

D R A F T

SUMMARY

Designates Oregon Medical Board as semi-independent state agency.
Becomes operative July 1, 2015.
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to operations of state agencies that regulate the practice of medicine; creating new provisions; amending ORS 182.454, 182.462, 677.235, 677.265, 677.280, 677.290, 677.305 and 677.415 and section 20, chapter 240, Oregon Laws 2013; and declaring an emergency.

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

DESIGNATION OF OREGON MEDICAL BOARD AS A SEMI-INDEPENDENT STATE AGENCY

SECTION 1. ORS 677.235 is amended to read:

677.235. (1) The Oregon Medical Board [*consists*] **is established as semi-independent state agency subject to ORS 182.456 to 182.472. The board shall consist** of 12 members appointed by the Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All members of the board must be residents of this state. Of the members of the board:

- (a) Seven must have the degree of Doctor of Medicine;
- (b) Two must have the degree of Doctor of Osteopathy;
- (c) One must have the degree of Doctor of Podiatric Medicine; and

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 (d) Two must be members of the public [*representing*] **who represent**
2 health consumers and who are not:

3 (A) Otherwise eligible for appointment to the board; or

4 (B) A spouse, domestic partner, child, parent or sibling of an individual
5 [*having*] **who has** the degree of Doctor of Medicine, Doctor of Osteopathy
6 or Doctor of Podiatric Medicine.

7 (2)(a)(A) Board members required to possess the degree of Doctor of
8 Medicine may be selected by the Governor from a list of three to five can-
9 didates for each member of the board described in subsection (1)(a) of this
10 section whose term expires in that year, submitted by the Oregon Medical
11 Association not later than February 1.

12 (B) Board members required to possess the degree of Doctor of Osteopathy
13 may be selected by the Governor from a list of three to five candidates for
14 each [*vacancy*] **member of the board described in subsection (1)(b) of**
15 **this section whose term expires in that year**, submitted by the
16 Osteopathic Physicians and Surgeons of Oregon, Inc., not later than Febru-
17 ary 1 [*of each odd-numbered year*].

18 (C) The board member required to possess the degree of Doctor of
19 Podiatric Medicine may be selected by the Governor from a list of three to
20 five candidates **for the member of the board described in subsection**
21 **(1)(c) of this section whose term expires in that year**, submitted by the
22 Oregon Podiatric Medical Association not later than February 1 [*of each*
23 *fourth year*].

24 (b) [*The physician*] Members **who are physicians** must have been in the
25 active practice of their profession for at least five years immediately pre-
26 ceding their appointment.

27 (c) [*Neither the public members nor any person who is*] **A public member**
28 **or** a spouse, domestic partner, child, parent or sibling of a public member
29 may **not** be employed as a health professional.

30 (d)(A) In selecting the members of the board, the Governor shall strive
31 to balance the representation on the board according to geographic areas of

1 this state and [*ethnic group*] **ethnicity**.

2 (B) Of the seven members who hold the degree of Doctor of Medicine,
3 there shall be at least one member appointed from each federal congressional
4 district.

5 (3)(a) The term of office of each board member is three years, but a
6 member serves at the pleasure of the Governor. The terms must be staggered
7 so that no more than four terms end each year. A term begins on March 1
8 of the year the member is appointed and ends on the last day of February
9 of the third year [*thereafter*] **after the member is appointed**. A member
10 may not serve more than two consecutive terms.

11 (b) If a vacancy occurs on the board, another qualifying member possess-
12 ing the same professional degree or fulfilling the same public capacity as the
13 person whose position has been vacated shall be appointed [*as provided in*
14 *this section*] to fill the unexpired term.

15 (c) A board member shall be removed immediately from the board if,
16 during the member's term, the member:

17 (A) Is not a resident of this state;

18 (B) Has been absent from three consecutive board meetings, unless at
19 least one absence is excused; or

20 (C) Is not a current licensee or a retired licensee whose license was in
21 good standing at the time of retirement, if the board member was appointed
22 to serve on the board as a licensee.

23 (4) Members of the board are entitled to compensation and expenses as
24 provided in ORS [292.495. *The board may provide by rule for compensation to*
25 *board members for the performance of official duties at a rate that is greater*
26 *than the rate provided in ORS 292.495*] **182.466**.

27 **SECTION 2.** ORS 182.454, as amended by section 19, chapter 722, Oregon
28 Laws 2013, and section 3, chapter 72, Oregon Laws 2014, is amended to read:

29 182.454. The following semi-independent state agencies are subject to ORS
30 182.456 to 182.472:

31 (1) The Appraiser Certification and Licensure Board.

1 (2) The State Board of Architect Examiners.

2 **(3) The Citizens' Initiative Review Commission.**

3 [(3)] (4) The State Board of Examiners for Engineering and Land Sur-
4 veying.

5 [(4)] (5) The State Board of Geologist Examiners.

6 [(5)] (6) The State Landscape Architect Board.

7 **(7) The State Landscape Contractors Board.**

8 **(8) The State Board of Massage Therapists.**

9 **(9) The Oregon Medical Board.**

10 [(6)] (10) The Oregon Board of Optometry.

11 [(7)] (11) The Oregon Patient Safety Commission.

12 **(12) The Physical Therapist Licensing Board.**

13 [(8)] (13) The Oregon Wine Board.

14 [(9) *The State Board of Massage Therapists.*]

15 [(10) *The Physical Therapist Licensing Board.*]

16 [(11) *The State Landscape Contractors Board.*]

17 [(12) *The Citizens' Initiative Review Commission.*]

18
19 **SUBMISSION OF BUDGET**

20
21 **SECTION 3.** ORS 182.462 is amended to read:

22 182.462. (1)(a) A board shall adopt budgets on a biennial basis using
23 classifications of expenditures and revenues required by ORS 291.206 (1), but
24 the budget is not subject to review and approval by the Legislative Assembly
25 or to future modification by the Emergency Board or the Legislative As-
26 sembly.

27 (b) The budget referred to in paragraph (a) of this subsection shall be
28 adopted in accordance with [*applicable provisions of ORS chapter 183*] **ORS**
29 **183.335.** [*Except as provided in this paragraph*] **However,** a board shall adopt
30 or modify a budget only after a public hearing [*thereon*] **is held on the**
31 **budget.** A board must give notice of the hearing to all holders of licenses

1 issued by the board.

2 (c) A board shall follow generally accepted accounting principles and keep
3 financial and statistical information as necessary to completely and accu-
4 rately disclose the financial condition and [*financial*] operations of the board
5 as [*may be*] required by the Secretary of State.

6 (d) A board shall prepare an annual financial statement of board revenues
7 and expenses and shall make the statement available for public review. The
8 board shall provide a copy of the statement to the Oregon Department of
9 Administrative Services not later than the 90th day after the end of the state
10 fiscal year.

11 (e) A board may, by rule, elect to donate all or part of the revenue derived
12 by the board from civil penalties to the General Fund of the State Treasury.

13 (2) In addition to the reports required by ORS 182.472, the Oregon Board
14 of Optometry, the State Board of Massage Therapists, **the Oregon Medical**
15 **Board** and the Physical Therapist Licensing Board shall, on or before Feb-
16 ruary 1 of each odd-numbered year, present the budget adopted by the board
17 under this section to the Governor, the President of the Senate, the Speaker
18 of the House of Representatives and the Legislative Fiscal Officer. **The**
19 **Legislative Fiscal Officer shall submit the budget adopted by the**
20 **Oregon Medical Board to the Joint Committee on Ways and Means.**

21

22 **PUBLICATION OF BUDGET AND REPORT**

23

24 **SECTION 4. Section 5 of this 2015 Act is added to and made a part**
25 **of ORS chapter 677.**

26 **SECTION 5. (1) In addition to the requirements of ORS 182.462 (2),**
27 **the Oregon Medical Board shall post a copy of the budget adopted by**
28 **the board under ORS 182.462 on the board's website on or before Feb-**
29 **ruary 1 of each odd-numbered year.**

30 (2) In addition to the requirements of ORS 182.472, the Oregon
31 Medical Board shall post a copy of the report prepared pursuant to

1 **ORS 182.472 on the board's website on or before April 1 of each even-**
2 **numbered year.**

3

4

ACCOUNTS, FEES AND PENALTIES

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6 **SECTION 6. The Oregon Medical Board Account is abolished on the**
7 **operative date specified in section 15 of this 2015 Act. The Oregon**
8 **Medical Board shall transfer the balance of moneys remaining in the**
9 **Oregon Medical Board Account to the account established by the**
10 **Oregon Medical Board under ORS 182.470.**

11 **SECTION 7. ORS 677.290, as amended by section 8, chapter 240, Oregon**
12 **Laws 2013, is amended to read:**

13 677.290. (1) All moneys received by the Oregon Medical Board under this
14 chapter shall be paid into [*the General Fund in the State Treasury and placed*
15 *to the credit of the Oregon Medical Board Account which is established. Such*
16 *moneys are appropriated continuously and shall be used only for the adminis-*
17 *tration and enforcement of this chapter and ORS 676.850.] **an account es-***

18 **tablished by the board under ORS 182.470. All moneys in the account**
19 **are continuously appropriated to the board for the purpose of carrying**
20 **out the functions of the board.**

21 (2) Notwithstanding subsection (1) of this section **and ORS 182.470**, the
22 board may maintain a revolving account in a sum [*not to*] **that does** exceed
23 \$50,000 for the purpose of receiving and paying [*pass-through*] moneys [*relat-*
24 *ing*] **related** to peer review pursuant to [*its*] **the board's** duties under ORS
25 441.055 (4) and (5) and in administering programs pursuant to [*its*] **the**
26 **board's** duties under this chapter relating to the education and rehabili-
27 tation of licensees in the areas of chemical substance abuse, **the** inappro-
28 priate prescribing **of drugs** and medical competence. The creation of and
29 disbursement of moneys from the revolving account [*shall*] **does** not require
30 an allotment or allocation of moneys pursuant to ORS 291.234 to 291.260. All
31 moneys in the account are continuously appropriated **to the board** for

1 *[purposes set forth]* **the purposes described** in this subsection.

2 (3) Each year *[\$10 shall be paid]*, **the board shall pay \$10** to the Oregon
 3 Health and Science University for each in-state physician licensed under this
 4 chapter*[, which amount is]*. **Amounts paid to the Oregon Health and**
 5 **Science University under this section are** continuously appropriated to
 6 the Oregon Health and Science University *[to be used in]* **for the purpose**
 7 **of** maintaining a circulating library of medical and surgical books and pub-
 8 lications for *[the use of]* **use by** practitioners of medicine in this state*[,]*
 9 and, when not *[so]* in use **by practitioners of medicine**, to be kept at the
 10 *[library of the]* **university's** School of Medicine *[and accessible to its]* **for**
 11 **use by the university's** students. *[The balance of the money received by the*
 12 *board is appropriated continuously and shall be used only for the adminis-*
 13 *tration and enforcement of this chapter, but any part of the balance may, upon*
 14 *the order of the board, be paid into the circulating library fund.]*

15 **SECTION 8.** ORS 677.305 is amended to read:

16 677.305. **Notwithstanding ORS 182.470**, the Oregon Medical Board may
 17 maintain a petty cash fund in compliance with ORS 293.180 in the amount
 18 of \$5,000.

19 **SECTION 9.** ORS 677.265 is amended to read:

20 677.265. In addition to any other powers granted by this chapter **and ORS**
 21 **182.456 to 182.472**, the Oregon Medical Board may:

22 (1) Adopt *[necessary and proper rules for]* **rules necessary for the ad-**
 23 **ministration of this chapter, including [but not limited to] rules:**

24 (a) Establishing fees and charges to carry out *[its]* **the** legal responsibil-
 25 ities **of the board***[, subject to prior approval by the Oregon Department of*
 26 *Administrative Services and a report to the Emergency Board prior to adopting*
 27 *the fees and charges. The fees and charges shall be within the budget au-*
 28 *thorized by the Legislative Assembly as that budget may be modified by the*
 29 *Emergency Board. The fees and charges established under this section may*
 30 *not exceed the cost of administering the program or the purpose for which the*
 31 *fee or charge is established, as authorized by the Legislative Assembly for the*

1 *Oregon Medical Board's budget, or as modified by the Emergency Board or*
2 *future sessions of the Legislative Assembly].*

3 (b) Establishing standards and tests to determine the moral, intellectual,
4 educational, scientific, technical and professional qualifications required [*of*
5 *applicants for licenses*] **for licensure** under this chapter.

6 (c) [*Enforcing*] **Providing for the enforcement of** the provisions of this
7 chapter and [*exercising*] **the exercise of** general supervision over the prac-
8 tice of medicine and podiatry within this state. In determining whether to
9 discipline a licensee for a standard of care violation, the [*Oregon Medical*]
10 board shall determine whether the licensee used that degree of care, skill and
11 diligence that is used by ordinarily careful physicians in the same or similar
12 circumstances in the community of the physician or a similar community.

13 (2) Issue, deny, suspend and revoke licenses and limited licenses, assess
14 costs of proceedings and fines and place licensees on probation as provided
15 in this chapter.

16 (3) Use the gratuitous services and facilities of private organizations to
17 receive the assistance and recommendations of the organizations in admin-
18 istering this chapter.

19 (4) Make [*its*] **the** personnel and facilities **of the board** available to other
20 regulatory agencies of this state, or other bodies interested in the develop-
21 ment and improvement of the practice of medicine or podiatry in this state,
22 upon terms and conditions for reimbursement as [*are*] agreed to by the
23 [*Oregon Medical*] board and the other agency or body.

24 (5) Appoint examiners[, *who need not be members of the Oregon Medical*
25 *Board,*] and employ or contract with [*the American Public Health Association*
26 *or the National Board of Medical Examiners or*] other organizations, agencies
27 [*and*] **or** persons to prepare examination questions and score examination
28 papers.

29 (6) Determine the schools, colleges, universities, institutions and training
30 [*acceptable in connection with licensing*] **necessary to prepare an individual**
31 **for licensure** under this chapter. All residency, internship and other train-

1 ing programs carried on in this state by any hospital, institution or medical
2 facility shall be subject to approval by the [*Oregon Medical*] board. The
3 board shall accept the approval by the American Osteopathic Association or
4 the American Medical Association in lieu of approval by the board.

5 (7) Prescribe the time, place, method, manner, scope and subjects of ex-
6 aminations **required for licensure** under this chapter.

7 (8) Prescribe all forms that [*it*] **the board** considers appropriate for [*the*]
8 purposes **related to the administration** of this chapter, and require the
9 submission of photographs and relevant personal history data by applicants
10 for licensure under this chapter.

11 (9) For the purpose of requesting a state or nationwide criminal records
12 check under ORS 181.534, require the fingerprints of a person who is:

13 (a) Applying for a license that is issued by the board;

14 (b) Applying for renewal of a license that is issued by the board; or

15 (c) Under investigation by the board.

16 (10) Administer oaths, issue notices and subpoenas in the name of the
17 board, enforce subpoenas in the manner authorized by ORS 183.440, hold
18 hearings and perform [*such*] other acts [*as are*] reasonably necessary to carry
19 out [*its*] **the duties of the board** under this chapter.

20 **SECTION 10.** ORS 677.415 is amended to read:

21 677.415. (1) As used in this section:

22 (a) “Health care facility” means a facility licensed under ORS 441.015 to
23 441.087.

24 (b) “Official action” means a restriction, limitation, loss or denial of
25 privileges of a licensee to practice medicine, or any formal action taken
26 against a licensee by a government agency or a health care facility based
27 on a finding of medical incompetence, unprofessional conduct, physical in-
28 capacity or impairment.

29 (2) The Oregon Medical Board on the board’s own motion may [*investigate*]
30 *any evidence that appears to show that a licensee*] **conduct investigations**
31 **to determine whether an individual** licensed by the board is or may be

1 medically incompetent [*or*], is or may be guilty of unprofessional or dis-
2 honorable conduct or [*is or may be a licensee with*] **has or may have** a
3 physical incapacity or [*an*] impairment as defined in ORS 676.303.

4 (3) [*A licensee*] **An individual** licensed by the [*Oregon Medical*] board, the
5 Oregon Medical Association, [*Inc., or*] any component society [*thereof*] **of the**
6 **Oregon Medical Association**, the Osteopathic Physicians and Surgeons of
7 Oregon[, *Inc.*] or the Oregon Podiatric Medical Association shall report **to**
8 **the board** within 10 [*working*] **business** days, and any other person may
9 report[,] to the board, any information [*such*] **that the** licensee, association,
10 society or person may have that appears to show that [*a licensee*] **an indi-**
11 **vidual licensed by the board** is or may be medically incompetent [*or*], is
12 or may be guilty of unprofessional or dishonorable conduct or [*is or may be*
13 *a licensee with*] **has or may have** a physical incapacity.

14 (4) [*A licensee shall self-report within 10 working days*] **An individual**
15 **licensed by the board shall report to the board** any official action taken
16 against the licensee **within 10 business days of the date of the official**
17 **action.**

18 (5) A health care facility shall report to the [*Oregon Medical*] board any
19 official action taken against [*a licensee*] **an individual licensed by the**
20 **board** within 10 business days of the date of the official action.

21 (6) A licensee's voluntary withdrawal from the practice of medicine or
22 podiatry, voluntary resignation from the staff of a health care facility or
23 voluntary limitation of the licensee's staff privileges at [*such*] a health care
24 facility shall be promptly reported to the [*Oregon Medical*] board by the
25 health care facility and the licensee if the licensee's voluntary action occurs
26 while the licensee is under investigation by the health care facility or a
27 committee [*thereof*] **of the health care facility** for any reason related to
28 possible medical incompetence, unprofessional conduct or physical incapacity
29 or impairment as defined in ORS 676.303.

30 (7)(a) A report made in accordance with subsection (3) of this section
31 [*shall*] **must** contain:

1 (A) The name, title, address and telephone number of the person making
2 the report; and

3 (B) **The** information that appears to show that [a] **the** licensee is or may
4 be medically incompetent, is or may be guilty of unprofessional or dis-
5 honorable conduct or [*is or may be a licensee with*] **has or may have** a
6 physical incapacity.

7 (b) **A report made in accordance with subsection (4) of this section**
8 **may not contain more than:**

9 (A) **The name, title, address and telephone number of the licensee**
10 **making the report; and**

11 (B) **The specific restriction, limitation, suspension, loss or denial**
12 **of the licensee's staff privileges and the effective date or term of the**
13 **restriction, limitation, suspension, loss or denial.**

14 [(b)] (c) [*The Oregon Medical Board may not require in*] (c) A report made
15 in accordance with subsection (5) or (6) of this section **may not contain**
16 more than:

17 (A) The name, title, address and telephone number of the licensee making
18 the report or the name, address and telephone number of the health care
19 facility making the report;

20 (B) The date of an official action taken against the licensee or the
21 licensee's voluntary [*action under subsection (6) of this section*] **withdrawal,**
22 **resignation or limitation;** and

23 (C) A description of the official action or [*the licensee's*] voluntary [*action,*
24 *as appropriate to the report,*] **withdrawal, resignation or limitation,** in-
25 cluding:

26 (i) The specific restriction, limitation, suspension, loss or denial of the
27 licensee's [*medical*] staff privileges and the effective date or term of the re-
28 striction, limitation, suspension, loss or denial; or

29 (ii) The fact that the licensee has voluntarily withdrawn from the practice
30 of medicine or podiatry, voluntarily resigned from the staff of a health care
31 facility or voluntarily limited the licensee's **staff** privileges at a health care

1 facility and the effective date of the withdrawal, resignation or limitation.

2 [(c) *The Oregon Medical board may not require in a report made in ac-*
3 *cordance with subsection (4) of this section more than.*]

4 [(A) *The name, title, address and telephone number of the licensee making*
5 *the report; and*]

6 [(B) *The specific restriction, limitation, suspension, loss or denial of the*
7 *licensee's staff privileges and the effective date or term of the restriction, lim-*
8 *itation, suspension, loss or denial.*]

9 [(8)] (d) A report made in accordance with this section may not include
10 any data that is privileged under ORS 41.675.

11 [(9)] (8) If, in the opinion of the [*Oregon Medical*] board, it appears that
12 information provided to [*it*] **the board** under this section is or may be true,
13 the board may order an informal interview with the licensee subject to the
14 notice requirement of ORS 677.320.

15 [(10)(a)] (9)(a) A health care facility's failure to report an official action
16 as required under subsection (5) of this section constitutes a violation of this
17 section. The health care facility is subject to a penalty of not more than
18 \$10,000 for each violation. The [*Oregon Medical*] board [*may*] **shall** impose
19 the penalty in accordance with ORS 183.745 and, in addition to the penalty,
20 may assess reasonable costs the board [*incurs in enforcing the requirements*
21 *of this section against the health care facility if the enforcement results*] **in-**
22 **curred** in the imposition of [*a*] **the** civil penalty.

23 (b) The Attorney General may bring an action in the name of the State
24 of Oregon in a court of appropriate jurisdiction to recover a civil penalty
25 and costs assessed under this subsection.

26 [(c) *A civil penalty assessed or recovered in accordance with this subsection*
27 *shall be paid to the State Treasury and the State Treasurer shall credit the*
28 *amount of the payment to the Primary Care Services Fund established under*
29 *ORS 442.570.*]

30 (c) **Moneys recovered under this subsection must be deposited in the**
31 **account established by the board under ORS 182.470 and are contin-**

1 **uously appropriated to the board for the purpose of carrying out the**
2 **functions of the board.**

3 [(11)] (10) A person who [reports] **makes a report** in good faith to the
4 [Oregon Medical] board as required by this section is immune from civil li-
5 ability by reason of making the report.

6

7

PERSONNEL

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9 **SECTION 11.** ORS 677.280 is amended to read:

10 677.280. [Subject to any applicable provisions of the State Personnel Re-
11 lations Law,] The Oregon Medical Board may employ consultants, investi-
12 gators and staff for the [purpose] **purposes** of enforcing [the laws relating
13 to] this chapter **and rules adopted under this chapter** and securing evi-
14 dence of violations [thereof, and] **of this chapter and rules adopted under**
15 **this chapter. The board** may fix the compensation [therefor] **of the board's**
16 **employees** and incur **other** necessary [other] expenses.

17

18

TECHNICAL AMENDMENTS

19

20 **SECTION 12.** Section 20, chapter 240, Oregon Laws 2013, is amended to
21 read:

22 **Sec. 20.** (1) [Sections 1 and 18 of this 2013 Act] **ORS 676.850 and 676.855**
23 and the amendments to statutes by sections 3 to **7 and 9 to 17, chapter 240,**
24 **Oregon Laws 2013,** [of this 2013 Act] become operative on January 1, 2017.

25 (2) A board, as defined in [section 1 of this 2013 Act] **ORS 676.850,** may
26 take any action necessary before the operative date specified in subsection
27 (1) of this section to enable the board to exercise, on and after the operative
28 date specified in subsection (1) of this section, all the duties, functions and
29 powers conferred on the board by [sections 1 and 18 of this 2013 Act] **ORS**
30 **676.850 and 676.855** and the amendments to statutes by sections 3 to **7 and**
31 **9 to 17, chapter 240, Oregon Laws 2013** [of this 2013 Act].

TRANSITIONAL PROVISIONS

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SECTION 13. Section 6 of this 2015 Act and the amendments to ORS 182.454, 182.462, 677.235, 677.265, 677.280, 677.290, 677.305 and 677.415 by sections 1 to 3 and 7 to 11 of this 2015 Act do not affect:

(1) An action, proceeding or prosecution involving a duty, function or power of the Oregon Medical Board that is pending on the operative date specified in section 15 of this 2015 Act.

(2) A duty, liability or obligation owed by a person to the board that accrued before the operative date specified in section 15 of this 2015 Act.

(3) The rights and obligations of the board incurred under contracts, leases and business transactions that were entered into or executed before the operative date specified in section 15 of this 2015 Act.

SECTION 14. Notwithstanding section 6 of this 2015 Act and the amendments to ORS 182.454, 677.235 and 677.290 by sections 1, 2 and 7 of this 2015 Act:

(1) The unexpended balances of amounts authorized to be expended by the Oregon Medical Board for the biennium beginning July 1, 2015, for the purpose of administering and enforcing the duties, functions and powers of the board remain in effect until the board adopts a budget under ORS 182.462; and

(2) The expenditure classifications, if any, authorizing or limiting expenditures by the board for the biennium beginning July 1, 2015, remain in effect until the board adopts a budget under ORS 182.462.

OPERATIVE DATE

SECTION 15. (1) Sections 4 to 6 of this 2015 Act and the amendments to ORS 182.454, 182.462, 677.235, 677.265, 677.280, 677.290, 677.305 and 677.415 by sections 1 to 3 and 7 to 11 of this 2015 Act become op-

1 **erative on July 1, 2015.**

2 **(2) The Oregon Medical Board may take any action before the op-**
3 **erative date specified in subsection (1) of this section that is necessary**
4 **to enable the board to exercise, on and after the operative date speci-**
5 **fied in subsection (1) of this section, all the duties, functions and**
6 **powers conferred on the board by sections 4 to 6 of this 2015 Act and**
7 **the amendments to ORS 182.454, 182.462, 677.235, 677.265, 677.280, 677.290,**
8 **677.305 and 677.415 by sections 1 to 3 and 7 to 11 of this 2015 Act.**

9

10

UNIT CAPTIONS

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12 **SECTION 16. The unit captions used in this 2015 Act are provided**
13 **only for the convenience of the reader and do not become part of the**
14 **statutory law of this state or express any legislative intent in the**
15 **enactment of this 2015 Act.**

16

17

EMERGENCY CLAUSE

18

19 **SECTION 17. This 2015 Act being necessary for the immediate**
20 **preservation of the public peace, health and safety, an emergency is**
21 **declared to exist, and this 2015 Act takes effect on its passage.**

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