

House Bill 4011

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Behavioral Health and Health Care)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells health insurance to pay for some cancer exams and devices that people with diabetes use. The Act makes the Health Licensing Office register dental laboratories. It says what "dental laboratory" means. The Act tells the Oregon Health Authority to help pay for nursing education programs and the behavioral health workforce. The Act makes a project at OHA to buy a lot of things to help with substance use in the state. The Act is effective 91 days after adjournment sine die. (Flesch Readability Score: 60.6).

Prohibits cost-sharing on certain health insurance coverage of cervical cancer examinations.

Requires medical assistance to include continuous glucose monitor for specified recipients of medical assistance. Defines "continuous glucose monitor."

Requires a dental laboratory to register with the Health Licensing Office. Defines "dental laboratory." Requires a dental laboratory to provide a material content disclosure to a dentist who prescribes a work order for a dental prosthetic appliance or other artificial material or device. Defines "material content disclosure." Allows the office to impose discipline for certain violations. Directs the office to provide administrative and regulatory oversight to the dental laboratory program.

Requires the Oregon Health Authority to provide grants to the Oregon Center for Nursing to work with Oregon's nursing education programs to develop programs to recruit and retain nurse educators at public and private institutions of higher education.

Requires the authority to enter into an agreement with the Mental Health and Addiction Certification Board of Oregon to increase the behavioral health workforce in this state.

Establishes the Harm Reduction Clearinghouse Project within the authority to make bulk purchases of harm reduction supplies.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to health care; creating new provisions; amending ORS 413.115, 676.565, 676.579, 676.590,
3 676.612, 676.613, 676.622, 676.992, 679.010, 679.176 and 743B.005; repealing ORS 679.530; and
4 prescribing an effective date.

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

INSURANCE COVERAGE

6
7
8
9 **SECTION 1. Section 2 of this 2024 Act is added to and made a part of the Insurance Code.**

10 **SECTION 2. (1) As used in this section:**

11 **(a)(A) "Cervical cancer examination" means, for the purpose of detecting the presence**
12 **of cervical cancer or precancerous lesions, a visualization of the uterine cervix using both**
13 **the naked eye and a magnifying scope and the sampling of the cervical tissue by biopsy or**
14 **excision.**

15 **(B) "Cervical cancer examination" includes follow-up examinations.**

16 **(b) "Follow-up examination" means additional cervical cancer examinations, performed**
17 **at approximately six months and 12 months after a cervical cancer examination, to screen**
18 **for abnormalities in the uterine cervix or cervical tissue.**

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 **(2) Except as provided in ORS 742.008, a carrier offering a group health benefit plan or**
2 **an individual health benefit in this state that reimburses the cost of cervical cancer exam-**
3 **inations may not impose on the coverage of a medically necessary cervical cancer examina-**
4 **tion:**

5 **(a) A deductible;**

6 **(b) Coinsurance;**

7 **(c) A copayment; or**

8 **(d) Other out-of-pocket expenses.**

9 **SECTION 3.** ORS 743B.005 is amended to read:

10 743B.005. For purposes of ORS 743.004, 743.007, 743.022, 743.416, 743.417, 743.535, 743A.101,
11 743B.003 to 743B.127, 743B.109, 743B.128, 743B.250 and 743B.323 **and section 2 of this 2024 Act:**

12 (1) “Actuarial certification” means a written statement by a member of the American Academy
13 of Actuaries or other individual acceptable to the Director of the Department of Consumer and
14 Business Services that a carrier is in compliance with the provisions of ORS 743B.012 based upon
15 the person’s examination, including a review of the appropriate records and of the actuarial as-
16 sumptions and methods used by the carrier in establishing premium rates for small employer health
17 benefit plans.

18 (2) “Affiliate” of, or person “affiliated” with, a specified person means any carrier who, directly
19 or indirectly through one or more intermediaries, controls or is controlled by or is under common
20 control with a specified person. For purposes of this definition, “control” has the meaning given that
21 term in ORS 732.548.

22 (3) “Affiliation period” means, under the terms of a group health benefit plan issued by a health
23 care service contractor, a period:

24 (a) That is applied uniformly and without regard to any health status related factors to an
25 enrollee or late enrollee;

26 (b) That must expire before any coverage becomes effective under the plan for the enrollee or
27 late enrollee;

28 (c) During which no premium shall be charged to the enrollee or late enrollee; and

29 (d) That begins on the enrollee’s or late enrollee’s first date of eligibility for coverage and runs
30 concurrently with any eligibility waiting period under the plan.

31 (4) “Bona fide association” means an association that:

32 (a) Has been in active existence for at least five years;

33 (b) Has been formed and maintained in good faith for purposes other than obtaining insurance;

34 (c) Does not condition membership in the association on any factor relating to the health status
35 of an individual or the individual’s dependent or employee;

36 (d) Makes health insurance coverage that is offered through the association available to all
37 members of the association regardless of the health status of the member or individuals who are
38 eligible for coverage through the member;

39 (e) Does not make health insurance coverage that is offered through the association available
40 other than in connection with a member of the association;

41 (f) Has a constitution and bylaws; and

42 (g) Is not owned or controlled by a carrier, producer or affiliate of a carrier or producer.

43 (5) “Carrier” means any person who provides health benefit plans in this state, including:

44 (a) A licensed insurance company;

45 (b) A health care service contractor;

- 1 (c) A health maintenance organization;
- 2 (d) An association or group of employers that provides benefits by means of a multiple employer
- 3 welfare arrangement and that:
 - 4 (A) Is subject to ORS 750.301 to 750.341; or
 - 5 (B) Is fully insured and otherwise exempt under ORS 750.303 (4) but elects to be governed by
 - 6 ORS 743B.010 to 743B.013; or
 - 7 (e) Any other person or corporation responsible for the payment of benefits or provision of ser-
 - 8 vices.
- 9 (6) "Dependent" means the spouse or child of an eligible employee, subject to applicable terms
- 10 of the health benefit plan covering the employee.
- 11 (7) "Eligible employee" means an employee who is eligible for coverage under a group health
- 12 benefit plan.
- 13 (8) "Employee" means any individual employed by an employer.
- 14 (9) "Enrollee" means an employee, dependent of the employee or an individual otherwise eligible
- 15 for a group or individual health benefit plan who has enrolled for coverage under the terms of the
- 16 plan.
- 17 (10) "Exchange" means the health insurance exchange as defined in ORS 741.300.
- 18 (11) "Exclusion period" means a period during which specified treatments or services are ex-
- 19 cluded from coverage.
- 20 (12) "Financial impairment" means that a carrier is not insolvent and is:
 - 21 (a) Considered by the director to be potentially unable to fulfill its contractual obligations; or
 - 22 (b) Placed under an order of rehabilitation or conservation by a court of competent jurisdiction.
- 23 (13)(a) "Geographic average rate" means the arithmetical average of the lowest premium and the
- 24 corresponding highest premium to be charged by a carrier in a geographic area established by the
- 25 director for the carrier's:
 - 26 (A) Group health benefit plans offered to small employers; or
 - 27 (B) Individual health benefit plans.
 - 28 (b) "Geographic average rate" does not include premium differences that are due to differences
 - 29 in benefit design, age, tobacco use or family composition.
- 30 (14) "Grandfathered health plan" has the meaning prescribed by rule by the United States Sec-
- 31 retaries of Labor, Health and Human Services and the Treasury pursuant to 42 U.S.C. 18011(e) that
- 32 is in effect on January 1, 2017.
- 33 (15) "Group eligibility waiting period" means, with respect to a group health benefit plan, the
- 34 period of employment or membership with the group that a prospective enrollee must complete be-
- 35 fore plan coverage begins.
- 36 (16)(a) "Health benefit plan" means any:
 - 37 (A) Hospital expense, medical expense or hospital or medical expense policy or certificate;
 - 38 (B) Subscriber contract of a health care service contractor as defined in ORS 750.005; or
 - 39 (C) Plan provided by a multiple employer welfare arrangement or by another benefit arrange-
 - 40 ment defined in the federal Employee Retirement Income Security Act of 1974, as amended, to the
 - 41 extent that the plan is subject to state regulation.
 - 42 (b) "Health benefit plan" does not include:
 - 43 (A) Coverage for accident only, specific disease or condition only, credit or disability income;
 - 44 (B) Coverage of Medicare services pursuant to contracts with the federal government;
 - 45 (C) Medicare supplement insurance policies;

- 1 (D) Coverage of TRICARE services pursuant to contracts with the federal government;
- 2 (E) Benefits delivered through a flexible spending arrangement established pursuant to section
3 125 of the Internal Revenue Code of 1986, as amended, when the benefits are provided in addition
4 to a group health benefit plan;
- 5 (F) Separately offered long term care insurance, including, but not limited to, coverage of nurs-
6 ing home care, home health care and community-based care;
- 7 (G) Independent, noncoordinated, hospital-only indemnity insurance or other fixed indemnity in-
8 surance;
- 9 (H) Short term health insurance policies;
- 10 (I) Dental only coverage;
- 11 (J) Vision only coverage;
- 12 (K) Stop-loss coverage that meets the requirements of ORS 742.065;
- 13 (L) Coverage issued as a supplement to liability insurance;
- 14 (M) Insurance arising out of a workers' compensation or similar law;
- 15 (N) Automobile medical payment insurance or insurance under which benefits are payable with
16 or without regard to fault and that is statutorily required to be contained in any liability insurance
17 policy or equivalent self-insurance; or
- 18 (O) Any employee welfare benefit plan that is exempt from state regulation because of the fed-
19 eral Employee Retirement Income Security Act of 1974, as amended.
- 20 (17) "Individual health benefit plan" means a health benefit plan:
- 21 (a) That is issued to an individual policyholder; or
- 22 (b) That provides individual coverage through a trust, association or similar group, regardless
23 of the situs of the policy or contract.
- 24 (18) "Initial enrollment period" means a period of at least 30 days following commencement of
25 the first eligibility period for an individual.
- 26 (19) "Late enrollee" means an individual who enrolls in a group health benefit plan subsequent
27 to the initial enrollment period during which the individual was eligible for coverage but declined
28 to enroll. However, an eligible individual shall not be considered a late enrollee if:
- 29 (a) The individual qualifies for a special enrollment period in accordance with 42 U.S.C. 300gg
30 or as prescribed by rule by the Department of Consumer and Business Services;
- 31 (b) The individual applies for coverage during an open enrollment period;
- 32 (c) A court issues an order that coverage be provided for a spouse or minor child under an
33 employee's employer sponsored health benefit plan and request for enrollment is made within 30
34 days after issuance of the court order;
- 35 (d) The individual is employed by an employer that offers multiple health benefit plans and the
36 individual elects a different health benefit plan during an open enrollment period; or
- 37 (e) The individual's coverage under Medicaid, Medicare, TRICARE, Indian Health Service or a
38 publicly sponsored or subsidized health plan, including, but not limited to, the medical assistance
39 program under ORS chapter 414, has been involuntarily terminated within 63 days after applying for
40 coverage in a group health benefit plan.
- 41 (20) "Multiple employer welfare arrangement" means a multiple employer welfare arrangement
42 as defined in section 3 of the federal Employee Retirement Income Security Act of 1974, as amended,
43 29 U.S.C. 1002, that is subject to ORS 750.301 to 750.341.
- 44 (21) "Preexisting condition exclusion" means a limitation or exclusion of benefits or a denial of
45 coverage based on a medical condition being present before the effective date of coverage or before

1 the date coverage is denied, whether or not any medical advice, diagnosis, care or treatment was
2 recommended or received for the condition before the date of coverage or denial of coverage.

3 (22) "Premium" includes insurance premiums or other fees charged for a health benefit plan,
4 including the costs of benefits paid or reimbursements made to or on behalf of enrollees covered by
5 the plan.

6 (23) "Rating period" means the 12-month calendar period for which premium rates established
7 by a carrier are in effect, as determined by the carrier.

8 (24) "Representative" does not include an insurance producer or an employee or authorized
9 representative of an insurance producer or carrier.

10 (25)(a) "Short term health insurance policy" means a policy of health insurance that is in effect
11 for a period of three months or less, including the term of a renewal of the policy.

12 (b) As used in this subsection, "term of a renewal" includes the term of a new short term health
13 insurance policy issued by an insurer to a policyholder no later than 60 days after the expiration
14 of a short term health insurance policy issued by the insurer to the policyholder.

15 (26) "Small employer" means an employer who employed an average of at least one but not more
16 than 50 full-time equivalent employees on business days during the preceding calendar year and who
17 employs at least one full-time equivalent employee on the first day of the plan year, determined in
18 accordance with a methodology prescribed by the Department of Consumer and Business Services
19 by rule.

20 **SECTION 4. Section 2 of this 2024 Act applies to policies or certificates of insurance is-**
21 **sued, renewed or extended on or after the effective date of this 2024 Act.**

22 **SECTION 5. Section 6 of this 2024 Act is added to and made a part of ORS chapter 414.**

23 **SECTION 6. (1) As used in this section, "continuous glucose monitor" means:**

24 (a) **An instrument or device that is designed and offered for the purpose of measuring**
25 **glucose levels at set intervals by means of a small electrode placed under the skin and held**
26 **in place by an adhesive; and**

27 (b) **Any repair or replacement parts for the instrument or device.**

28 (2) **Notwithstanding ORS 414.065 or 414.690, medical assistance shall include a continuous**
29 **glucose monitor prescribed for a recipient of medical assistance if the recipient:**

30 (a)(A) **Is diagnosed with any type of diabetes that requires the use of insulin;**

31 (B) **Has evidence of level two or three hypoglycemia; or**

32 (C) **Is diagnosed with glycogen storage disease type 1a; and**

33 (b) **At least once every six months attends a visit with a health care provider in order**
34 **to assess the benefits of the recipient's use of the continuous glucose monitor.**

35 **SECTION 7. Section 6 of this 2024 Act applies to prescriptions issued on or after the ef-**
36 **fective date of this 2024 Act.**

37
38 **DENTAL LABORATORY REGISTRATION**
39

40 **SECTION 8. As used in sections 8 to 12 of this 2024 Act:**

41 (1) **"Certified dental laboratory technician" means a dental laboratory technician who is**
42 **certified by the National Board for Certification in Dental Laboratory Technology, or its**
43 **successor organization, as approved by the Health Licensing Office by rule.**

44 (2) **"Dental laboratory" means a facility where one or more dental laboratory technicians**
45 **make, provide, repair or alter dental prosthetic appliances and other artificial materials and**

1 devices that are returned to a dentist and inserted into the human oral cavity, or that come
2 into contact with the human oral cavity's adjacent structures and tissues, of a dental pa-
3 tient.

4 (3) "Dental laboratory technician" means a person who, pursuant to a dentist's pre-
5 scribed work order, makes, provides, repairs or alters dental prosthetic appliances and other
6 artificial materials and devices that are returned to the dentist and inserted into the human
7 oral cavity, or that come into contact with the human oral cavity's adjacent structures and
8 tissues, of the dentist's patient.

9 (4) "Dentist" means a dentist licensed under ORS chapter 679.

10 (5) "Material content disclosure" means a notice provided to a dentist by a dental labo-
11 ratory that includes:

12 (a) The name, physical address and registration number of the dental laboratory;

13 (b) The city, state and country of origin where the technological work under the work
14 order was performed in whole or in part;

15 (c) The city, state and country of the dental laboratory or dental laboratories that man-
16 ufactured or repaired, directly or indirectly, the dental prosthetic appliances or other artifi-
17 cial materials and devices ordered under the work order; and

18 (d) So that the dentist may include the information in the patient's record, the man-
19 ufacturer and brand name or the United States Food and Drug Administration registration
20 number of all patient contact materials used in a dental prosthetic appliance or other arti-
21 ficial material or device that is inserted into the human oral cavity, or that comes into
22 contact with the human oral cavity's adjacent structures and tissues, of the dentist's pa-
23 tient.

24 (6) "Responsible person" means the person who:

25 (a) Controls a majority interest in a dental laboratory; or

26 (b) Is primarily responsible for the supervision of the day-to-day operations of the dental
27 laboratory.

28 (7) "Work order" means a written instrument prescribed by a dentist that directs a
29 dental laboratory to, for an individual patient, make, provide, repair or alter one or more
30 dental prosthetic appliances or other artificial materials or devices that will be returned to
31 the dentist and inserted into the human oral cavity, or that will come into contact with the
32 human oral cavity's adjacent structures and tissues, of the dentist's patient.

33 **SECTION 9.** (1) A dental laboratory may not operate or do business in this state unless
34 the dental laboratory holds an active registration issued by the Health Licensing Office under
35 section 10 of this 2024 Act.

36 (2) A dental laboratory is considered to operate or do business in this state if the dental
37 laboratory is physically located within this state or prepares work product pursuant to a
38 work order that originated from a dentist licensed in this state.

39 (3)(a) Subsection (1) of this section does not apply to a dental laboratory that:

40 (A) Is in a dental office;

41 (B) Is owned and operated by and under the supervision of a practicing dentist; and

42 (C) Does not perform work pursuant to work orders that originate from outside of the
43 dentist's practice.

44 (b) A dental laboratory described in paragraph (a) of this subsection shall annually file
45 with the office:

1 (A) The address of the dental laboratory; and

2 (B) The name, license number and contact information of the dentist described in para-
3 graph (a) of this subsection.

4 (4) A dental laboratory operated as part of an educational program is not required to
5 register under section 10 of this 2024 Act if the dental laboratory is operated solely for the
6 purpose of allowing students to perform duties that are part of a supervised course of study
7 in an educational program that meets any of the accreditation standards described in ORS
8 chapter 679.

9 **SECTION 10.** (1) The Health Licensing Office shall issue a dental laboratory registration
10 to an applicant that submits a completed application and pays the fee established under ORS
11 676.576. The application must include:

12 (a) The name, mailing address, phone number and electronic mail address of the dental
13 laboratory;

14 (b) The physical address of the dental laboratory if different than the mailing address;

15 (c) The name, mailing address, phone number and electronic mail address of the respon-
16 sible person or the name and license number of the dentist who supervises the dental labo-
17 ratory;

18 (d) A statement that the dental laboratory meets the infectious disease control require-
19 ments of the federal Occupational Safety and Health Administration and the Centers for
20 Disease Control and Prevention; and

21 (e) An acknowledgement by the responsible person or the dentist supervising the dental
22 laboratory that the dental laboratory will comply with the requirements of section 11 of this
23 2024 Act.

24 (2) To be eligible for registration under this section, the applicant must include with the
25 application documentation that the applicant, or an employee of the applicant who works at
26 least 30 hours per week in the dental laboratory:

27 (a) Has successfully completed, during the 12 months immediately preceding the applica-
28 tion for registration, at least 12 hours of continuing education in dental laboratory technol-
29 ogy approved or accepted by the National Board for Certification in Dental Laboratory
30 Technology, or its successor organization, and by the Health Licensing Office;

31 (b) Is a certified dental laboratory technician in good standing; or

32 (c) Is a dentist.

33 (3) The office shall assign a registration number to each registered dental laboratory. The
34 dental laboratory shall include the dental laboratory registration number on all invoices and
35 other correspondence of the dental laboratory.

36 (4) A dental laboratory registered under this section shall maintain a qualified employee
37 as described in subsection (2) of this section.

38 (5) A dental laboratory registration is valid for one year. To renew a dental laboratory
39 registration, the dental laboratory shall, prior to July 31 of each year, submit to the office
40 an application for renewal and pay the applicable fee.

41 (6) The office may adopt rules to carry out this section.

42 **SECTION 11.** (1) A dental laboratory registered under section 10 of this 2024 Act shall
43 provide to a prescribing dentist who submits a work order to the dental laboratory:

44 (a) A material content disclosure for each dental prosthetic appliance or other artificial
45 material or device in a manner that is easily entered into the patient record; and

1 **(b) The point of origin of the manufacture of each dental prosthetic appliance or other**
2 **artificial material or device ordered under the work order.**

3 **(2) If a dental prosthetic appliance or other artificial material or device ordered under**
4 **the work order was partially or entirely manufactured by one or more third parties, the**
5 **point of origin disclosure described in subsection (1) of this section must identify:**

6 **(a) The portion of the dental prosthetic appliance or other artificial material or device**
7 **that was manufactured by the third party; and**

8 **(b) The city, state and country of each third party.**

9 **SECTION 12. In the manner prescribed in ORS chapter 183 for contested cases, the**
10 **Health Licensing Office may impose a form of discipline listed in ORS 676.612 against a dental**
11 **laboratory registered under section 10 of this 2024 Act for any violation of sections 8 to 12**
12 **of this 2024 Act and for any violation of a rule adopted under sections 8 to 12 of this 2024**
13 **Act.**

14 **SECTION 13. Violation of section 9 of this 2024 Act is a Class B violation.**

15 **SECTION 14. The Health Licensing Office may adopt rules to carry out sections 8 to 12**
16 **of this 2024 Act.**

17 **SECTION 15. Section 10 of this 2024 Act is amended to read:**

18 **Sec. 10.** (1) The Health Licensing Office shall issue a dental laboratory registration to an ap-
19 plicant that submits a completed application and pays the fee established under ORS 676.576. The
20 application must include:

21 **(a) The name, mailing address, phone number and electronic mail address of the dental labora-**
22 **tory;**

23 **(b) The physical address of the dental laboratory if different than the mailing address;**

24 **(c) The name, mailing address, phone number and electronic mail address of the responsible**
25 **person or the name and license number of the dentist who supervises the dental laboratory;**

26 **(d) A statement that the dental laboratory meets the infectious disease control requirements of**
27 **the federal Occupational Safety and Health Administration and the Centers for Disease Control and**
28 **Prevention; and**

29 **(e) An acknowledgement by the responsible person or the dentist supervising the dental labora-**
30 **tory that the dental laboratory will comply with the requirements of section 11 of this 2024 Act.**

31 ***[(2) To be eligible for registration under this section, the applicant must include with the applica-***
32 ***tion documentation that the applicant, or an employee of the applicant who works at least 30 hours per***
33 ***week in the dental laboratory:]***

34 ***[(a) Has successfully completed, during the 12 months immediately preceding the application for***
35 ***registration, at least 12 hours of continuing education in dental laboratory technology approved or ac-***
36 ***cepted by the National Board for Certification in Dental Laboratory Technology, or its successor or-***
37 ***ganization, and by the Health Licensing Office;]***

38 ***[(b) Is a certified dental laboratory technician in good standing; or]***

39 ***[(c) Is a dentist.]***

40 **(2)(a) To be eligible for registration under this section, the applicant must include with**
41 **the application documentation that the dental laboratory:**

42 **(A) Employs a certified dental laboratory technician in good standing with the National**
43 **Board for Certification in Dental Laboratory Technology, or its successor organization, and**
44 **approved by the Health Licensing Office by rule and who works at least 30 hours per week**
45 **in the dental laboratory; or**

1 (B) Is operated under the supervision of a dentist who works at least 30 hours per week
2 in the dental laboratory.

3 (b) Paragraph (a) of this subsection does not apply to a dental laboratory that provides
4 to the office documentation that the dental laboratory has been continuously owned and op-
5 erated by the same individual since January 1, 2013.

6 (3) The office shall assign a registration number to each registered dental laboratory. The dental
7 laboratory shall include the dental laboratory registration number on all invoices and other corre-
8 spondence of the dental laboratory.

9 (4) A dental laboratory registered under this section shall maintain a qualified employee as de-
10 scribed in subsection (2) of this section.

11 (5) A dental laboratory registration is valid for one year. To renew a dental laboratory regis-
12 tration, the dental laboratory shall, prior to July 31 of each year, submit to the office an application
13 for renewal and pay the applicable fee.

14 (6) The office may adopt rules to carry out this section.

15 **SECTION 16.** ORS 679.176 is amended to read:

16 679.176. (1) As used in this section:

17 (a) "Sub-work order" means a written instrument by which a dental laboratory registered
18 under section 10 of this 2024 Act subcontracts all or part of the work directed to be done by
19 a work order prescribed by a dentist licensed under ORS chapter 679.

20 (b) "Work order" has the meaning given that term in section 8 of this 2024 Act.

21 [(1)] (2) [No] A dentist may not use the services of any person[,] who is not licensed to practice
22 dentistry in this state[, to construct, alter, repair, reline, reproduce or duplicate any prosthetic denture,
23 bridge, appliance or any other structure to be worn in the human mouth,] to make, provide, repair
24 or alter dental prosthetic appliances or other artificial materials or devices that are returned
25 to a dentist and inserted into the human oral cavity, or that come into contact with the
26 human oral cavity's adjacent structures and tissues, unless the dentist first [furnishes to such]
27 provides to the person a [written] work order, in substantially the following form:

28
29
30 (Date) _____, 2____
31
32 TO: (Name of dental [technician or] laboratory with address) (Dental laboratory registration
33 number)
34 RE: (Name or number of patient)
35 (Description of the work to be done, including diagrams if necessary, together with specifica-
36 tions of the type of materials to be used.)
37 (Name of ordering dentist)
38 (Address) _____
39 (Current license number) _____
40

41
42 (3) A person that receives a work order prescribed by a dentist under subsection (1) of
43 this section may not engage as a subcontractor another person that is not authorized to
44 perform the services necessary to complete the work order unless the person that receives
45 the work order first provides to the subcontractor a sub-work order in substantially the

1 following form:

2 _____

3

4 (Date) _____, 2_____

5

6 **TO: (Name of subcontracted dental laboratory with address) (Subcontracted dental labora-**

7 **tory registration number, if applicable)**

8 **RE: (Name or number of patient)**

9 **(Description of the work to be done, including diagrams if necessary, together with**

10 **specifications of the type of materials to be used.)**

11 (Name of ordering dental laboratory)

12 (Address) _____

13 (Current dental laboratory registration number) _____

15

16 [(2)] **(4)(a)** [A duplicate copy of each such work order issued by the dentist shall be retained by

17 each dentist for not less than two years. The Oregon Board of Dentistry or its agents shall be permitted

18 to inspect, upon demand, the duplicate copies of all such work orders retained by each dentist.] **A**

19 **dentist shall retain for at least two years from the date of prescription a duplicate copy of**

20 **each work order prescribed by the dentist.**

21 **(b) A person described in subsection (3) of this section shall attach a duplicate copy of**

22 **each sub-work order issued by the person to a duplicate copy of the associated work order**

23 **and shall retain the duplicate copies for at least two years from the date of issuance.**

24 **(c) The Oregon Board of Dentistry, or an agent of the board, may inspect, upon demand,**

25 **the duplicate copies of all work orders and sub-work orders retained pursuant to this sub-**

26 **section.**

27 **(5) A work order or sub-work order may be transmitted or retained in an electronic**

28 **format.**

29 [(3)] **(6) [No] A work order [shall] may not** permit or require the taking of impressions of any

30 part of the human oral cavity by any person [not a dentist licensed by the board] **who is not a**

31 **dentist licensed under ORS chapter 679.**

32 **SECTION 17.** ORS 676.565 is amended to read:

33 676.565. Pursuant to ORS 676.568, the Health Licensing Office shall provide administrative and

34 regulatory oversight and centralized service for the following boards, councils and programs:

- 35 (1) Board of Athletic Trainers, as provided in ORS 688.701 to 688.734;
- 36 (2) Board of Cosmetology, as provided in ORS 690.005 to 690.225;
- 37 (3) State Board of Denture Technology, as provided in ORS 680.500 to 680.565;
- 38 (4) State Board of Direct Entry Midwifery, as provided in ORS 687.405 to 687.495;
- 39 (5) Respiratory Therapist and Polysomnographic Technologist Licensing Board, as provided in
- 40 ORS 688.800 to 688.840;
- 41 (6) Environmental Health Registration Board, as provided in ORS chapter 700;
- 42 (7) Board of Electrologists and Body Art Practitioners, as provided in ORS 690.350 to 690.410;
- 43 (8) Advisory Council on Hearing Aids, as provided in ORS 694.015 to 694.170;
- 44 (9) Sexual Offense Treatment Board, as provided in ORS 675.365 to 675.410;
- 45 (10) Long Term Care Administrators Board, as provided in ORS 678.710 to 678.820;

- 1 (11) Board of Licensed Dietitians, as provided in ORS 691.405 to 691.485;
- 2 (12) Behavior Analysis Regulatory Board, as provided in ORS 676.806;
- 3 (13) Board of Certified Advanced Estheticians, as provided in ORS 676.630 to 676.660;
- 4 (14) Art therapy, as provided in ORS 681.740 to 681.758;
- 5 (15) Lactation consultation, as provided in ORS 676.665 to 676.689;
- 6 (16) Music therapy, as provided in ORS 681.700 to 681.730;
- 7 (17) Genetic counseling, as provided in ORS 676.730 to 676.748;
- 8 (18) State Board of Sign Language Interpreters, as provided in ORS 676.750 to 676.789; *[and]*
- 9 (19) Temporary staffing agencies, as provided in ORS 676.695 to 676.725[.]; **and**
- 10 **(20) Dental laboratories, as provided in sections 8 to 12 of this 2024 Act.**

11 **SECTION 18.** ORS 676.579 is amended to read:

12 676.579. (1)(a) The Health Licensing Office is under the supervision and control of a director,
13 who is responsible for the performance of the duties, functions and powers and for the organization
14 of the office.

15 (b) The Director of the Oregon Health Authority shall establish the qualifications for and ap-
16 point the Director of the Health Licensing Office, who holds office at the pleasure of the Director
17 of the Oregon Health Authority.

18 (c) The Director of the Health Licensing Office shall receive a salary as provided by law or, if
19 not so provided, as prescribed by the Director of the Oregon Health Authority.

20 (d) The Director of the Health Licensing Office is in the unclassified service.

21 (2) The Director of the Health Licensing Office shall provide the boards, councils and programs
22 administered by the office with any services and employees as the office requires to carry out the
23 office's duties. Subject to any applicable provisions of the State Personnel Relations Law, the Di-
24 rector of the Health Licensing Office shall appoint all subordinate officers and employees of the of-
25 fice, prescribe their duties and fix their compensation.

26 (3) The Director of the Health Licensing Office is responsible for carrying out the duties, func-
27 tions and powers under ORS 675.365 to 675.410, 676.560 to 676.625, 676.630 to 676.660, 676.665 to
28 676.689, 676.695 to 676.725, 676.730 to 676.748, 676.750 to 676.789, 676.810, 676.815, 676.825, 676.992,
29 678.710 to 678.820, 680.500 to 680.565, 681.700 to 681.730, 681.740 to 681.758, 687.405 to 687.495,
30 687.895, 688.701 to 688.734, 688.800 to 688.840, 690.005 to 690.225, 690.350 to 690.410, 691.405 to
31 691.485 and 694.015 to 694.170 and ORS chapter 700 **and sections 8 to 12 of this 2024 Act.**

32 (4) The enumeration of duties, functions and powers in subsection (3) of this section is not in-
33 tended to be exclusive or to limit the duties, functions and powers imposed on or vested in the office
34 by other statutes.

35 **SECTION 19.** ORS 676.590 is amended to read:

36 676.590. (1) Information obtained by the Health Licensing Office as part of an investigation
37 conducted under the following laws and any reports issued by an investigator are exempt from
38 public disclosure:

39 (a) ORS 676.630 to 676.660, 676.665 to 676.689, 676.695 to 676.725, 676.730 to 676.748, 676.750 to
40 676.789, 681.700 to 681.730, 681.740 to 681.758, 690.005 to 690.225, 690.350 to 690.410 or 694.015 to
41 694.170 **and sections 8 to 12 of this 2024 Act.**

42 (b) ORS 676.560 to 676.625 if the investigation is related to the regulation of:

43 (A) Advanced nonablative esthetics under ORS 676.630 to 676.660;

44 (B) Lactation consultation under ORS 676.665 to 676.689;

45 (C) Music therapy under ORS 681.700 to 681.730;

1 (D) Art therapy under ORS 681.740 to 681.758;

2 (E) Barbering, hair design, esthetics, nail technology or natural hair care under ORS 690.005 to
3 690.225;

4 (F) Electrologists and body art practitioners under ORS 690.350 to 690.410;

5 (G) Dealing in hearing aids under ORS 694.015 to 694.170;

6 (H) Genetic counseling under ORS 676.730 to 676.748;

7 (I) Signed language interpretation under ORS 676.750 to 676.789; [or]

8 (J) Temporary staffing agencies under ORS 676.695 to 676.725; or

9 **(K) Dental laboratories under sections 8 to 12 of this 2024 Act.**

10 (2) The office shall disclose information obtained as part of an investigation described in sub-
11 section (1) of this section to a person who demonstrates by clear and convincing evidence that the
12 public interest in disclosure outweighs other interests in nondisclosure, including the public interest
13 in nondisclosure.

14 (3) A complaint that forms the basis for an investigation described in subsection (1) of this sec-
15 tion shall not be considered information obtained as part of an investigation and is not exempt from
16 public disclosure.

17 (4) Upon request, the office shall disclose to a person against whom disciplinary action is sought
18 any information obtained as part of an investigation described in subsection (1) of this section, if the
19 information is not otherwise privileged or confidential under state or federal law.

20 **SECTION 20.** ORS 676.612 is amended to read:

21 676.612. (1) Subject to ORS 676.616 and 687.445, and in the manner prescribed in ORS chapter
22 183 for contested cases and as specified in ORS 675.385, 676.660, 676.685, 676.745, 676.777, 676.825,
23 678.780, 680.535, 681.733, 681.755, 687.445, 688.734, 688.836, 690.167, 690.407, 691.477, 694.147 and
24 700.111 **and section 12 of this 2024 Act**, the Health Licensing Office may refuse to issue or renew,
25 may suspend or revoke or may otherwise condition or limit an authorization or may discipline or
26 place on probation an authorization holder for commission of the prohibited acts listed in subsection
27 (2) of this section.

28 (2) A person subject to the authority of a board, council or program listed in ORS 676.565
29 commits a prohibited act if the person engages in:

30 (a) Fraud, misrepresentation, concealment of material facts or deception in applying for or ob-
31 taining an authorization to practice in this state, or in any written or oral communication to the
32 office concerning the issuance or retention of the authorization.

33 (b) Using, causing or promoting the use of any advertising matter, promotional literature, testi-
34 monial, guarantee, warranty, label, insignia or any other representation, however disseminated or
35 published, that is false, misleading or deceptive.

36 (c) Making a representation that the authorization holder knew or should have known is false
37 or misleading regarding skill or the efficacy or value of treatment or remedy administered by the
38 authorization holder.

39 (d) Practicing under a false, misleading or deceptive name, or impersonating another authori-
40 zation holder.

41 (e) Permitting a person other than the authorization holder to use the authorization.

42 (f) Practicing with a physical or mental condition that presents an unreasonable risk of harm
43 to the authorization holder or to the person or property of others in the course of performing the
44 authorization holder's duties.

45 (g) Practicing while under the influence of alcohol, cannabis, controlled substances or other

1 skill-impairing substances, or engaging in the illegal use of controlled substances or other skill-
2 impairing substances so as to create a risk of harm to the person or property of others in the course
3 of performing the duties of an authorization holder.

4 (h) Failing to properly and reasonably accept responsibility for the actions of employees.

5 (i) Employing, directly or indirectly, any suspended, uncertified, unlicensed or unregistered per-
6 son to practice a regulated occupation or profession subject to the authority of the boards, councils
7 and programs listed in ORS 676.565.

8 (j) Unprofessional conduct, negligence, incompetence, repeated violations or any departure from
9 or failure to conform to standards of practice in performing services or practicing in a regulated
10 occupation or profession subject to the authority of the boards, councils and programs listed under
11 ORS 676.565.

12 (k) Conviction of any criminal offense, subject to ORS 670.280. A copy of the record of con-
13 viction, certified by the clerk of the court entering the conviction, is conclusive evidence of the
14 conviction. A plea of no contest or an admission of guilt is a conviction for purposes of this para-
15 graph.

16 (L) Failing to report any adverse action, as required by statute or rule, taken against the au-
17 thorization holder by another regulatory jurisdiction or any peer review body, health care institu-
18 tion, professional association, governmental agency, law enforcement agency or court for acts or
19 conduct similar to acts or conduct that would constitute grounds for disciplinary action as described
20 in this section.

21 (m) Violation of a statute regulating an occupation or profession subject to the authority of the
22 boards, councils and programs listed in ORS 676.565.

23 (n) Violation of any rule regulating an occupation or profession subject to the authority of the
24 boards, councils and programs listed in ORS 676.565.

25 (o) Failing to cooperate with the office in any investigation, inspection or request for informa-
26 tion.

27 (p) Selling or fraudulently obtaining or furnishing an authorization to practice in a regulated
28 occupation or profession subject to the authority of the boards, councils and programs listed in ORS
29 676.565, or aiding or abetting such an act.

30 (q) Selling or fraudulently obtaining or furnishing any record related to practice in a regulated
31 occupation or profession subject to the authority of the boards, councils and programs listed in ORS
32 676.565, or aiding or abetting such an act.

33 (r) Failing to pay an outstanding civil penalty or fee that is due or failing to meet the terms of
34 any order issued by the office that has become final.

35 (3) For the purpose of requesting a state or nationwide criminal records check under ORS
36 181A.195, the office may require the fingerprints of a person who is:

37 (a) Applying for an authorization;

38 (b) Applying for renewal of an authorization; or

39 (c) Under investigation by the office.

40 (4) If the office places an authorization holder on probation under subsection (1) of this section,
41 the office, in consultation with the appropriate board, council or program, may determine and at any
42 time modify the conditions of the probation.

43 (5) If an authorization is suspended, the authorization holder may not practice during the term
44 of suspension. Upon the expiration of the term of suspension, the authorization may be reinstated
45 by the office if the conditions of suspension no longer exist and the authorization holder has satis-

1 fied all requirements in the relevant statutes or administrative rules for issuance, renewal or rein-
 2 statement.

3 **SECTION 21.** ORS 676.613 is amended to read:

4 676.613. (1) In addition to all other remedies, when it appears to the Health Licensing Office that
 5 a person is engaged in, has engaged in or is about to engage in any act, practice or transaction that
 6 violates any provision of ORS 675.365 to 675.410, 676.630 to 676.660, 676.665 to 676.689, 676.695 to
 7 676.725, 676.730 to 676.748, 676.750 to 676.789, 676.810, 676.815, 678.710 to 678.820, 680.500 to 680.565,
 8 681.700 to 681.730, 681.740 to 681.758, 687.405 to 687.495, 688.701 to 688.734, 688.800 to 688.840,
 9 690.005 to 690.225, 690.350 to 690.410, 691.405 to 691.485 or 694.015 to 694.170 or ORS chapter 700
 10 **or sections 8 to 12 of this 2024 Act**, the office may, through the Attorney General or the district
 11 attorney of the county in which the act, practice or transaction occurs or will occur, apply to the
 12 court for an injunction restraining the person from the act, practice or transaction.

13 (2) A court may issue an injunction under this section without proof of actual damages. An in-
 14 junction issued under this section does not relieve a person from any other prosecution or enforce-
 15 ment action taken for violation of statutes listed in subsection (1) of this section.

16 **SECTION 22.** ORS 676.622 is amended to read:

17 676.622. (1) A transaction conducted through a state or local system or network that provides
 18 electronic access to the Health Licensing Office information and services is exempt from any re-
 19 quirement under ORS 675.365 to 675.410, 676.560 to 676.625, 676.630 to 676.660, 676.665 to 676.689,
 20 676.695 to 676.725, 676.730 to 676.748, 676.750 to 676.789, 676.810, 676.815, 676.992, 680.500 to 680.565,
 21 681.700 to 681.730, 681.740 to 681.758, 687.405 to 687.495, 688.701 to 688.734, 688.800 to 688.840,
 22 690.005 to 690.225, 690.350 to 690.410, 691.405 to 691.485 and 694.015 to 694.170 and ORS chapter 700
 23 **and sections 8 to 12 of this 2024 Act**, and rules adopted thereunder, requiring an original signature
 24 or the submission of handwritten materials.

25 (2) Electronic signatures subject to ORS 84.001 to 84.061 and facsimile signatures are acceptable
 26 and have the same force as original signatures.

27 **SECTION 23.** ORS 676.992 is amended to read:

28 676.992. (1) Except as provided in subsection (3) of this section, and in addition to any other
 29 penalty or remedy provided by law, the Health Licensing Office may impose a civil penalty not to
 30 exceed \$5,000 for each violation of the following statutes and any rule adopted under the following
 31 statutes:

- 32 (a) ORS 688.701 to 688.734 (athletic training);
- 33 (b) ORS 690.005 to 690.225 (cosmetology);
- 34 (c) ORS 680.500 to 680.565 (denture technology);
- 35 (d) Subject to ORS 676.616 and 687.445, ORS 687.405 to 687.495 (direct entry midwifery);
- 36 (e) ORS 690.350 to 690.410 (tattooing, electrolysis, body piercing, earlobe piercing, dermal im-
 37 planting and scarification);
- 38 (f) ORS 694.015 to 694.170 (dealing in hearing aids);
- 39 (g) ORS 688.800 to 688.840 (respiratory therapy and polysomnography);
- 40 (h) ORS chapter 700 (environmental sanitation);
- 41 (i) ORS 675.365 to 675.410 (sexual abuse specific treatment);
- 42 (j) ORS 678.710 to 678.820 (nursing home administrators and residential care facility adminis-
 43 trators);
- 44 (k) ORS 691.405 to 691.485 (dietitians);
- 45 (L) ORS 676.612 (prohibited acts);

- 1 (m) ORS 676.802 to 676.830 (applied behavior analysis);
- 2 (n) ORS 681.700 to 681.730 (music therapy);
- 3 (o) ORS 676.630 to 676.660 (advanced nonablative esthetics procedure);
- 4 (p) ORS 681.740 to 681.758 (art therapy);
- 5 (q) ORS 676.665 to 676.689 (lactation consultation);
- 6 (r) ORS 676.730 to 676.748 (genetic counseling); [*and*]
- 7 (s) ORS 676.750 to 676.789 (signed language interpretation)[.]; **and**
- 8 **(t) Sections 8 to 12 of this 2024 Act (dental laboratories).**

9 (2) The office may take any other disciplinary action that it finds proper, including but not
10 limited to assessment of costs of disciplinary proceedings, not to exceed \$5,000, for violation of any
11 statute listed in subsection (1) of this section or any rule adopted under any statute listed in sub-
12 section (1) of this section.

13 (3) Subsection (1) of this section does not limit the amount of the civil penalty resulting from a
14 violation of ORS 694.042.

15 (4) In imposing a civil penalty under this section, the office shall consider the following factors:

- 16 (a) The immediacy and extent to which the violation threatens the public health or safety;
- 17 (b) Any prior violations of statutes, rules or orders;
- 18 (c) The history of the person incurring a penalty in taking all feasible steps to correct any vio-
19 lation; and
- 20 (d) Any other aggravating or mitigating factors.

21 (5) Civil penalties under this section shall be imposed as provided in ORS 183.745.

22 (6) The moneys received by the office from civil penalties under this section shall be deposited
23 in the Health Licensing Office Account and are continuously appropriated to the office for the ad-
24 ministration and enforcement of the laws the office is charged with administering and enforcing that
25 govern the person against whom the penalty was imposed.

26 **SECTION 24.** ORS 679.010 is amended to read:

27 679.010. As used in this chapter and ORS 680.010 to 680.205, unless the context requires other-
28 wise:

29 (1) “Dental assistant” means a person who, under the supervision of a dentist or dental thera-
30 pist, renders assistance to a dentist, dental therapist, dental hygienist, dental technician or another
31 dental assistant or who, under the supervision of a dental hygienist, renders assistance to a dental
32 hygienist providing dental hygiene.

33 (2) “Dental hygiene” is that portion of dentistry that includes, but is not limited to:

34 (a) The rendering of educational, preventive and therapeutic dental services and diagnosis and
35 treatment planning for such services;

36 (b) Prediagnostic risk assessment, scaling, root planing, curettage, the application of sealants
37 and fluoride and any related intraoral or extraoral procedure required in the performance of such
38 services; and

39 (c) Prescribing, dispensing and administering prescription drugs for the services described in
40 paragraphs (a) and (b) of this subsection.

41 (3) “Dental hygienist” means a person who, under the supervision of a dentist, practices dental
42 hygiene.

43 (4) “Dental technician” means a person who, at the authorization of a dentist, makes, provides,
44 repairs or alters [*oral*] **dental** prosthetic appliances and other artificial materials and devices that
45 are returned to a dentist and inserted into the human oral cavity or that come in contact with its

1 adjacent structures and tissues.

2 (5) "Dental therapist" means a person licensed to practice dental therapy under ORS 679.603.

3 (6) "Dental therapy" means the provision of preventive dental care, restorative dental treatment
4 and other educational, clinical and therapeutic patient services as part of a dental care team, in-
5 cluding the services described under ORS 679.621.

6 (7) "Dentist" means a person who may perform any intraoral or extraoral procedure required
7 in the practice of dentistry.

8 (8) "Dentist of record" means a dentist that either authorizes treatment for, supervises treat-
9 ment of or provides treatment for a patient in a dental office or clinic owned or operated by an in-
10 stitution as described in ORS 679.020 (3).

11 (9)(a) "Dentistry" means the healing art concerned with:

12 (A) The examination, diagnosis, treatment planning, treatment, care and prevention of conditions
13 within the human oral cavity and maxillofacial region, and of conditions of adjacent or related tis-
14 sues and structures; and

15 (B) The prescribing, dispensing and administering of prescription drugs for purposes related to
16 the activities described in subparagraph (A) of this paragraph.

17 (b) "Dentistry" includes, but is not limited to:

18 (A) The cutting, altering, repairing, removing, replacing or repositioning of hard or soft tissues
19 and other acts or procedures as determined by the Oregon Board of Dentistry and included in the
20 curricula of:

21 (i) Dental schools accredited by the Commission on Dental Accreditation of the American Dental
22 Association;

23 (ii) Post-graduate training programs; or

24 (iii) Continuing education courses.

25 (B) The prescription and administration of vaccines.

26 (10) "Direct supervision" means supervision requiring that a dentist diagnose the condition to
27 be treated, that a dentist authorize the procedure to be performed, and that a dentist remain in the
28 dental treatment room while the procedures are performed.

29 (11) "Expanded practice dental hygienist" means a dental hygienist who performs dental hygiene
30 services in accordance with ORS 680.205 as authorized by an expanded practice dental hygienist
31 permit issued by the board under ORS 680.200.

32 (12) "General supervision" means supervision requiring that a dentist authorize the procedures
33 by standing orders, practice agreements or collaboration agreements, but not requiring that a den-
34 tist be present when the authorized procedures are performed. The authorized procedures may also
35 be performed at a place other than the usual place of practice of the dentist.

36 (13) "Indirect supervision" means supervision requiring that a dentist authorize the procedures
37 and that a dentist be on the premises while the procedures are performed.

38 **SECTION 25. ORS 679.530 is repealed.**

39 **SECTION 26.** (1) **Sections 8 to 12 of this 2024 Act, the amendments to ORS 676.565,**
40 **676.579, 676.590, 676.612, 676.613, 676.622, 676.992, 679.010 and 679.176 by sections 16 to 24 of this**
41 **2024 Act and the repeal of ORS 679.530 by section 25 of this 2024 Act become operative on**
42 **January 1, 2025.**

43 **(2) The amendments to section 10 of this 2024 Act by section 15 of this 2024 Act become**
44 **operative on January 1, 2029.**

45 **(3) The Health Licensing Office may take any action before the operative date specified**

1 in subsection (1) of this section that is necessary to enable the office to exercise, on and
 2 after the operative date specified in subsection (1) of this section, all of the duties, functions
 3 and powers conferred on the office by sections 8 to 12 of this 2024 Act, the amendments to
 4 ORS 676.565, 676.579, 676.590, 676.612, 676.613, 676.622, 676.992, 679.010 and 679.176 by sections
 5 16 to 24 of this 2024 Act and the repeal of ORS 679.530 by section 25 of this 2024 Act.

6
 7 **NURSE EDUCATORS**

8
 9 **SECTION 27.** The Oregon Health Authority shall provide grants to the Oregon Center for
 10 Nursing to work with Oregon’s nursing education programs, including the programs at the
 11 Oregon Health and Science University and Oregon’s community colleges, to develop pro-
 12 grams to recruit and retain nurse educators at public and private institutions of higher ed-
 13 ucation.

14 **SECTION 28.** In addition to and not in lieu of any other appropriation, there is appro-
 15 priated to the Oregon Health Authority, for the biennium ending June 30, 2025, out of the
 16 General Fund, the amount of \$5,000,000 for the purpose of carrying out the provisions of
 17 section 27 of this 2024 Act.

18
 19 **BEHAVIORAL HEALTH PROVIDERS**

20
 21 **SECTION 29.** (1) The Oregon Health Authority shall enter into an agreement with the
 22 Mental Health and Addiction Certification Board of Oregon for the purpose of increasing the
 23 recruitment and retention of providers in the behavioral health care workforce with associ-
 24 ate, bachelor’s, master’s or doctoral degrees or other credentials who are people of color,
 25 tribal members or residents of rural areas in this state and who can provide culturally re-
 26 sponsive behavioral health services to underserved communities in this state.

27 (2) The agreement must require the:

28 (a) Authority to distribute moneys to the board; and

29 (b) Board to provide incentives for the purposes described in subsection (1) of this sec-
 30 tion, including for the reimbursement or payment of the board’s certification or licensure
 31 fees on behalf of the providers described in subsection (1) of this section.

32 (3) The authority may request a report from the board on the use of moneys described
 33 in subsection (2) of this section.

34 **SECTION 30.** In addition to and not in lieu of any other appropriation, there is appro-
 35 priated to the Oregon Health Authority, for the biennium ending June 30, 2025, out of the
 36 General Fund, the amount of \$1,000,000 for the purpose of carrying out the provisions of
 37 section 29 of this 2024 Act.

38
 39 **HARM REDUCTION CLEARINGHOUSE**

40
 41 **SECTION 31.** (1) The Harm Reduction Clearinghouse Project is established within the
 42 Oregon Health Authority for the purpose of making bulk purchases of harm reduction sup-
 43 plies that prevent overdose, infections and injuries related to substance use. The harm re-
 44 duction supplies may be use by participating harm reduction clearinghouse entities in this
 45 state to expand access to opioid overdose reversal medications and provide equitable access

1 **to harm reduction supplies for individuals at risk of overdose, infections or injuries related**
2 **to substance use.**

3 **(2) The authority may adopt rules to carry out this section.**

4 **SECTION 32.** ORS 413.115 is amended to read:

5 413.115. (1) The Opioid Reversal Medication and Harm Reduction Clearinghouse Bulk Purchas-
6 ing Fund is established in the State Treasury, separate and distinct from the General Fund. Interest
7 earned by the Opioid Reversal Medication and Harm Reduction Clearinghouse Bulk Purchasing
8 Fund shall be credited to the fund.

9 (2) The Opioid Reversal Medication and Harm Reduction Clearinghouse Bulk Purchasing Fund
10 consists of:

- 11 (a) Moneys received by the Oregon Health Authority from opioid litigation settlements;
- 12 (b) Grants awarded for the purpose of addressing substance use and overdose epidemics;
- 13 (c) Other gifts, grants, bequests, endowments or donations made to the fund; and
- 14 (d) Moneys appropriated to the fund by the Legislative Assembly.

15 (3) The moneys in the Opioid Reversal Medication and Harm Reduction Clearinghouse Bulk
16 Purchasing Fund are continuously appropriated to the Oregon Health Authority for [*expenses related*
17 *to opioid harm reduction*] **the purposes described in section 31 of this 2024 Act.**

18
19 **CAPTIONS**

20
21 **SECTION 33.** **The unit captions used in this 2024 Act are provided only for the conven-**
22 **ience of the reader and do not become part of the statutory law of this state or express any**
23 **legislative intent in the enactment of this 2024 Act.**

24
25 **EFFECTIVE DATE**

26
27 **SECTION 34.** **This 2024 Act takes effect on the 91st day after the date on which the 2024**
28 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

29 _____