



LPRO: LEGISLATIVE POLICY AND RESEARCH

MEMORANDUM

Prepared for: Oregon State Senate
Date: January 23, 2020
By: Tyler Larson, Analyst
Re: Legislative Review of Executive Appointments

OREGON STATE BOARD OF NURSING

The Governor has appointed the following individuals to the Oregon State Board of Nursing subject to Senate confirmation.¹

Appointees

Michael Wynter-Lightfoot of Milwaukie, New Appointment

Term

February 14, 2020 – February 13, 2023

Appointment/Confirmation Authority

[ORS 678.140](#)

Statement of Economic Interest²

Not required.

Statutory Requirements³

The board consists of nine members appointed by the Governor and subject to confirmation by the Senate.⁴ All members of the board must be residents of this state. Nurse and nurse assistant members must be currently licensed and in good standing, and have at least five years' experience in the category in which the member is appointed, three of which were immediately prior to appointment. Members serve three year terms and at the pleasure of the Governor. Members are entitled to compensation and expenses as provided in ORS 292.495 and the board may provide by rule for greater compensation.

Five members must be registered nurses. These members may be selected by the Governor from a list of three to five nominees for each vacancy from the Oregon Nurses Association or any other professional organization representing registered nurses. The Governor must ensure that the following areas of practice are represented on the board:

- One nursing educator (CADDY);
- One nursing administrator (COLE);

¹ See [Or. Const. art. III sect. 4](#), [ORS 171.562](#), [ORS 171.565](#).

² See [ORS 244.050](#).

³ See [ORS 182.100](#) for affirmative action policy and [ORS 236.115](#) for diversity criteria.

⁴ [ORS 678.140](#).

- Two nonsupervisory nurses involved in direct patient care (ENGHOUSE, TURNIPSEED); and
- One nurse practitioner (CHINN).

One member must be a licensed practical nurse (CHAU). This member may be selected by the Governor from a list of three to five nominees for each vacancy from the Oregon Licensed Practical Nurses Association or any other professional organization representing licensed practical nurses.

One member must be a certified nursing assistant (YOUNGREN). This member may be selected by the Governor from a list of three to five nominees for each vacancy from a professional organization representing certified nursing assistants.

Two must be members of the public who are otherwise not eligible for appointment to the board (WOODRUFF, **WYNTER-LIGHTFOOT**). Public members and any person who is a spouse, domestic partner, child, parent or sibling of a public member may not be licensed by the board.

Duties and Authority

The board must:⁵

- Elect annually from its number a president, a president-elect and a secretary, each of whom shall serve until a successor is elected and qualified;
- Adopt a seal which is in the care of the executive director;
- Keep a record of all its proceedings and of all persons licensed and schools or programs approved;
- Determine the qualifications of applicants for a license to practice nursing in this state and establish educational and professional standards for such applicants subject to laws of this state;
- Exercise general supervision over the practice of nursing in this state;
- Prescribe standards and approve curricula for nursing education programs preparing persons for licensing;
- Provide for surveys of nursing education programs as may be necessary;
- Approve nursing education programs that meet the requirements administered by the board;
- Deny or withdraw approval from nursing education programs for failure to meet prescribed standards;
- Examine, license and renew the licenses of duly qualified applicants;
- Issue subpoenas for any records relevant to a board investigation, compel the attendance of witnesses, and administer oaths or affirmations to persons giving testimony during an investigation or at hearings

⁵ [ORS 678.050-448](#).

- Enforce the provisions administered by the board and incur necessary expenses for the enforcement;
- Prescribe standards for the delegation of tasks of patient care to nursing assistants and for the supervision of nursing assistants;
- Notify licensees at least annually of changes in legislative or board rules that affect the licensees;
- Determine the scope of practice as delineated by the knowledge acquired through approved courses of education or through experience;
- Adopt rules pertaining to the provision of nursing care in specified correctional and detoxification, and residential care facilities;
- Adopt rules as necessary to carry out the provisions administered by the board;
- Enter into an interagency agreement with the Department of Human Services and the Oregon Health Authority to share the results of nationwide criminal records checks;
- Keep a record of all moneys deposited in the Oregon State Board of Nursing Account;
- Administer license examinations at least once a year;
- Determine by rule the form and manner of the evidence of current licensure and provide evidence of current licensure;
- Adopt by rule a schedule establishing the amount of civil penalty, not exceeding \$5,000, that may be imposed for any violation of standards administered by the board; and,
- Conduct an investigation upon receipt of a complaint.

The board may:⁶

- Require applicants, licensees and certificate holders to provide to the board data concerning the individual's nursing employment and education;
- May require the fingerprints for the purpose of requesting criminal records checks of a person who is applying for a license or certificate that is issued by the board; applying for renewal of a license or certificate that is issued by the board; or under investigation by the board;
- Maintain a petty cash fund in the amount of \$1,000;
- Issue licenses by indorsement under criteria established by the board;
- Issue limited licenses to specified applicants under criteria established by the board;
- Adopt by rule requirements and procedures for placing a license or certificate in inactive status;
- Adopt by rule requirements, procedures and fees for placing a license in retired status;
- Issue a nurse emeritus license to specified applicants under rules established by the board;
- Take enforcement action against an applicant or licensee, including the denial, suspension, or revocation of a license, or placing a licensee on probation, for specified causes;
- Order mental health, physical condition or chemical dependency evaluations during the course of an investigation into the performance or conduct of an applicant, certificate holder or licensee; and,

⁶ [ORS 678.050-448](#).

- Adopt by rule standards for continuing education as a prerequisite for renewal of licenses, persons whose license has lapsed for nonpayment of fees, who have not practiced nursing for five years, or who have their licenses suspended or revoked as a condition to relicensure.

Executive Appointments Board Roster

Nursing, Oregon State Board of

Agency: Health Licensing Office
Authorization: ORS 678.140
Members: Min: 9 Max: 9
Term Length: 3 years Limit: 2
Senate confirmation required? Yes

Policy Area: Health

Board Contact:

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Current Appointments:

Member Name and Address (Alphabetical)

Sheryl Caddy Nursing Educator Term(s): 01-01-2018 - 12-31-2020	Position Number: 5
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Michelle H Chau LPN Term(s): 01-01-2019 - 12-31-2021	Position Number: 8
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Kat Chinn, Vice-Chair Nurse Practitioner Term(s): 01-01-2019 - 12-31-2021 01-01-2016 - 12-31-2018	Position Number: 4
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Annette E Cole Nursing Administrator Term(s): 01-01-2018 - 12-31-2020	Position Number: 2
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Adrienne M Enghouse Nonsupervisory; Direct Care Term(s): 01-01-2018 - 12-31-2020 06-01-2016 - 12-31-2017	Position Number: 3
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Barbara J Turnipseed, Chair Nonsupervisory; Direct Care Term(s): 01-01-2018 - 12-31-2020 11-20-2015 - 12-31-2017	Position Number: 1
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Judith L Woodruff, JD Public Member Term(s): 01-01-2020 - 12-31-2022	Position Number: 9
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Michael L Wynter-Lightfoot Public Member Term(s): 02-14-2020 - 02-13-2023	Position Number: 6
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Executive Appointments Board Roster

Nursing, Oregon State Board of

Member Name and Address (Alphabetical)

Policy Area: Health

William A Youngren

CNA

Position Number: 7

Term(s): 01-01-2019 - 12-31-2021
06-01-2016 - 12-31-2018