

HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO SENATE BILL 969

By COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE

May 11

1 On page 2 of the printed bill, after line 3, insert:

2 **“SECTION 1a. If Senate Bill 703 becomes law, section 1 of this 2023 Act (amending ORS**
3 **678.442) is repealed and ORS 678.442, as amended by section 1, chapter __, Oregon Laws 2023**
4 **(Enrolled Senate Bill 703), is amended to read:**

5 “678.442. (1) The Oregon State Board of Nursing shall establish standards for certifying and
6 [*shall*] **may** certify as a nursing assistant any person who:

7 “(a) Submits an application;

8 “(b)(A) Shows completion of an approved training program for nursing assistants; or

9 “(B) Has military training or experience that the board determines is substantially equivalent
10 to the training required by subparagraph (A) of this paragraph; and

11 “(c) Passes an examination developed by the National Council of State Boards of Nursing, or its
12 successor organization, and approved by the board by rule.

13 “(2) In the manner prescribed in ORS chapter 183, the board may revoke [*or*], suspend **or deny**
14 a certificate issued under this section [*or may*], reprimand a nursing assistant **or place a nursing**
15 **assistant on probation for a period of time and subject to any conditions specified by the**
16 **board** for the following reasons:

17 “(a) Conviction of the certificate holder of a crime that bears demonstrable relationship to the
18 duties of a nursing assistant. A copy of the record of the conviction, certified to by the clerk of the
19 court entering the conviction, shall be conclusive evidence of the conviction.

20 “(b) Any willful fraud or misrepresentation in applying for or procuring a certificate or renewal
21 of a certificate.

22 “(c) Impairment as defined in ORS 676.303.

23 “(d) Violation of any provisions of ORS 678.010 to 678.448 or rules adopted under ORS 678.010
24 to 678.448.

25 “(e) Physical condition that makes the certificate holder unable to perform safely the duties of
26 a nursing assistant.

27 “(f) Conduct unbecoming a nursing assistant in the performance of duties.

28 “(3) The board shall establish by rule a procedure for the biennial renewal of nursing assistant
29 certificates. The certificate renewal procedure must be substantially like the procedure established
30 for the licensing of nurses under ORS 678.101.

31 “(4) Notwithstanding ORS 192.345, the board may use the results of an examination described
32 in subsection (1) of this section for the continuing education of applicants for certification as a
33 nursing assistant.

34 “(5) The board shall offer the examination described in subsection (1) of this section in English
35 and Spanish.”

1 After line 10, insert:

2 “**SECTION 2a.** If Senate Bill 703 becomes law, section 2 of this 2023 Act is amended to read:

3 “**Sec. 2.** (1) The amendments to ORS 678.442 by section [1] **1a** of this 2023 Act become operative
4 on January 1, 2024.

5 “(2) The Oregon State Board of Nursing may take any action before the operative date specified
6 in subsection (1) of this section that is necessary to enable the board to exercise, on and after the
7 operative date specified in subsection (1) of this section, all of the duties, functions and powers
8 conferred on the board by the amendments to ORS 678.442 by section [1] **1a** of this 2023 Act.”.

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