

HOUSE AMENDMENTS TO SENATE BILL 226

By COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE

May 11

1 On page 1 of the printed bill, line 2, after “ORS” insert “678.010 and”.

2 After line 4, insert:

3 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 678.010 to**
4 **678.410.**

5 **“SECTION 2. A registered nurse who is employed by or contracted with a long term care**
6 **facility or an in-home care agency, as defined in ORS 443.305, may execute a medical order**
7 **from a physician licensed to practice medicine in another state or territory of the United**
8 **States if:**

9 **“(1) The order is related to the care or treatment of an individual who is a client, patient**
10 **or resident of the long term care facility or in-home care agency that employs or contracts**
11 **the registered nurse; and**

12 **“(2) The individual described in subsection (1) of this section has been a client, patient**
13 **or resident of the long term care facility or in-home care agency for not more than 90 days.**

14 **“SECTION 3.** ORS 678.010, as amended by section 7, chapter 38, Oregon Laws 2022, is amended
15 to read:

16 “678.010. As used in ORS 678.010 to 678.410:

17 “(1) ‘Clinical nurse specialist’ means a licensed registered nurse who has been licensed by the
18 Oregon State Board of Nursing as qualified to practice the expanded clinical specialty nursing role.

19 “(2) ‘Diagnosing’ in the context of the practice of nursing means identification of and discrimi-
20 nation between physical and psychosocial signs and symptoms essential to effective execution and
21 management of the nursing care.

22 “(3) ‘Human responses’ means signs, symptoms and processes that denote the person’s inter-
23 action with an actual or potential health problem.

24 “(4) ‘Long term care facility’ means a licensed skilled nursing facility or intermediate care fa-
25 cility as those terms are used in ORS 442.015, an adult foster home as defined in ORS 443.705 that
26 has residents over 60 years of age, or a residential care facility, including an assisted living facility,
27 as defined in ORS 443.400.

28 “(5) ‘Nurse intern’ means a person who holds a nurse internship license issued under section 2,
29 chapter 38, Oregon Laws 2022.

30 “(6) ‘Nurse practitioner’ means a registered nurse who has been licensed by the board as qual-
31 ified to practice in an expanded specialty role within the practice of nursing.

32 “(7) ‘Physician’ means a person licensed to practice under ORS chapter 677.

33 “(8)(a) ‘Practice of nursing’ means autonomous and collaborative care of persons of all ages,
34 families, groups and communities, sick and well, and in all settings to promote health and safety,
35 including prevention and treatment of illness and management of changes throughout a person’s life.

1 “(b) ‘Practice of nursing’ includes:
2 “(A) Executing medical orders prescribed by a physician, dentist, clinical nurse specialist, nurse
3 practitioner, certified registered nurse anesthetist or other licensed health care provider licensed
4 or certified by this state and authorized by the board by rule to issue orders for medical
5 treatment, **or as otherwise described in ORS 678.010 to 678.410;**
6 “(B) Providing supervision of nursing assistants and nurse interns; and
7 “(C) The performance of additional services that:
8 “(i) Require education and training; and
9 “(ii) Are recognized by the board by rule and the nursing profession as services to be properly
10 performed by a nurse licensed under ORS 678.010 to 678.410.
11 “(c) ‘Practice of nursing’ does not include the execution of medical orders described in this
12 subsection by a member of the immediate family for another member or by a person designated by
13 or on behalf of a person requiring care as provided by board rule if the person executing the order
14 is not licensed under ORS 678.010 to 678.410.
15 “(9) ‘Practice of practical nursing’ means the application of knowledge drawn from basic edu-
16 cation in the social and physical sciences in planning and giving nursing care and in assisting per-
17 sons toward achieving of health and well-being.
18 “(10) ‘Practice of registered nursing’ means the application of knowledge drawn from broad in-
19 depth education in the social and physical sciences in assessing, planning, ordering, giving, deleg-
20 ating, teaching and supervising care that promotes the person’s optimum health and independence.
21 “(11) ‘Treating’ means selection and performance of therapeutic measures essential to the ef-
22 fective execution and management of the nursing care and execution of the prescribed medical or-
23 ders.”.
24 In line 5, delete “1” and insert “4”.
25 On page 2, delete lines 14 through 22 and insert:
26 **“SECTION 5. (1) Section 2 of this 2023 Act and the amendments to ORS 678.010 and**
27 **678.390 by sections 3 and 4 of this 2023 Act become operative on January 1, 2024.**
28 **“(2) The Oregon State Board of Nursing may take any action before the operative date**
29 **specified in subsection (1) of this section that is necessary to enable the board to exercise,**
30 **on or after the operative date specified in subsection (1) of this section, all of the duties,**
31 **functions and powers conferred on the board by section 2 of this 2023 Act and the amend-**
32 **ments to ORS 678.010 and 678.390 by sections 3 and 4 of this 2023 Act.**
33 **“SECTION 6. This 2023 Act takes effect on the 91st day after the date on which the 2023**
34 **regular session of the Eighty-second Legislative Assembly adjourns sine die.”.**
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