

SB 226-2
(LC 561)
3/2/23 (SCT/ps)

Requested by HOUSE COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE (at the request of Oregon Health Care Association)

**PROPOSED AMENDMENTS TO
SENATE BILL 226**

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**
4 **of ORS 678.010 to 678.410.**

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

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

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

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

19 **“678.010. As used in ORS 678.010 to 678.410:**

20 **“(1) ‘Clinical nurse specialist’ means a licensed registered nurse who has**
21 **been licensed by the Oregon State Board of Nursing as qualified to practice**

1 the expanded clinical specialty nursing role.

2 “(2) ‘Diagnosing’ in the context of the practice of nursing means iden-
3 tification of and discrimination between physical and psychosocial signs and
4 symptoms essential to effective execution and management of the nursing
5 care.

6 “(3) ‘Human responses’ means signs, symptoms and processes that denote
7 the person’s interaction with an actual or potential health problem.

8 “(4) ‘Long term care facility’ means a licensed skilled nursing facility or
9 intermediate care facility as those terms are used in ORS 442.015, an adult
10 foster home as defined in ORS 443.705 that has residents over 60 years of age,
11 or a residential care facility, including an assisted living facility, as defined
12 in ORS 443.400.

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

15 “(6) ‘Nurse practitioner’ means a registered nurse who has been licensed
16 by the board as qualified to practice in an expanded specialty role within the
17 practice of nursing.

18 “(7) ‘Physician’ means a person licensed to practice under ORS chapter
19 677.

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

24 “(b) ‘Practice of nursing’ includes:

25 “(A) Executing medical orders prescribed by a physician, dentist, clinical
26 nurse specialist, nurse practitioner, certified registered nurse anesthetist or
27 other licensed health care provider licensed or certified by this state and
28 authorized by the board by rule to issue orders for medical treatment, **or**
29 **as otherwise described in ORS 678.010 to 678.410;**

30 “(B) Providing supervision of nursing assistants and nurse interns; and

1 “(C) The performance of additional services that:

2 “(i) Require education and training; and

3 “(ii) Are recognized by the board by rule and the nursing profession as
4 services to be properly performed by a nurse licensed under ORS 678.010 to
5 678.410.

6 “(c) ‘Practice of nursing’ does not include the execution of medical orders
7 described in this subsection by a member of the immediate family for another
8 member or by a person designated by or on behalf of a person requiring care
9 as provided by board rule if the person executing the order is not licensed
10 under ORS 678.010 to 678.410.

11 “(9) ‘Practice of practical nursing’ means the application of knowledge
12 drawn from basic education in the social and physical sciences in planning
13 and giving nursing care and in assisting persons toward achieving of health
14 and well-being.

15 “(10) ‘Practice of registered nursing’ means the application of knowledge
16 drawn from broad in-depth education in the social and physical sciences in
17 assessing, planning, ordering, giving, delegating, teaching and supervising
18 care that promotes the person’s optimum health and independence.

19 “(11) ‘Treating’ means selection and performance of therapeutic measures
20 essential to the effective execution and management of the nursing care and
21 execution of the prescribed medical orders.”.

22 In line 5, delete “1” and insert “4”.

23 On page 2, delete lines 14 through 22 and insert:

24 **“SECTION 5. (1) Section 2 of this 2023 Act and the amendments to**
25 **ORS 678.010 and 678.390 by sections 3 and 4 of this 2023 Act become**
26 **operative on January 1, 2024.**

27 **“(2) The Oregon State Board of Nursing may take any action before**
28 **the operative date specified in subsection (1) of this section that is**
29 **necessary to enable the board to exercise, on or after the operative**
30 **date specified in subsection (1) of this section, all of the duties, func-**

1 tions and powers conferred on the board by section 2 of this 2023 Act
2 and the amendments to ORS 678.010 and 678.390 by sections 3 and 4 of
3 this 2023 Act.

4 “SECTION 6. This 2023 Act takes effect on the 91st day after the
5 date on which the 2023 regular session of the Eighty-second Legislative
6 Assembly adjourns sine die.”.

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