

A-Engrossed
House Bill 4095

Ordered by the Senate February 18
Including Senate Amendments dated February 18

Sponsored by Representative GILLIAM; Representatives CLEM, KENNEMER, LIVELY, Senator GIROD (Pre-session filed.)

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.

Requires Oregon Board of Dentistry, upon request of individual who has been disciplined by board, to remove from its website and other publicly accessible print and electronic publications information related to disciplining individual if individual meets certain criteria.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to dentistry; and declaring an emergency.

2 Whereas the Oregon Board of Dentistry is responsible for the licensure and discipline of dental
3 professionals in this state; and
4

5 Whereas collaboration between the Oregon Board of Dentistry and other medical professional
6 boards in this state fosters productive and equitable discipline procedures among all medical pro-
7 fessions; and

8 Whereas communication between the Oregon Board of Dentistry and the Legislative Assembly
9 should be encouraged; now, therefore,

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

11 **SECTION 1. Section 2 of this 2016 Act is added to and made a part of ORS chapter 679.**

12 **SECTION 2. (1) Upon the request of an individual who has been disciplined by the Oregon**
13 **Board of Dentistry, the board shall remove from its website and other publicly accessible**
14 **print and electronic publications under the board's control all information related to disci-**
15 **plining the individual under ORS 679.140 and any findings and conclusions made by the board**
16 **during the disciplinary proceeding, if:**

17 (a) **The request is made 10 years or more after the date on which any disciplinary sanc-**
18 **tion ended;**

19 (b) **The individual was not disciplined for financially or physically harming a patient;**

20 (c) **The individual informed the board of the matter for which the individual was disci-**
21 **plined before the board received information about the matter or otherwise had knowledge**
22 **of the matter;**

23 (d) **The individual making the request, if the individual is or was a licensee, has not been**
24 **subjected to other disciplinary action by the board following the imposition of the disciplinary**
25 **sanction; and**

26 (e) **The individual fully complied with all disciplinary sanctions imposed by the board.**

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) The board shall adopt by rule a process for making a request under this section.**

2 **SECTION 3.** **As soon as practicable after the effective date of this 2016 Act, the Oregon**
3 **Board of Dentistry shall:**

4 **(1) Provide notice to each individual licensed by the board under ORS chapter 679 of the**
5 **process for making a request described in section 2 of this 2016 Act; and**

6 **(2) Provide public notice of the process for making a request under section 2 of this 2016**
7 **Act.**

8 **SECTION 4.** **This 2016 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**
10 **on its passage.**

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