

# Senate Bill 98

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## 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 **as introduced**.

Authorizes Board of Medical Imaging to issue letter of reprimand or impose probation for purposes of discipline.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to Board of Medical Imaging; creating new provisions; amending ORS 688.525; and pre-  
3 scribing an effective date.

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

5 **SECTION 1.** ORS 688.525 is amended to read:

6 688.525. (1) The Board of Medical Imaging, after notice of and hearing as required under the  
7 contested case procedures of ORS chapter 183, may **take any of the following actions against a**  
8 **person described in subsection (2) of this section:**

9 (a) Refuse to issue a license or permit to any applicant[, *may*];

10 (b) Refuse to renew the license of any medical imaging licensee or the permit of a limited X-ray  
11 machine operator [*or may*];

12 (c) Suspend or revoke [*the*] a license or permit[ *of a person who:*] **issued by the board;**

13 (d) **Issue a letter of reprimand to a licensee or permittee of the board; or**

14 (e) **Impose probation upon a licensee or permittee of the board.**

15 (2) **The board may take any of the actions described in subsection (1) of this section**  
16 **against a person who:**

17 (a) Has been disciplined by a credentialing organization or a licensing board in this state or in  
18 another state, territory of the United States or nation for acts by the holder of a license or a permit  
19 that are similar to acts described in this subsection. A certified copy of the order of discipline  
20 constitutes conclusive evidence of the discipline.

21 (b) Has an impairment as defined in ORS 676.303.

22 (c) In the judgment of the board, is guilty of unethical or unprofessional conduct in the practice  
23 of a medical imaging modality or as a limited X-ray machine operator.

24 (d) Has been convicted of any crime that bears a demonstrable relationship to the practice of  
25 a medical imaging modality or as a limited X-ray machine operator, or otherwise reflects adversely  
26 on fitness to practice.

27 (e) In the judgment of the board, has acted with gross negligence in the practice of a medical  
28 imaging modality or as a limited X-ray machine operator.

29 (f) Has undertaken to act as a medical imaging licensee independently of the supervision of a  
30 licensed physician, or has undertaken to act as a limited X-ray machine operator independently of

**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 the supervision of a licensed physician, licensed nurse practitioner or licensed physician assistant.

2 (g) Has obtained or attempted to obtain a license or permit under ORS 688.405 to 688.605 by  
3 fraud or material misrepresentation.

4 (h) **Is in violation of a provision of ORS 688.405 to 688.605 or rule adopted under ORS**  
5 **688.405 to 688.605.**

6 (i) **Has failed to respond to inquiries by the board.**

7 (j) **Has failed to cooperate with an investigation conducted by the board.**

8 (k) **Has failed to comply with an order issued by the board.**

9 (L) **Has committed an act of moral turpitude, dishonesty, fraud or misrepresentation that**  
10 **is not related to the practice of a medical imaging modality or as a limited X-ray machine**  
11 **operator but that, in the discretion of the board, bears upon the person's fitness to practice**  
12 **medical imaging.**

13 [(2)] (3) Upon receipt of a complaint under ORS 688.405 to 688.605, the board shall conduct an  
14 investigation as described under ORS 676.165.

15 [(3)] (4) Information that the board obtains as part of an investigation into licensee, permittee  
16 or applicant conduct or as part of a contested case proceeding, consent order or stipulated agree-  
17 ment involving licensee, permittee or applicant conduct is confidential as provided under ORS  
18 676.175.

19 **SECTION 2. (1) The amendments to ORS 688.525 by section 1 of this 2021 Act become**  
20 **operative on January 1, 2022.**

21 **(2) The Board of Medical Imaging may take any action before the operative date specified**  
22 **in subsection (1) of this section that is necessary to enable the board to exercise, on and**  
23 **after the operative date specified in subsection (1) of this section, all of the duties, functions**  
24 **and powers conferred on the board by the amendments to ORS 688.525 by section 1 of this**  
25 **2021 Act.**

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

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