

Enrolled
Senate Bill 100

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CHAPTER

AN ACT

Relating to subpoena authority of Board of Medical Imaging; creating new provisions; amending ORS 688.600; and prescribing an effective date.

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

SECTION 1. ORS 688.600 is amended to read:

688.600. (1) Upon receipt of a complaint, or upon its own motion, the Board of Medical Imaging may investigate any alleged violation of ORS 688.405 to 688.605.

(2) In the conduct of investigations, the board may:

- (a) Take evidence;
- (b) Take the depositions of witnesses, including the person charged, in the manner provided by law in civil cases;
- (c) Compel the appearance of witnesses, including the person charged, before the board in person the same as in civil cases;
- (d) Require answers to interrogatories;
- (e) Compel the production of books, papers, accounts, documents and testimony pertaining to the matter under investigation;
- (f) Require a person to undergo a mental, physical, chemical dependency or competency evaluation at the person's expense when the board has reasonable grounds to believe that the person is or may be unable to practice a medical imaging modality with reasonable skill and safety or may constitute a risk to the public, with the results being reported to the board. The report may not be disclosed to the public but may be received into evidence in a proceeding between the board and the person when the mental, physical, chemical dependency or competency of the person is at issue, notwithstanding any claim of privilege by the person; and
- (g) Issue subpoenas over the signature of the board chairperson **or executive director** and the seal of the board in the name of the State of Oregon.

(3) For the purpose of disciplinary issues concerning scope of practice and standards of practice, the board may form temporary peer review committees in the relevant modality or subspecialty to advise the board of appropriate action. The composition, authority and responsibilities of a temporary committee must be defined in rules adopted by the board.

SECTION 2. (1) The amendments to ORS 688.600 by section 1 of this 2021 Act become operative on January 1, 2022.

(2) The Board of Medical Imaging may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the board to exercise, on and

after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the board by the amendments to ORS 688.600 by section 1 of this 2021 Act.

SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by Senate March 10, 2021

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 20, 2021

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2021

Approved:

.....M,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2021

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Shemia Fagan, Secretary of State