

HB 2045-2
(LC 1496)
5/3/23 (SCT/ps)

Requested by Representative NELSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2045**

1 In line 2 of the printed bill, after “care” insert “; creating new provisions;
2 amending ORS 678.031 and 678.034; and prescribing an effective date”.

3 After line 8, insert:

4 **“SECTION 3. Section 1 of this 2023 Act becomes operative on Jan-
5 uary 1, 2024.**

6 **“SECTION 4. ORS 678.031, as amended by section 12, chapter 38, Oregon
7 Laws 2022, is amended to read:**

8 “678.031. ORS 678.010 to 678.410 do not apply to:

9 “(1) The employment of nurses in institutions or agencies of the federal
10 government.

11 “(2) The practice of nursing incidental to the planned program of study
12 for students enrolled in nursing education programs approved by the Oregon
13 State Board of Nursing or accredited or approved by another state or United
14 States territory as described under ORS 678.040 and approved by the board.

15 “(3) Nursing practiced outside this state that is incidental to a distance
16 learning program provided by an institution of higher education located in
17 Oregon.

18 “(4) The furnishing of nursing assistance in an emergency.

19 “(5) The practice of any other occupation or profession licensed under the
20 laws of this state.

21 “(6) Care of the sick with or without compensation when performed in

1 connection with the practice of the religious tenets of a well-recognized
2 church or denomination that relies exclusively on treatment by prayer and
3 spiritual means by adherents thereof so long as the adherent does not engage
4 in the practice of nursing as defined in ORS 678.010 to 678.410 and 678.990
5 or hold oneself out as a registered nurse or a licensed practical nurse.

6 “(7) Nonresident nurses licensed and in good standing in another state if
7 nonresident nurses are practicing in this state on a single, temporary as-
8 signment of not to exceed 90 days, renewable for not to exceed [30] **90** days,
9 for assignments that are for the general public benefit limited to the fol-
10 lowing:

11 “(a) Transport teams;

12 “(b) Red Cross Blood Services personnel;

13 “(c) Presentation of educational programs;

14 “(d) Disaster teams;

15 “(e) Staffing in a hospital that is responding to a temporary staffing
16 shortage and would be otherwise unable to meet the hospital’s staffing re-
17 quirements;

18 “(f) Staffing a long term care facility that is responding to a temporary
19 staffing shortage and would be otherwise unable to meet its staffing re-
20 quirements;

21 “(g) Providing health care for students who attend school outside of
22 Oregon and who are participating in a school-sponsored event; or

23 “(h) Staffing any of the following entities that is responding to a tempo-
24 rary staffing shortage and would otherwise be unable to meet its staffing
25 requirements:

26 “(A) An adult or juvenile residential behavioral health treatment facility;

27 “(B) An opioid treatment program;

28 “(C) A withdrawal management program;

29 “(D) A sobering center;

30 “(E) A primary care facility; or

1 “(F) A behavioral health home, as defined in ORS 414.025.

2 **“SECTION 5.** ORS 678.034, as amended by section 13, chapter 38, Oregon
3 Laws 2022, is amended to read:

4 “678.034. (1)(a) A hospital, long term care facility or entity described in
5 ORS 678.031 (7)(h) that employs nurses under ORS 678.031 (7)(e), (f) or (h)
6 shall:

7 “(A) Notify the Oregon State Board of Nursing in writing of the number
8 of nurses employed under ORS 678.031 (7)(e), (f) or (h), the times of employ-
9 ment and the nature of the staffing shortage;

10 “(B) Certify that there is no labor dispute affecting nurses at the hospital,
11 long term care facility or entity described in ORS 678.031 (7)(h); and

12 “(C) At the request of the board, provide documentation that the nurses
13 employed under ORS 678.031 (7)(e), (f) or (h) are licensed and in good stand-
14 ing in another state or United States territory.

15 “(b) A hospital, long term care facility or entity described in ORS 678.031
16 (7)(h) that employs nurses as described in paragraph (a) of this subsection
17 shall provide notice in writing of and certify to the nurses’ exclusive bar-
18 gaining representative, if any, the information described in paragraph (a) of
19 this subsection.

20 “(2) Nurses employed in this state under ORS 678.031 (7)(e), (f) or (h), at
21 the time of employment, shall apply for an Oregon license by indorsement
22 **or, if the nurse was previously licensed in this state, for reactivation**
23 **of the nurse’s Oregon license.**

24 **“SECTION 6. This 2023 Act takes effect on the 91st day after the**
25 **date on which the 2023 regular session of the Eighty-second Legislative**
26 **Assembly adjourns sine die.”.**

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