) The Oregon Licensed Practical Nurses Association or any other professional organization
21 representing licensed practical nurses, if the vacancy is in a licensed practical nurse position; or

22 (C) A professional organization representing certified nursing assistants, if the vacancy is in a
23 certified nursing assistant position.

24 (b) Each nurse or certified nursing assistant member must:

25 (A) Be currently licensed and not under disciplinary status with the board in the category for
26 which the member is appointed; and

27 (B) Have at least five years' experience in the category in which the member is appointed, three
28 of which were immediately prior to appointment.

29 (c) The public members and any person who is a spouse, domestic partner, child, parent or sib-
30 ling of a public member may not be licensed by the board.

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 (d) In making appointments of registered nurses, the Governor shall ensure that the following
2 areas of practice are represented on the board:

- 3 (A) One nursing educator;
- 4 (B) One nursing administrator;
- 5 (C) Two nonsupervisory nurses involved in direct patient care; and
- 6 (D) One nurse practitioner.

7 (e) In selecting the members of the board, the Governor shall strive to balance the represen-
8 tation on the board according to:

- 9 (A) Geographic areas of this state; *[and]*
- 10 (B) Ethnic group[.]; **and**

11 **(C) For the members who are nurses or a certified nursing assistant, the setting in which**
12 **the member practices nursing or provides care, with priority given to members who practice**
13 **or provide care in facilities or other locations that are licensed by the Department of Human**
14 **Services or the Oregon Health Authority.**

15 (3)(a) The members of the board shall be appointed by the Governor for terms of three years,
16 beginning on January 1. A member serves at the pleasure of the Governor. The terms must be
17 staggered so that no more than three terms end each year. A member is eligible for reappointment.
18 An unexpired term of a board member shall be filled in the same manner as an original appointment
19 is made. The appointment shall be for the remainder of the unexpired term.

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

- 22 (A) Is not a resident of this state;
- 23 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-
24 cused; or
- 25 (C) Is not a registered nurse or licensed practical nurse or a retired registered nurse or licensed
26 practical nurse who was a registered nurse in good standing or licensed practical nurse in good
27 standing at the time of retirement, if the board member was appointed to serve on the board as a
28 nurse member.

29 (4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.
30 The board may provide by rule for compensation to board members for the performance of official
31 duties at a rate that is greater than the rate provided in ORS 292.495.

32 **SECTION 2. The amendments to ORS 678.140 by section 1 of this 2023 Act apply to**
33 **members appointed to the Oregon State Board of Nursing on or after the effective date of**
34 **this 2023 Act.**

35 **SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023**
36 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**