

Senate Bill 849

Sponsored by Senators JAMA, DEMBROW, FREDERICK, CAMPOS, MANNING JR, WOODS, Representatives CHAICHI, NGUYEN H; Representative VALDERRAMA

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 professional licensing boards to provide culturally responsive training to specified staff members, publish guidance on pathways to professional authorization for internationally educated individuals and waive requirement for English proficiency examination for specified internationally educated individuals.

Prohibits Oregon Medical Board from imposing time limitation on completion of United States Medical Licensing Examination. Allows board to issue limited license to practice medicine to specified individuals for practice under supervision of other licensed physician.

Establishes Internationally Educated Workforce Reentry Grant Program within Higher Education Coordinating Commission to award grants to specified entities that provide eligible career guidance and support services to internationally educated residents of Oregon who are seeking to enter Oregon workforce in certain professions.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

Relating to professional workforce; creating new provisions; amending ORS 677.132; and declaring an emergency.

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

PROFESSIONAL LICENSING BOARDS

SECTION 1. (1) As used in this section:

(a) "Occupational or professional service" means a service:

(A) That an individual must possess a license, certificate or other form of authorization to provide under the laws of this state; and

(B) Over which a professional licensing board has regulatory oversight.

(b) "Professional licensing board" means a state agency or board that licenses, certifies or otherwise authorizes individuals to provide an occupational or professional service.

(2) A professional licensing board shall:

(a) Ensure that any staff of the professional licensing board who support internationally educated individuals through the licensure, certification or other authorization process receive culturally responsive training approved by the Office of Immigrant and Refugee Advancement.

(b) Develop and publish on a website operated by or on behalf of the professional licensing board clear and easily understandable guidance regarding pathways to licensure, certification or other authorization issued by the professional licensing board for internationally educated individuals. The guidance developed under this paragraph must include information on eligibility requirements, processes, costs and timelines for licensure, certification or other authorization.

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 (c) Allow an applicant for licensure, certification or other authorization who has passed
 2 an English proficiency examination required for licensure, certification or other authori-
 3 zation issued by another state that the professional licensing board determines is the same
 4 or comparable to that required for licensure, certification or authorization issued by the
 5 professional licensing board, to apply for licensure, certification or other authorization
 6 without completing an English proficiency examination in this state.

7 (3) A professional licensing board may adopt rules to carry out the provisions of this
 8 section.

9 **SECTION 2.** A professional licensing board shall publish the guidance described in section
 10 1 of this 2023 Act not later than July 1, 2024.

11 **SECTION 3.** (1) Section 1 of this 2023 Act becomes operative on January 1, 2024.

12 (2) A professional licensing board may take any action before the operative date specified
 13 in subsection (1) of this section that is necessary to enable the professional licensing board
 14 to exercise, on and after the operative date specified in subsection (1) of this section, all of
 15 the duties, functions and powers conferred on the professional licensing board by section 1
 16 of this 2023 Act.

17 **SECTION 4.** Section 4 of this 2023 Act is added to and made a part of ORS chapter 677.

18 **SECTION 5.** The Oregon Medical Board may not impose a limitation on the amount of
 19 time in which an applicant for a license to practice medicine must complete all steps of the
 20 United States Medical Licensing Examination.

21 **SECTION 6.** Section 5 of this 2023 Act applies to applications received by the Oregon
 22 Medical Board on or after the operative date specified in section 8 of this 2023 Act.

23 **SECTION 7.** ORS 677.132 is amended to read:

24 677.132. (1)(a) When a need exists, the Oregon Medical Board may issue a limited license for a
 25 specified period to an applicant who possesses the qualifications prescribed by the rules of the
 26 board.

27 (b) The board shall supervise the activities of the holder of a limited license and impose re-
 28 strictions as the board finds necessary.

29 (c) Each person holding a limited license under this subsection must obtain an unlimited license
 30 at the earliest time possible. The board shall refuse to renew a limited license issued under this
 31 subsection at the end of a period specified by rule if the board determines that the holder of the
 32 limited license is not pursuing diligently an attempt to become qualified for an unlimited license.

33 (d) The board by rule shall prescribe the types of and limitations upon licenses issued under this
 34 subsection.

35 (2)(a) The board may issue a limited license to practice medicine in this state to a physician
 36 who is licensed to practice medicine in another state or country and who:

37 (A) Holds a degree of Doctor of Medicine, Doctor of Osteopathic Medicine or its equivalent;

38 (B) Is appointed as a full-time professor of medicine at a school of medicine in this state;

39 (C) Is in good standing with the state or country from which the physician holds a license to
 40 practice medicine;

41 (D) Meets any requirements established by rule of the board;

42 (E) Pays the license fee established by rule of the board;

43 (F) Submits to the board letters that attest to the applicant's distinguished status and that are
 44 written by:

45 (i) The dean of the school of medicine where the applicant is a full-time professor of medicine;

1 (ii) The department chairpersons at the school of medicine who are directly involved in the
2 applicant's faculty assignments; and

3 (iii) At least five of the applicant's academic colleagues who work outside of this state and who
4 are nationally or internationally recognized experts in the specialty area in which the applicant
5 practices or are current or former deans of schools of medicine;

6 (G) Maintains active membership in at least two medical specialty societies that restrict mem-
7 bership based on academic or area-of-practice criteria; and

8 (H) Has published at least two medical papers in peer-reviewed journals.

9 (b) The board may establish by rule other criteria or qualifications that a physician applying for
10 the limited license described in this subsection must meet.

11 (c) A physician who is issued the limited license described in this subsection may practice
12 medicine only in conjunction with a full-time appointment as a professor of medicine. A limited li-
13 cense is valid only so long as the physician maintains the full-time appointment.

14 **(3)(a) The board may issue a limited license to practice medicine to an applicant who:**

15 **(A) Has been a resident of this state for at least one year;**

16 **(B) Has passed all steps of the United States Medical Licensing Examination;**

17 **(C) Is certified by the Educational Commission for Foreign Medical Graduates, or its**
18 **successor organization, and approved by the board by rule; and**

19 **(D) Submits to the board the applicant's fingerprints for purposes of a state or nation-**
20 **wide criminal records check under ORS 181A.195.**

21 **(b) An individual licensed under this subsection may practice medicine under the super-**
22 **vision of a physician who holds an unlimited license to practice medicine in this state and**
23 **who practices in the same or substantially similar clinical specialty. The individual and the**
24 **supervising physician shall submit to the board a practice agreement that meets the re-**
25 **quirements established by the board by rule.**

26 **(c) The board may establish a limit on the number of individuals licensed under this**
27 **subsection that a physician described in paragraph (b) of this subsection may supervise.**

28 **(d) A license issued under this subsection may be renewed.**

29 [(3)] **(4) A person licensed under this section is subject to all the provisions of this chapter and**
30 **to all the rules of the board and has the same duties and responsibilities and is subject to the same**
31 **penalties and sanctions as any other person licensed under this chapter.**

32 [(4)] **(5) The board may not issue more than eight licenses under subsection (2) of this section**
33 **in a four-year period. The board shall ensure by rule the availability of at least two licenses in each**
34 **year in a four-year period.**

35 **SECTION 8. (1) Section 5 of this 2023 Act and the amendments to ORS 677.132 by section**
36 **7 of this 2023 Act become operative on January 1, 2024.**

37 **(2) The Oregon Medical Board may take any action before the operative date specified in**
38 **subsection (1) of this section that is necessary to enable the board to exercise, on and after**
39 **the operative date specified in subsection (1) of this section, all of the duties, functions and**
40 **powers conferred on the board by section 5 of this 2023 Act and the amendments to ORS**
41 **677.132 by section 7 of this 2023 Act.**

42
43 **INTERNATIONALLY EDUCATED WORKFORCE REENTRY GRANT PROGRAM**

44
45 **SECTION 9. (1) The Internationally Educated Workforce Reentry Grant Program is es-**

1 **established within the Higher Education Coordinating Commission.**

2 **(2) Under the program, the commission shall award grants to not-for-profit organiza-**
 3 **tions, post-secondary institutions of education and employers who provide eligible career**
 4 **guidance and support services to internationally educated residents of Oregon who are**
 5 **seeking to enter the Oregon workforce in an eligible profession.**

6 **(3) In administering the program, the commission shall:**

7 **(a) Accept grant applications and make grant award determinations in consultation with**
 8 **the Office of Immigrant and Refugee Advancement and in a manner determined by the**
 9 **commission by rule;**

10 **(b) Use the program to assist in coordinating the planning, development and implemen-**
 11 **tation of a comprehensive system for integrating individuals who are internationally edu-**
 12 **cated in eligible professions into the Oregon workforce system;**

13 **(c) Partner with community organizations that work with internationally educated pop-**
 14 **ulations to develop and maintain a voluntary roster of internationally educated populations**
 15 **entering the Oregon workforce; and**

16 **(d) Make publicly available summary reports that show the aggregate number and dis-**
 17 **tribution, by geography and speciality, of the internationally educated population in Oregon.**

18 **(4) The commission, in consultation with the office, may adopt rules necessary to imple-**
 19 **ment this section.**

20 **(5) As used in this section:**

21 **(a) “Eligible career guidance and support services” means:**

22 **(A) Educational and career navigation services, including but not limited to information**
 23 **on training and licensing requirements for an eligible profession;**

24 **(B) Guidance on determining best career pathways, based on individual skills, experience,**
 25 **resources and interests;**

26 **(C) Support in becoming proficient in eligible industry-specific English;**

27 **(D) Support in becoming proficient in the use of information technology, including but**
 28 **not limited to computer skills and the use of electronic technology;**

29 **(E) Support for increasing knowledge of and familiarity with health care and educational**
 30 **systems;**

31 **(F) Support for trauma-informed care;**

32 **(G) Support for clinical preparation;**

33 **(H) Culturally responsive training;**

34 **(I) Support for job placement; and**

35 **(J) Financial support for internationally educated residents.**

36 **(b) “Eligible profession” means:**

37 **(A) Nurse;**

38 **(B) Physician;**

39 **(C) Pharmacist;**

40 **(D) Behavioral health and mental health worker; and**

41 **(E) Nurse, school counselor or teacher at a school.**

42 **(c) “Financial support” means:**

43 **(A) Tuition, fees and other costs incurred in relation to training, licensing or creden-**
 44 **tialing;**

45 **(B) Living wages during the training, licensing or credentialing process;**

1 (C) Costs associated with exam preparation, including but not limited to review courses
2 and study and exam materials; and

3 (D) Application fees.

4 **SECTION 10.** No later than June 30, 2024, the Higher Education Coordinating Commission
5 shall begin to award grants under the Internationally Educated Workforce Reentry Grant
6 Program established under section 9 of this 2023 Act.

7 **SECTION 11.** Section 10 of this 2023 Act is repealed on January 2, 2025.

8 **SECTION 12.** No later than September 1, 2026, the Higher Education Coordinating Com-
9 mission shall prepare and submit a report in the manner provided in ORS 192.245 on the
10 implementation and success of the Internationally Educated Workforce Reentry Grant Pro-
11 gram established in section 9 of this 2023 Act, which may include recommendations for leg-
12 islation, to the interim committees of the Legislative Assembly related to labor and business.
13 The report submitted under this section must include information regarding:

14 (1) The total number of internationally educated professionals who were served by the
15 program;

16 (2) The specific types of direct services provided to professionals, including but not lim-
17 ited to the costs of providing the services and the number of professionals who received the
18 services;

19 (3) The total amount of financial assistance provided to professionals;

20 (4) The types of financial assistance that were provided to professionals; and

21 (5) Any identified barriers that prevent internationally educated professionals from par-
22 ticipating in the Oregon workforce.

23 **SECTION 13.** Section 12 of this 2023 Act is repealed on January 2, 2027.

24 **SECTION 14.** In addition to and not in lieu of any other appropriation, there is appro-
25 priated to the Higher Education Coordinating Commission for the biennium beginning July
26 1, 2023, out of the General Fund, the amount of \$20,000,000, for the purpose of operating the
27 Internationally Educated Workforce Reentry Grant Program established in section 9 of this
28 2023 Act.

29
30 **CAPTIONS**

31
32 **SECTION 15.** The unit captions used in this 2023 Act are provided only for the conven-
33 ience of the reader and do not become part of the statutory law of this state or express any
34 legislative intent in the enactment of this 2023 Act.

35
36 **EFFECTIVE DATE**

37
38 **SECTION 16.** This 2023 Act being necessary for the immediate preservation of the public
39 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
40 on July 1, 2023.

41 _____