

Enrolled
House Bill 2594

Sponsored by Representatives PHAM H, JAVADI; Representative NOSSE (Presession filed.)

CHAPTER

AN ACT

Relating to dental laboratories; creating new provisions; amending ORS 676.565, 676.579, 676.590, 676.612, 676.613, 676.622, 676.992, 679.010 and 679.176; repealing ORS 679.530; and prescribing an effective date.

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

SECTION 1. As used in sections 1 to 5 of this 2025 Act:

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

(2) **“Dental laboratory”** means a facility where one or more dental laboratory technicians make, provide, repair or alter dental prosthetic appliances and other artificial materials and devices that are returned to a dentist and inserted into the human oral cavity, or that come into contact with the human oral cavity’s adjacent structures and tissues, of a dental patient.

(3) **“Dental laboratory technician”** means a person who, pursuant to a dentist’s prescribed work order, makes, provides, repairs or alters dental prosthetic appliances and other artificial materials and devices that are returned to the dentist and inserted into the human oral cavity, or that come into contact with the human oral cavity’s adjacent structures and tissues, of the dentist’s patient.

(4) **“Dentist”** means a dentist licensed under ORS chapter 679.

(5) **“Material content disclosure”** means a notice provided to a dentist by a dental laboratory that includes:

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

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

(c) The city, state and country of the dental laboratory or dental laboratories that manufactured or repaired, directly or indirectly, the dental prosthetic appliances or other artificial materials and devices ordered under the work order; and

(d) So that the dentist may include the information in the patient’s record, the manufacturer and brand name or the United States Food and Drug Administration registration number of all patient contact materials used in a dental prosthetic appliance or other artificial material or device that is inserted into the human oral cavity, or that comes into contact with the human oral cavity’s adjacent structures and tissues, of the dentist’s patient.

(6) **“Responsible person”** means the person who:

- (a) Controls a majority interest in a dental laboratory; or
- (b) Is primarily responsible for the supervision of the day-to-day operations of the dental laboratory.

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

SECTION 2. (1) A dental laboratory may not operate or do business in this state unless the dental laboratory holds an active registration issued by the Health Licensing Office under section 3 of this 2025 Act.

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

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

- (A) Is in a dental office;
- (B) Is owned and operated by and under the supervision of a practicing dentist; and
- (C) Does not perform work pursuant to work orders that originate from outside of the dentist's practice.

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

- (A) The address of the dental laboratory; and
- (B) The name, license number and contact information of the dentist described in paragraph (a) of this subsection.

(4) A dental laboratory operated as part of an educational program is not required to register under section 3 of this 2025 Act if the dental laboratory is operated solely for the purpose of allowing students to perform duties that are part of a supervised course of study in an educational program that meets any of the accreditation standards described in ORS chapter 679.

(5) Sections 1 to 5 of this 2025 Act do not apply to services authorized under:

- (a) ORS 680.010 to 680.205 when performed by a dental hygienist licensed under ORS 680.010 to 680.205; or
- (b) ORS 680.500 to 680.565 when performed by a denturist licensed under ORS 680.500 to 680.565.

SECTION 3. (1) The Health Licensing Office may issue a dental laboratory registration to an applicant that submits a completed application and pays the fee established under ORS 676.576. The application must include:

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

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

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

(d) An attestation by the responsible person or the dentist supervising the dental laboratory that the dental laboratory meets the infectious disease control requirements of the federal Occupational Safety and Health Administration and the Centers for Disease Control and Prevention; and

(e) An attestation by the responsible person or the dentist supervising the dental laboratory that the dental laboratory will comply with the requirements of section 4 of this 2025 Act.

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

(a) Has successfully completed, during the 12 months immediately preceding the application for registration, at least 12 hours of continuing education in dental laboratory technology approved or accepted by the National Board for Certification in Dental Laboratory Technology, or its successor organization, and by the Health Licensing Office;

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

(c) Is a dentist.

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

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

(5) A dental laboratory registration is valid for one year.

SECTION 4. (1) A dental laboratory registered under section 3 of this 2025 Act shall provide to a prescribing dentist who submits a work order to the dental laboratory:

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

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

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

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

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

SECTION 5. In the manner prescribed in ORS chapter 183 for contested cases, the Health Licensing Office may impose a form of discipline listed in ORS 676.612 against a dental laboratory registered under section 3 of this 2025 Act for any violation of sections 1 to 5 of this 2025 Act or rules adopted under sections 1 to 5 of this 2025 Act or for the commission of a prohibited act described in ORS 676.612.

SECTION 6. Violation of section 2 of this 2025 Act is a Class B violation.

SECTION 7. The Health Licensing Office may adopt rules to carry out sections 1 to 5 of this 2025 Act.

SECTION 8. Section 3 of this 2025 Act is amended to read:

Sec. 3. (1) The Health Licensing Office may issue a dental laboratory registration to an applicant that submits a completed application and pays the fee established under ORS 676.576. The application must include:

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

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

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

(d) An attestation by the responsible person or the dentist supervising the dental laboratory that the dental laboratory meets the infectious disease control requirements of the federal Occupational Safety and Health Administration and the Centers for Disease Control and Prevention; and

(e) An attestation by the responsible person or the dentist supervising the dental laboratory that the dental laboratory will comply with the requirements of section 4 of this 2025 Act.

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

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

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

[(c) Is a dentist.]

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

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

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

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

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

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

(5) A dental laboratory registration is valid for one year.

SECTION 9. ORS 679.176 is amended to read:

679.176. (1) As used in this section:

(a) "Sub-work order" means a written instrument by which a dental laboratory registered under section 3 of this 2025 Act subcontracts all or part of the work directed to be done by a work order prescribed by a dentist licensed under ORS chapter 679.

(b) "Work order" has the meaning given that term in section 1 of this 2025 Act.

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

(Date) _____, 2____

TO: (Name of dental *[technician or]* laboratory with address) **(Dental laboratory registration number)**

RE: (Name or number of patient)

(Description of the work to be done, including diagrams if necessary, together with specifications of the type of materials to be used.)

(Name of ordering dentist)

(Address) _____

(Current license number) _____

(3) A person that receives a work order prescribed by a dentist under subsection (1) of this section may not engage as a subcontractor another person that is not authorized to

perform the services necessary to complete the work order unless the person that receives the work order first provides to the subcontractor a sub-work order in substantially the following form:

(Date) _____, 2_____

TO: (Name of subcontracted dental laboratory with address) (Subcontracted dental laboratory registration number, if applicable)

RE: (Name or number of patient)

(Description of the work to be done, including diagrams if necessary, together with specifications of the type of materials to be used.)

(Name of ordering dental laboratory)

(Address) _____

(Current dental laboratory registration number) _____

[(2) A duplicate copy of each such work order issued by the dentist shall be retained by each dentist for not less than two years. The Oregon Board of Dentistry or its agents shall be permitted to inspect, upon demand, the duplicate copies of all such work orders retained by each dentist.]

(4)(a) A dentist shall retain for at least two years from the date of prescription a duplicate copy of each work order prescribed by the dentist. The Oregon Board of Dentistry, or an agent of the board, may inspect, upon demand, the duplicate copies of all work orders and sub-work orders retained pursuant to this paragraph.

(b) A person described in subsection (3) of this section shall attach a duplicate copy of each sub-work order issued by the person to a duplicate copy of the associated work order and shall retain the duplicate copies for at least two years from the date of issuance. The Health Licensing Office, or an agent of the office, may inspect, upon demand, the duplicate copies of all work orders and sub-work orders retained pursuant to this paragraph.

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

[(3)] (6) [No work order shall] A work order may not permit or require the taking of impressions of any part of the human oral cavity by any person [not a dentist licensed by the board] who is not a dentist licensed under ORS chapter 679 or a denturist licensed under ORS 680.500 to 680.565.

SECTION 10. ORS 676.565 is amended to read:

676.565. Pursuant to ORS 676.568, the Health Licensing Office shall provide administrative and regulatory oversight and centralized service for the following boards, councils and programs:

- (1) Board of Athletic Trainers, as provided in ORS 688.701 to 688.734;
- (2) Board of Cosmetology, as provided in ORS 690.005 to 690.225;
- (3) State Board of Denture Technology, as provided in ORS 680.500 to 680.565;
- (4) State Board of Direct Entry Midwifery, as provided in ORS 687.405 to 687.495;
- (5) Respiratory Therapist and Polysomnographic Technologist Licensing Board, as provided in ORS 688.800 to 688.840;
- (6) Environmental Health Registration Board, as provided in ORS chapter 700;
- (7) Board of Electrologists and Body Art Practitioners, as provided in ORS 690.350 to 690.410;
- (8) Advisory Council on Hearing Aids, as provided in ORS 694.015 to 694.170;
- (9) Sexual Offense Treatment Board, as provided in ORS 675.365 to 675.410;
- (10) Long Term Care Administrators Board, as provided in ORS 678.710 to 678.820;
- (11) Board of Licensed Dietitians, as provided in ORS 691.405 to 691.485;
- (12) Behavior Analysis Regulatory Board, as provided in ORS 676.806;
- (13) Board of Certified Advanced Estheticians, as provided in ORS 676.630 to 676.660;

- (14) Art therapy, as provided in ORS 681.740 to 681.758;
- (15) Lactation consultation, as provided in ORS 676.665 to 676.689;
- (16) Music therapy, as provided in ORS 681.700 to 681.730;
- (17) Genetic counseling, as provided in ORS 676.730 to 676.748;
- (18) State Board of Sign Language Interpreters, as provided in ORS 676.750 to 676.789; [and]
- (19) Temporary staffing agencies, as provided in ORS 676.695 to 676.725[.]; **and**
- (20) Dental laboratories, as provided in sections 1 to 5 of this 2025 Act.**

SECTION 11. ORS 676.579 is amended to read:

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

(b) The Director of the Oregon Health Authority shall establish the qualifications for and appoint the Director of the Health Licensing Office, who holds office at the pleasure of the Director of the Oregon Health Authority.

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

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

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

(3) The Director of the Health Licensing Office is responsible for carrying out the duties, functions and powers under ORS 675.365 to 675.410, 676.560 to 676.625, 676.630 to 676.660, 676.665 to 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, 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, 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 691.485 and 694.015 to 694.170 and ORS chapter 700 **and sections 1 to 5 of this 2025 Act.**

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

SECTION 12. ORS 676.590 is amended to read:

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

(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 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 694.170 **or sections 1 to 5 of this 2025 Act.**

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

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

(B) Lactation consultation under ORS 676.665 to 676.689;

(C) Music therapy under ORS 681.700 to 681.730;

(D) Art therapy under ORS 681.740 to 681.758;

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

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

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

(H) Genetic counseling under ORS 676.730 to 676.748;

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

(J) Temporary staffing agencies under ORS 676.695 to 676.725[.]; **or**

(K) Dental laboratories under sections 1 to 5 of this 2025 Act.

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

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

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

SECTION 13. ORS 676.612 is amended to read:

676.612. (1) Subject to ORS 676.616 and 687.445, and in the manner prescribed in ORS chapter 183 for contested cases and as specified in ORS 675.385, 676.660, 676.685, 676.745, 676.777, 676.825, 678.780, 680.535, 681.733, 681.755, 687.445, 688.734, 688.836, 690.167, 690.407, 691.477, 694.147 and 700.111 **and section 5 of this 2025 Act**, the Health Licensing Office may refuse to issue or renew, may suspend or revoke or may otherwise condition or limit an authorization or may discipline or place on probation an authorization holder for commission of the prohibited acts listed in subsection (2) of this section.

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

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

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

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

(d) Practicing under a false, misleading or deceptive name, or impersonating another authorization holder.

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

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

(g) Practicing while under the influence of alcohol, cannabis, controlled substances or other skill-impairing substances, or engaging in the illegal use of controlled substances or other skill-impairing substances so as to create a risk of harm to the person or property of others in the course of performing the duties of an authorization holder.

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

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

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

(k) Conviction of any criminal offense, subject to ORS 670.280. A copy of the record of conviction, certified by the clerk of the court entering the conviction, is conclusive evidence of the conviction. A plea of no contest or an admission of guilt is a conviction for purposes of this paragraph.

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

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

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

(o) Failing to cooperate with the office in any investigation, inspection or request for information.

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

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

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

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

- (a) Applying for an authorization;
- (b) Applying for renewal of an authorization; or
- (c) Under investigation by the office.

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

(5) If an authorization is suspended, the authorization holder may not practice during the term of suspension. Upon the expiration of the term of suspension, the authorization may be reinstated by the office if the conditions of suspension no longer exist and the authorization holder has satisfied all requirements in the relevant statutes or administrative rules for issuance, renewal or reinstatement.

SECTION 14. ORS 676.613 is amended to read:

676.613. (1) In addition to all other remedies, when it appears to the Health Licensing Office that a person is engaged in, has engaged in or is about to engage in any act, practice or transaction that violates any provision of ORS 675.365 to 675.410, 676.630 to 676.660, 676.665 to 676.689, 676.695 to 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, 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, 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 **or sections 1 to 5 of this 2025 Act**, the office may, through the Attorney General or the district attorney of the county in which the act, practice or transaction occurs or will occur, apply to the court for an injunction restraining the person from the act, practice or transaction.

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

SECTION 15. ORS 676.622 is amended to read:

676.622. (1) A transaction conducted through a state or local system or network that provides electronic access to the Health Licensing Office information and services is exempt from any requirement under ORS 675.365 to 675.410, 676.560 to 676.625, 676.630 to 676.660, 676.665 to 676.689, 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, 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, 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

and sections 1 to 5 of this 2025 Act, and rules adopted thereunder, requiring an original signature or the submission of handwritten materials.

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

SECTION 16. ORS 676.992 is amended to read:

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

- (a) ORS 688.701 to 688.734 (athletic training);
- (b) ORS 690.005 to 690.225 (cosmetology);
- (c) ORS 680.500 to 680.565 (denture technology);
- (d) Subject to ORS 676.616 and 687.445, ORS 687.405 to 687.495 (direct entry midwifery);
- (e) ORS 690.350 to 690.410 (tattooing, electrolysis, body piercing, earlobe piercing, dermal implanting and scarification);
- (f) ORS 694.015 to 694.170 (dealing in hearing aids);
- (g) ORS 688.800 to 688.840 (respiratory therapy and polysomnography);
- (h) ORS chapter 700 (environmental sanitation);
- (i) ORS 675.365 to 675.410 (sexual abuse specific treatment);
- (j) ORS 678.710 to 678.820 (nursing home administrators and residential care facility administrators);
- (k) ORS 691.405 to 691.485 (dietitians);
- (L) ORS 676.612 (prohibited acts);
- (m) ORS 676.802 to 676.830 (applied behavior analysis);
- (n) ORS 681.700 to 681.730 (music therapy);
- (o) ORS 676.630 to 676.660 (advanced nonablative esthetics procedure);
- (p) ORS 681.740 to 681.758 (art therapy);
- (q) ORS 676.665 to 676.689 (lactation consultation);
- (r) ORS 676.730 to 676.748 (genetic counseling); *[and]*
- (s) ORS 676.750 to 676.789 (signed language interpretation)[.]; **and**
- (t) Sections 1 to 5 of this 2025 Act (dental laboratories).**

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

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

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

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

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

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

SECTION 17. ORS 679.010 is amended to read:

679.010. As used in this chapter and ORS 680.010 to 680.205, unless the context requires otherwise:

(1) "Dental assistant" means a person who, under the supervision of a dentist or dental therapist, renders assistance to a dentist, dental therapist, dental hygienist, dental technician or another dental assistant or who, under the supervision of a dental hygienist, renders assistance to a dental hygienist providing dental hygiene.

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

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

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

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

(3) "Dental hygienist" means a person who, under the supervision of a dentist, practices dental hygiene.

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

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

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

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

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

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

(A) The examination, diagnosis, treatment planning, treatment, care and prevention of conditions within the human oral cavity and maxillofacial region, and of conditions of adjacent or related tissues and structures; and

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

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

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

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

(ii) Post-graduate training programs; or

(iii) Continuing education courses.

(B) The prescription and administration of vaccines.

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

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

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

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

SECTION 18. ORS 679.530 is repealed.

SECTION 19. (1) Sections 1 to 5 of this 2025 Act, the amendments to ORS 676.565, 676.579, 676.590, 676.612, 676.613, 676.622, 676.992, 679.010 and 679.176 by sections 9 to 17 of this 2025 Act and the repeal of ORS 679.530 by section 18 of this 2025 Act become operative on July 1, 2026.

(2) The amendments to section 3 of this 2025 Act by section 8 of this 2025 Act become operative on January 1, 2030.

(3) The Health Licensing Office may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the office to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the office by sections 1 to 5 of this 2025 Act, the amendments to ORS 676.565, 676.579, 676.590, 676.612, 676.613, 676.622, 676.992, 679.010 and 679.176 by sections 9 to 17 of this 2025 Act and the repeal of ORS 679.530 by section 18 of this 2025 Act.

SECTION 20. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Passed by House April 10, 2025

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate May 21, 2025

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State