

C-Engrossed
Senate Bill 717

Ordered by the House June 23
Including Senate Amendments dated May 4 and House Amendments dated
June 7 and June 23

Sponsored by COMMITTEE ON HEALTH POLICY AND PUBLIC AFFAIRS

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.

[Requires Board of Medical Examiners to appoint scope of practice review committee for regulated health profession when requested to review proposed changes to scope of practice of health care profession. Requires committee to report results of proposal review to board. Requires board to forward committee report to legislature.]

[Sunsets June 30, 2012.]

Directs Department of Human Services to contract with nonprofit institute to appoint and convene scope of practice review committees to review proposed changes by health professional regulatory boards, health care professionals or organizations representing health care professionals that request review if change may fall under scope of what constitutes practice of health care profession.

Specifies membership composition of committees and duties and responsibilities of department, institute and committees.

Sunsets January 1, 2010.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to scope of practice review committees; and declaring an emergency.

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

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

5 (a) **"Health care professional" means a person whose profession is regulated by a health**
6 **professional regulatory board.**

7 (b) **"Health professional regulatory board" has the meaning given that term in ORS**
8 **676.160.**

9 (c) **"Institute" means a nonprofit entity established to coordinate and advance a state-**
10 **wide response to the health care workforce shortage.**

11 (2) **The Department of Human Services shall contract with an institute to appoint and**
12 **convene scope of practice review committees.**

13 (3) **The contract shall require the institute to appoint and convene a review committee**
14 **whenever a health professional regulatory board, a health care professional or an organiza-**
15 **tion representing health care professionals proposing a change to the scope of practice of a**
16 **health care profession, if that change may fall under the scope of what constitutes the**
17 **practice of a health care profession, files a written request with the department for a review**
18 **of the proposed change.**

19 (4) **The institute shall appoint a scope of practice review committee composed of mem-**
20 **bers who represent the following views on the proposed change:**

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 (a) Two members who are proponents of the change;
2 (b) Two members who are opponents of the change; and
3 (c) Two members who are neutral about the change.
4 (5) The department shall notify the institute whenever the department receives a request
5 to review a proposed change to a scope of practice.
6 (6) The institute, within 30 days of receipt of notification from the department, shall meet
7 with health professional regulatory boards, workforce development entities, workforce edu-
8 cation entities and organizations representing health care professions to:
9 (a) Review the process of recommending nominees to the institute; and
10 (b) Accept recommended nominees provided by health professional regulatory boards,
11 workforce development entities, workforce education entities and organizations representing
12 health care professionals.
13 (7) If the names of recommended nominees are not provided to the institute within 30
14 days after the meeting described in subsection (6) of this section, the institute shall appoint
15 the members to the scope of practice review committee.
16 (8)(a) The scope of practice review committee shall review the proposed change to the
17 scope of practice. When conducting the review of the proposed change, the committee shall
18 consider whether the proposed change:
19 (A) Has a basis founded on:
20 (i) An established history of the scope of practice within the profession;
21 (ii) A relationship with the education and training of practitioners in the scope of prac-
22 tice;
23 (iii) Supporting clinical evidence based on research that the proposed change promotes
24 access to quality health care and benefits the public by managing the evolving concepts of
25 disease and disability, standards of care, infection control data, cost effectiveness analysis
26 and benchmarking data; and
27 (iv) An appropriate regulatory environment that can manage modifications to scope of
28 practice changes;
29 (B) Better protects the public and enhances consumers' access to competent healthcare
30 services;
31 (C) Reflects the evolution of the ability of each healthcare discipline and recognizes the
32 inevitability of overlapping scopes of practice; and
33 (D) Focuses on patient safety and public protection.
34 (b) The scope of practice review committee shall submit a written report to the institute
35 within 90 days of the appointment of members to the committee. The report shall include a
36 final recommendation for endorsement or rejection of the proposed change to the scope of
37 practice if the committee reaches consensus on the proposed change. If the committee fails
38 to reach consensus, the report shall identify the issues that resulted in the failure to reach
39 consensus.
40 (c) The institute shall provide technical assistance and support staff for a scope of prac-
41 tice review committee.
42 (9) Meetings of a scope of practice review committee are subject to ORS 192.610 to
43 192.690.
44 (10) The institute shall forward the scope of practice review committee's report to the
45 department within 30 days of receiving the report from the committee. The department shall

1 **report the committee's findings to the Legislative Assembly as provided in ORS 192.245.**

2 **SECTION 2. Section 1 of this 2007 Act is repealed on January 1, 2010.**

3 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
4 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
5 **on its passage.**

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