

SB 874-1  
(LC 551)  
5/16/25 (SCT/ps)

Requested by Representative NOSSE (at the request of Oregon Medical Board)

**PROPOSED AMENDMENTS TO  
SENATE BILL 874**

1 On page 1 of the printed bill, line 2, delete “and 677.275” and insert “,  
2 677.275, 677.757, 677.759, 677.761 and 677.780”.

3 After line 2, insert:

4 “Whereas the term ‘Oriental’ is widely recognized as outdated, offensive  
5 and derogatory language that has been used to marginalize Asian communi-  
6 ties; and

7 “Whereas this terminology has been used to racialize and portray Asian  
8 peoples and cultures as perpetually foreign, exotic and ‘other’ in American  
9 society; and

10 “Whereas the term ‘Oriental’ has been associated with policies that jus-  
11 tified immigration exclusion acts, racial discrimination, political  
12 disenfranchisement, economic extortion and segregation of Asian communi-  
13 ties in Oregon and throughout the United States; and

14 “Whereas the continued use of this terminology in Oregon statutes per-  
15 petuates inequality and discrimination toward and harmful stereotypes of  
16 Asians and Asian Americans; and

17 “Whereas Asian Americans have made significant and valuable contribu-  
18 tions to Oregon’s economy, culture, health care systems and communities for  
19 over 150 years; and

20 “Whereas ‘Traditional Eastern medicine’ more accurately describes a  
21 holistic system of medicine developed in China, Japan, Korea and other

1 Asian and non-Asian countries; and

2 “Whereas acupuncture and other Traditional Eastern medicine practices  
3 have gained increasing recognition worldwide, and are now being widely  
4 utilized worldwide; and

5 “Whereas practitioners of Traditional Eastern medicine in Oregon have  
6 worked diligently to gain professional recognition within the broader med-  
7 ical community and equitable treatment from insurance companies and  
8 health care systems; now, therefore,”.

9 Delete lines 4 through 30 and delete pages 2 and 3 and insert:

10 “**SECTION 1.** ORS 677.010 is amended to read:

11 “677.010. As used in this chapter, subject to the exemptions in ORS  
12 677.060 and unless the context requires otherwise:

13 “(1) ‘Approved internship’ means the first year of post-graduate training  
14 served in a hospital that is approved by the **Oregon Medical** Board or by  
15 the Accreditation Council [o/] **for** Graduate Medical Education **or its suc-**  
16 **cessor organization**, the American Osteopathic Association **or its succes-**  
17 **sor organization** or the Royal College of Physicians and Surgeons of  
18 Canada **or its successor organization**.

19 “(2) ‘Approved school of medicine’ means a school offering a full-time  
20 resident program of study in medicine or osteopathic medicine leading to a  
21 degree of Doctor of Medicine or Doctor of Osteopathic Medicine, such pro-  
22 gram having been fully accredited or conditionally approved by the Liaison  
23 Committee on Medical Education, or its successor agency, or the American  
24 Osteopathic Association, or its successor agency, or having been otherwise  
25 determined by the board to meet the association standards as specifically  
26 incorporated into board rules.

27 “[*(3) ‘Board’ means the Oregon Medical Board.*]

28 “[*(4)*] **(3)** ‘Diagnose’ means to examine another person in any manner to  
29 determine the source or nature of a disease or other physical or mental  
30 condition, or to hold oneself out or represent that a person is so examining

1 another person. It is not necessary that the examination be made in the  
2 presence of such other person; *[it]* **the examination** may be made on infor-  
3 mation supplied either directly or indirectly by such other person.

4 “[5] (4) ‘Dispense’ means the preparation and delivery of a prescription  
5 drug, pursuant to a lawful order of a practitioner, in a suitable container  
6 appropriately labeled for subsequent administration to or use by a patient  
7 or other individual entitled to receive the prescription drug.

8 “[6] (5) ‘Dispensing physician’ means a physician or podiatric physician  
9 and surgeon who purchases prescription drugs for the purpose of dispensing  
10 them to patients or other individuals entitled to receive the prescription drug  
11 and who dispenses them accordingly.

12 “[7] (6) ‘Drug’ means all medicines and preparations for internal or ex-  
13 ternal use of humans, intended to be used for the cure, mitigation or pre-  
14 vention of diseases or abnormalities of humans, which are recognized in any  
15 published United States Pharmacopoeia or National Formulary, or otherwise  
16 established as a drug.

17 “[8] (7) ‘Fellow’ means an individual who has not qualified under ORS  
18 677.100 (1) and (2) and who is pursuing some special line of study as part of  
19 a supervised program of a school of medicine, a hospital approved for  
20 internship or residency training, or an institution for medical research or  
21 education that provides for a period of study under the supervision of a re-  
22 sponsible member of that hospital or institution, such school, hospital or  
23 institution having been approved by the board.

24 “[9] (8) ‘Intern’ means an individual who has entered into a hospital or  
25 hospitals for the first year of post-graduate training.

26 “[10] (9) ‘License’ means permission to practice, whether by license,  
27 registration or certification.

28 “[11] (10) ‘Licensee’ means an individual holding a valid license issued  
29 by the board.

30 “[12] (11) ‘Physical incapacity’ means a condition that renders an indi-

vidual licensed under this chapter unable to practice under that license with professional skill and safety by reason of physical illness or physical deterioration that adversely affects cognition, motor or perceptive skill.

“(13) (12) ‘Physician’ means a person who holds a degree of Doctor of Medicine or Doctor of Osteopathic Medicine, or a person who holds a degree of Doctor of Podiatric Medicine if the context in which the term ‘physician’ is used does not authorize or require the person to practice outside the scope of a license issued under ORS 677.805 to 677.840.

“(14) (13) ‘Podiatric physician and surgeon’ means a physician licensed under ORS 677.805 to 677.840 to practice podiatry.

“(15)(a) (14)(a) ‘Podiatry’ means:

“(A) The diagnosis or the medical, physical or surgical treatment of ailments of the human foot, ankle and tendons directly attached to and governing the function of the foot and ankle, and treatment involving the use of a general or spinal anesthetic if that treatment is performed in a hospital licensed under ORS 441.025 or in an ambulatory surgical center licensed by the Oregon Health Authority and is under the supervision of or in collaboration with a podiatric physician and surgeon;

“(B) Assisting in the performance of surgery, as provided in ORS 677.814; and

“(C) The treatment of skin, skin-related structures and subcutaneous masses, and wounds involving skin, skin-related structures and subcutaneous masses, on the human leg no further proximal than the tibial tubercle.

“(b) ‘Podiatry’ does not include administering general or spinal anesthetics or the amputation of the entire foot.

“(16) (15) ‘Prescribe’ means to direct, order or designate the use of or manner of using by spoken or written words or other means.

“(17) (16) ‘Resident’ means an individual who, after the first year of post-graduate training, in order to qualify for some particular specialty in the field of medicine, pursues a special line of study as part of a supervised

1 program of a hospital approved by the board.

2 “(17) ‘Traditional Eastern medicine’ means the practice of medicine,  
3 specifically acupuncture and traditional Chinese medicine, regulated  
4 by this chapter if the medicine is practiced within the context of a  
5 person’s license to practice acupuncture issued under ORS 677.757 to  
6 677.770.

7 “SECTION 2. ORS 677.275 is amended to read:

8 “677.275. Each administrative law judge conducting hearings on behalf of  
9 the **Oregon Medical** Board is vested with the full authority of the board to  
10 schedule and conduct hearings on behalf and in the name of the board on  
11 all matters referred by the board, including issuance of licenses, proceedings  
12 for placing licensees on probation and for suspension and revocation of li-  
13 censes, and shall cause to be prepared and furnished to the board, for deci-  
14 sion thereon by the board, the complete written transcript of the record of  
15 the hearing. This transcript shall contain all evidence introduced at the  
16 hearing and all pleas, motions and objections, and all rulings of the admin-  
17 istrative law judge. Each administrative law judge may administer oaths and  
18 issue summonses, notices and subpoenas, but may not place any licensee on  
19 probation or issue, refuse, suspend or revoke a license.

20 “SECTION 3. ORS 677.757 is amended to read:

21 “677.757. As used in ORS 677.757 to 677.770:

22 “[*(1)(a) ‘Acupuncture’ means an Oriental health care practice used to pro-*  
23 *mote health and to treat neurological, organic or functional disorders by the*  
24 *stimulation of specific points on the surface of the body by the insertion of*  
25 *needles. ‘Acupuncture’ includes the treatment method of moxibustion, as well*  
26 *as the use of electrical, thermal, mechanical or magnetic devices, with or*  
27 *without needles, to stimulate acupuncture points and acupuncture meridians*  
28 *and to induce acupuncture anesthesia or analgesia.]*

29 “[*(b) The practice of acupuncture also includes the following modalities as*  
30 *authorized by the Oregon Medical Board:]*

1        “[A] *Traditional and modern techniques of diagnosis and evaluation;*  
2        “[B] *Oriental massage, exercise and related therapeutic methods; and*  
3        “[C] *The use of Oriental pharmacopoeia, vitamins, minerals and dietary*  
4        *advice.*]

5        “(1) ‘Acupuncture’ means:

6        “(a) Traditional Eastern medicine used to promote health and treat  
7        neurological, organic or functional disorders through the insertion of  
8        needles into specific points on the body at varying depths, including  
9        insertion into the skin, subcutaneous tissue, muscle layers and fascia,  
10       and into or near joint spaces based on anatomical location and the  
11       practitioner’s clinical assessment. The type of needle inserted, and the  
12       depth, angle and technique of insertion, are informed by specialized  
13       training in acupuncture theory, biomedical anatomy and diagnostic  
14       evaluation to safely stimulate biological and physiological responses  
15       and support the body’s healing process.

16       “(b) The treatment method of moxibustion and the use of electrical,  
17       thermal, mechanical or magnetic devices, with or without needles, to  
18       stimulate acupuncture points and acupuncture meridians and to in-  
19       duce acupuncture anesthesia or analgesia.

20       “(c) The following modalities, as authorized by the Oregon Medical  
21       Board:

22       “(A) Traditional Eastern medicine and acupuncture techniques of  
23       diagnosis and evaluation;

24       “(B) Traditional Eastern medicine manual therapy, exercise and  
25       related therapeutic methods; and

26       “(C) The use of Traditional Eastern medicine pharmacopoeia,  
27       vitamins, minerals and dietary advice.

28       “(2) [‘*Oriental pharmacopoeia*’] ‘Traditional Eastern medicine  
29       pharmacopoeia’ means a list of herbs described in [*traditional Oriental*]  
30       Traditional Eastern medicine texts commonly used in accredited schools

1 of [*Oriental*] **Traditional Eastern** medicine if the texts are approved by the  
2 Oregon Medical Board.

3 **“SECTION 4.** ORS 677.759 is amended to read:

4 “677.759. (1) [*No person shall*] **A person may not** practice acupuncture  
5 without first obtaining a license to practice medicine and surgery or a li-  
6 cense to practice acupuncture from the Oregon Medical Board except as  
7 provided in subsection (2) of this section.

8 “(2) Notwithstanding subsection (1) of this section, the board may issue  
9 a license to practice acupuncture to an individual licensed to practice  
10 acupuncture in another state or territory of the United States if the indi-  
11 vidual is licensed to practice medicine and surgery or acupuncture in the  
12 other state or territory. The board [*shall*] **may** not issue such a license un-  
13 less the requirements of the other state or territory are similar to the re-  
14 quirements of this state.

15 “(3) The board shall examine the qualifications of an applicant and de-  
16 termine who shall be authorized to practice acupuncture.

17 “(4) Using the term ‘acupuncture,’ ‘acupuncturist,’ [*‘Oriental medicine’*]  
18 **‘Traditional Eastern medicine’** or any other term, title, name or abbrevi-  
19 ation indicating that an individual is qualified or licensed to practice  
20 acupuncture is prima facie evidence of practicing acupuncture.

21 “(5) In addition to the powers and duties of the board described in this  
22 chapter, the board shall adopt rules consistent with ORS 677.757 to 677.770  
23 governing the issuance of a license to practice acupuncture.

24 **“SECTION 5.** ORS 677.761 is amended to read:

25 “677.761. Nothing in ORS 677.757 to 677.770 is intended to:

26 “(1) Prevent, limit or interfere with an individual licensed or certified by  
27 the Oregon Medical Board from practicing health care other than  
28 acupuncture within the scope of the license or certification of the individual.

29 “(2) Limit any other licensed or certified health care practitioner from  
30 practicing acupressure or other therapy within the scope of the license or

1 certification of the individual.

2 “(3) Limit the activities of any person who engages in the business of  
3 providing [*Oriental massage*] **Traditional Eastern medicine manual ther-**  
4 **apy**, exercise and related therapeutic methods or who provides substances  
5 listed in [*an Oriental*] **Traditional Eastern medicine** pharmacopoeia, or  
6 vitamins or minerals or dietary advice, so long as the activities of the person  
7 are not otherwise prohibited by law.

8 “(4) Limit the ability of practitioners from outside Oregon to demonstrate  
9 the practice of acupuncture as part of a recognized and limited duration ed-  
10 ucational program, lecture or event within this state under rules adopted by  
11 the board.

12 **“SECTION 6.** ORS 677.780 is amended to read:

13 “677.780. (1) There is established an Acupuncture Advisory Committee  
14 consisting of six members appointed by the Oregon Medical Board. Of the  
15 committee members appointed by the board:

16 “(a) One shall be a person who is a current member of the board.

17 “(b) Two shall be physicians licensed under ORS chapter 677.

18 “(c) Three shall be acupuncturists licensed under ORS [677.759] **677.757**  
19 **to 677.770**. In appointing the three acupuncturists, the board may receive  
20 nominations from the [*Oregon Association of Acupuncture and Oriental*  
21 *Medicine*] **Oregon Association of Acupuncturists, or its successor or-**  
22 **ganization**, and other professional acupuncture organizations.

23 “(2) The term of office of each committee member is three years, but a  
24 committee member serves at the pleasure of the board. A committee member  
25 may not serve more than two consecutive terms. A committee member serves  
26 until a successor is appointed and qualified. If there is a vacancy for any  
27 cause, the board shall make an appointment to become immediately effective  
28 for the unexpired term.

29 “(3) A committee member is entitled to compensation and expenses as  
30 provided for board members in ORS 677.235.



1       “(4) A majority of the members of the committee constitutes a quorum for  
2   the transaction of business.”.

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