

**A-Engrossed**  
**Senate Bill 905**

Ordered by the Senate April 14  
Including Senate Amendments dated April 14

Sponsored by Senators MONNES ANDERSON, KRUSE; Senators BATES, KNOPP, SHIELDS, THOMSEN, Representatives GREENLICK, KENY-GUYER, LIVELY, NOSSE

**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.

Adds physician assistant to Oregon Medical Board membership.  
**Abolishes Physician Assistant Committee.**

**A BILL FOR AN ACT**

1  
2 Relating to the Oregon Medical Board; creating new provisions; amending ORS 677.235 and 677.515;  
3 and repealing ORS 677.540 and 677.545.

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

5 **SECTION 1.** ORS 677.235 is amended to read:

6 677.235. (1) The Oregon Medical Board consists of [12] **13** members appointed by the Governor  
7 and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All  
8 members of the board must be residents of this state. Of the members of the board:

9 (a) Seven must have the degree of Doctor of Medicine;

10 (b) Two must have the degree of Doctor of Osteopathy;

11 (c) One must have the degree of Doctor of Podiatric Medicine;

12 **(d) One must be a physician assistant licensed under ORS 677.512 or a retired physician**  
13 **assistant; and**

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

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

16 (B) A spouse, domestic partner, child, parent or sibling of an individual having the degree of  
17 Doctor of Medicine, Doctor of Osteopathy or Doctor of Podiatric Medicine **or of a physician as-**  
18 **stant licensed under ORS 677.512 or a retired physician assistant.**

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

23 (B) Board members required to possess the degree of Doctor of Osteopathy may be selected by  
24 the Governor from a list of three to five candidates for each [*vacancy*] **member described in sub-**  
25 **section (1)(b) of this section whose term expires in that year**, submitted by the Osteopathic  
26 Physicians and Surgeons of Oregon, Inc., not later than February 1 [*of each odd-numbered year*].

27 (C) The board member required to possess the degree of Doctor of Podiatric Medicine may be  
28 selected by the Governor from a list of three to five candidates **for the member described in**

**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 subsection (1)(c) of this section whose term expires in that year, submitted by the Oregon  
2 Podiatric Medical Association not later than February 1 [of each fourth year].

3 **(D) The board member required to be a physician assistant licensed under ORS 677.512**  
4 **or a retired physician assistant may be selected by the Governor from a list of three to five**  
5 **candidates for the member described in subsection (1)(d) of this section whose term expires**  
6 **in that year, submitted by the Oregon Society of Physician Assistants not later than Febru-**  
7 **ary 1.**

8 (b) The physician members **and the physician assistant member** must have been in the active  
9 practice of their profession for at least five years immediately preceding their appointment.

10 (c) Neither the public members nor any person who is a spouse, domestic partner, child, parent  
11 or sibling of a public member may be employed as a health professional.

12 (d)(A) In selecting the members of the board, the Governor shall strive to balance the repre-  
13 sentation on the board according to geographic areas of this state and ethnic group.

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

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

20 (b) If a vacancy occurs on the board, another qualifying member possessing the same profes-  
21 sional degree, **license or retired status** or fulfilling the same public capacity as the person whose  
22 position has been vacated shall be appointed as provided in this section to fill the unexpired term.

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

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

26 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-  
27 cused; or

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

30 (4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.  
31 The board may provide by rule for compensation to board members for the performance of official  
32 duties at a rate that is greater than the rate provided in ORS 292.495.

33 **SECTION 2. The Governor shall appoint a physician assistant licensed under ORS 677.512**  
34 **or a retired physician assistant as required under section 1 (1)(d) of this 2015 Act to the**  
35 **Oregon Medical Board for a term beginning March 1, 2016.**

36 **SECTION 3. ORS 677.540 and 677.545 are repealed.**

37 **SECTION 4. ORS 677.515 is amended to read:**

38 677.515. (1) A physician assistant licensed under ORS 677.512 may provide any medical service,  
39 including prescribing and administering controlled substances in schedules II through V under the  
40 federal Controlled Substances Act:

41 (a) That is delegated by the physician assistant's supervising physician or supervising physician  
42 organization;

43 (b) That is within the scope of practice of the physician assistant;

44 (c) That is within the scope of practice of the supervising physician or supervising physician  
45 organization;

1 (d) That is provided under the supervision of the supervising physician or supervising physician  
2 organization;

3 (e) That is generally described in and in compliance with the practice agreement; and

4 (f) For which the physician assistant has obtained informed consent as provided in ORS 677.097,  
5 if informed consent is required.

6 (2) This chapter does not prohibit a student enrolled in a program for educating physician as-  
7 sistants approved by the board from rendering medical services if the services are rendered in the  
8 course of the program.

9 (3) The degree of independent judgment that a physician assistant may exercise shall be deter-  
10 mined by the supervising physician, or supervising physician organization, and the physician assist-  
11 ant in accordance with the practice agreement.

12 (4) A supervising physician, upon the approval of the board and in accordance with the rules  
13 established by the board, may delegate to the physician assistant the authority to administer and  
14 prescribe medications pursuant to this section and ORS 677.535 to 677.545. The board [*and the*  
15 *Physician Assistant Committee*] may not limit the privilege of administering, dispensing and pre-  
16 scribing to population groups federally designated as underserved, or to geographic areas of the  
17 state that are federally designated health professional shortage areas, federally designated medically  
18 underserved areas or areas designated as medically disadvantaged and in need of primary health  
19 care providers by the Director of the Oregon Health Authority or the Office of Rural Health. All  
20 prescriptions written pursuant to this subsection must bear the name, office address and telephone  
21 number of the supervising physician.

22 (5) This chapter does not require or prohibit a physician assistant from practicing in a hospital  
23 licensed pursuant to ORS 441.015 to 441.089.

24 (6) Prescriptions for medications prescribed by a physician assistant in accordance with this  
25 section and ORS 475.005, 677.010, 677.500, 677.510 and 677.535 to 677.545 and dispensed by a licensed  
26 pharmacist may be filled by the pharmacist according to the terms of the prescription, and the filling  
27 of such a prescription does not constitute evidence of negligence on the part of the pharmacist if  
28 the prescription was dispensed within the reasonable and prudent practice of pharmacy.

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