

A-Engrossed
Senate Bill 705

Ordered by the Senate April 23
Including Senate Amendments dated April 23

Sponsored by Senator MANNING JR, Representatives PRUSAK, MOORE-GREEN; Senators BEYER, LIEBER, LINTHICUM, PATTERSON, PROZANSKI, Representatives LEIF, LEVY, LIVELY, MEEK, NOBLE, SALINAS, SCHOUTEN (at the request of Oregon Society of Physician Assistants)

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.

Adds two members who are physician assistants or retired physician assistants **and one additional public member** to membership of Oregon Medical Board.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to membership of the Oregon Medical Board; creating new provisions; amending ORS
3 677.235; and prescribing an effective date.

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

5 **SECTION 1.** ORS 677.235 is amended to read:

6 677.235. (1) The Oregon Medical Board consists of [14] **17** members appointed by the Governor
7 and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All
8 members of the board must be residents of this state. Of the members of the board:

9 (a) Seven must have the degree of Doctor of Medicine;

10 (b) Two must have the degree of Doctor of Osteopathic Medicine;

11 (c) One must have the degree of Doctor of Podiatric Medicine;

12 (d) [One] **Three** must be [a *physician assistant*] **physician assistants** licensed under ORS 677.512
13 or [a *retired physician assistant*] **retired physician assistants**; and

14 (e) [Three] **Four** must be members of the public who represent health consumers.

15 (2)(a)(A) Board members required to possess the degree of Doctor of Medicine may be selected
16 by the Governor from a list of three to five candidates for each member described in subsection
17 (1)(a) of this section whose term expires in that year, submitted by the Oregon Medical Association
18 not later than February 1.

19 (B) Board members required to possess the degree of Doctor of Osteopathic Medicine may be
20 selected by the Governor from a list of three to five candidates for each member described in sub-
21 section (1)(b) of this section whose term expires in that year, submitted by the Osteopathic Physi-
22 cians and Surgeons of Oregon, Inc., not later than February 1.

23 (C) The board member required to possess the degree of Doctor of Podiatric Medicine may be
24 selected by the Governor from a list of three to five candidates for the member described in sub-
25 section (1)(c) of this section whose term expires in that year, submitted by the Oregon Podiatric
26 Medical Association not later than February 1.

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 (D) The board [*member*] **members** required to be [*a physician assistant*] **physician assistants**
2 licensed under ORS 677.512 or [*a retired physician assistant*] **retired physician assistants** may be
3 selected by the Governor from a list of three to five candidates for the member described in sub-
4 section (1)(d) of this section whose term expires in that year, submitted by the Oregon Society of
5 Physician Assistants not later than February 1.

6 (b) Members who are physicians and the [*member who is a physician assistant or a retired phy-*
7 *sician assistant*] **members who are physician assistants or retired physician assistants** must
8 have been in the active practice of their profession for at least five years immediately preceding
9 their appointment.

10 (c)(A) A public member may not be otherwise eligible for appointment to the board.

11 (B) A public member, or the spouse, domestic partner, child, parent or sibling of a public mem-
12 ber, may not be a licensed health care professional in this state.

13 (d)(A) In selecting the members of the board, the Governor shall strive to balance the repre-
14 sentation on the board according to geographic areas of this state and ethnicity.

15 (B) Of the seven members who hold the degree of Doctor of Medicine, at least one member must
16 be appointed from each federal congressional district.

17 (3)(a) The term of office of each board member is three years, but a member serves at the
18 pleasure of the Governor. The terms must be staggered so that no more than [*five*] **six** terms end
19 each year. A term begins on March 1 of the year the member is appointed and ends on the last day
20 of February of the third year after the member is appointed. A member may not serve more than two
21 consecutive terms.

22 (b) If a vacancy occurs on the board, another qualifying member possessing the same profes-
23 sional degree, license or retired status or fulfilling the same public capacity as the person whose
24 position has been vacated shall be appointed as provided in this section to fill the unexpired term.

25 (c) A board member shall be removed immediately from the board if, during the member's term,
26 the member:

27 (A) Is not a resident of this state;

28 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-
29 cused; or

30 (C) Is not a current licensee or a retired licensee whose license was in good standing at the time
31 of retirement, if the board member was appointed to serve on the board as a licensee.

32 (4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.
33 The board may provide by rule for compensation to board members for the performance of official
34 duties at a rate that is greater than the rate provided in ORS 292.495.

35 (5)(a) The chairperson shall select at least one but no more than three former board members
36 to serve as emeritus board members. A person selected to serve as an emeritus board member is
37 subject to approval by the Governor.

38 (b) A person may serve as an emeritus board member for up to three years after the date on
39 which the person's term as a board member ended.

40 (c) An emeritus board member serves at the pleasure of the Governor.

41 (d) The board shall publish a list of emeritus board members on a website maintained by the
42 board.

43 (e) If a board member will be absent from a meeting of the board and has provided notice to the
44 chairperson or executive director of the board in advance of the member's absence, an emeritus
45 board member who holds the same degree or professional license, or who fulfills the same public

1 capacity, as the absent member may take the place of the absent member during the absence.

2 **SECTION 2. The amendments to ORS 677.235 by section 1 of this 2021 Act apply to indi-**
3 **viduals who are members of the Oregon Medical Board on and after the operative date of this**
4 **2021 Act.**

5 **SECTION 3. (1) The amendments to ORS 677.235 by section 1 of this 2021 Act become**
6 **operative on January 1, 2022.**

7 **(2) The Oregon Medical Board may take any action before the operative date specified in**
8 **subsection (1) of this section that is necessary to enable the board to exercise, on and after**
9 **the operative date specified in subsection (1) of this section, all of the duties, functions and**
10 **powers conferred on the board by the amendments to ORS 677.235 by section 1 of this 2021**
11 **Act.**

12 **SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021**
13 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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