



Oregon

Kate Brown, Governor

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DATE: April 17, 2017

TO: House Judiciary Committee
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Sherrie Sprenger
Duane Stark
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FROM: Linsay Hale, Professional Standards Division Director

SUBJECT: House Bill 2545-3 Amendments

Summary: HB 2545-3 creates a new category of occupational license for deception detection examination administrators (DDEA), separate from polygraph examiners who are currently licensed by the Department of Public Safety Standards and Training (DPSST). This bill would require DDEAs to meet minimum age, citizenship, moral fitness, education, experience, training and competency standards and to pay a fee established by the Board on Public Safety Standards and Training (Board) prior to being licensed to perform ocular motor deception detection examination.

HB 2545-3 requires the Board to adopt rules to carry out the provision of the bill. The DPSST would be responsible for implementing these rules and managing and staffing the licensing program.

It should be noted these amendments require an applicant for licensure as a DDEA to complete 200 ocular motor deception detection examinations prior to being licensed, but makes it illegal to conduct these types of exams without licensure. The amendments also require graduation from an ocular motor deception examination course that is approved by the DPSST. To my knowledge, no such course exists. A course of this nature would presumably need to be created, delivered and maintained by the DPSST in consultation with the manufacturer of the ocular motor deception detection equipment.

Effect of HB 2545-3 on the DPSST: HB2545-3 would add another pool of constituents to the jurisdiction of DPSST and the Board. While there is no way of knowing how many people would seek licensure as a DDEA, DPSST would require funding for an additional Office Specialist 2, a Training and Curriculum Development Specialist and Compliance Specialist 2 to process new and renewal applications and fees for licensure, maintain licensure and employment records, develop and deliver an ocular motor deception examination course proctor examinations, investigate allegations of non-compliance and to proceed with denial, suspension or revocation of licensure in accordance with the Administrative Procedures Act.