

Senate Bill 818

Sponsored by Senators GELSER BLOUIN, GORSEK; Senator THATCHER

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 **as introduced**.

Directs Oregon Health Authority to develop list of suicide risk assessment and treatment continuing education opportunities for specified physical health care providers. Requires authority to develop continuing education opportunities if none exist. Allows specified health professional regulatory boards to approve continuing education opportunities included on list developed and maintained by authority, and to specify minimum requirements to exempt licensees regulated by board from requirement to complete continuing education.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to suicide risk assessment continuing education opportunities; creating new provisions;
3 amending ORS 676.860, 676.863 and 676.866; and prescribing an effective date.

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

5 **SECTION 1.** (1) **In addition to developing the list described in ORS 676.863, the Oregon**
6 **Health Authority shall develop a list for the boards, as defined in ORS 676.860, of continuing**
7 **education opportunities that are tailored to the licensees, as defined in ORS 676.860, and that**
8 **meet the requirements described in subsection (2) of this section. The authority shall update**
9 **the list described in this section at least once every two years. The list described in this**
10 **section must also meet the requirements described in ORS 676.863.**

11 (2)(a) **Except as described in paragraph (c) of this subsection, a continuing education**
12 **opportunity included on the list described in subsection (1) of this section must include**
13 **training on the following elements:**

14 (A) **Suicide risk assessment, screening that includes counseling regarding access to lethal**
15 **means, and referral; and**

16 (B) **Suicide treatment and safety planning.**

17 (b) **A continuing education opportunity that includes both elements described in para-**
18 **graph (a) of this subsection must be at least six hours in length.**

19 (c) **A continuing education opportunity that includes only the element described in para-**
20 **graph (a)(A) of this subsection must be at least three hours in length.**

21 (3)(a) **If no continuing education opportunities exist that meet the requirements in sub-**
22 **section (2) of this section, the authority shall develop a continuing education opportunity**
23 **that includes both elements described in subsection (2)(a) of this section and that is six hours**
24 **in length.**

25 (b) **In developing the continuing education opportunity described in this subsection, the**
26 **authority shall consult with each board, as defined in ORS 676.860, public universities listed**
27 **in ORS 352.002, private institutions of post-secondary education, educators in this state and**
28 **individuals who are experts in suicide assessment and treatment. The authority may con-**

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 **tract with a third party as necessary to develop the continuing education opportunity de-**
2 **scribed in this subsection.**

3 **(4) The authority shall publish the list described in this section on a website developed**
4 **and maintained by, or on behalf of, the authority.**

5 **(5) The authority shall adopt rules to carry out this section. The rules adopted under this**
6 **section must include, but are not limited to, rules:**

7 **(a) Establishing infrastructure to support and monitor the engagement of licensees, as**
8 **defined in ORS 676.860, in the continuing education opportunities described in this section;**
9 **and**

10 **(b) Establishing, for a continuing education opportunity included on the list described in**
11 **this section, minimum standards that require a six-hour continuing education opportunity**
12 **to include content specific to high-risk populations and to the assessment of issues related**
13 **to imminent harm through lethal means or self-injurious behaviors.**

14 **SECTION 2.** Section 1 of this 2023 Act is amended to read:

15 **Sec. 1.** (1) In addition to developing the list described in ORS 676.863, the Oregon Health Au-
16 thority shall develop a list for the boards, as defined in ORS 676.860, of continuing education op-
17 portunities that are tailored to the licensees, as defined in ORS 676.860, and that meet the
18 requirements described in subsections (2) and (3) of this section. The authority shall update the list
19 described in this section at least once every two years. The list described in this section must also
20 meet the requirements described in ORS 676.863.

21 (2)(a) Except as described in paragraph (c) of this subsection, a continuing education opportunity
22 included on the list described in subsection (1) of this section must include training on the following
23 elements:

24 (A) Suicide risk assessment, screening that includes counseling regarding access to lethal means,
25 and referral; and

26 (B) Suicide treatment and safety planning.

27 (b) A continuing education opportunity that includes both elements described in paragraph (a)
28 of this subsection must be at least six hours in length.

29 (c) A continuing education opportunity that includes only the element described in paragraph
30 (a)(A) of this subsection must be at least three hours in length.

31 (3)(a) If no continuing education opportunities exist that meet the requirements in subsection (2)
32 of this section, the authority shall develop a continuing education opportunity that includes both
33 elements described in subsection (2)(a) of this section and that is six hours in length.

34 (b) In developing the continuing education opportunity described in this subsection, the author-
35 ity shall consult with each board, as defined in ORS 676.860, public universities listed in ORS
36 352.002, private institutions of post-secondary education, educators in this state and individuals who
37 are experts in suicide assessment and treatment. The authority may contract with a third party as
38 necessary to develop the continuing education opportunity described in this subsection.

39 (4) The authority shall publish the list described in this section on a website developed and
40 maintained by, or on behalf of, the authority.

41 **(5) In addition to the continuing education opportunities described in this section, the list**
42 **must also include continuing education opportunities that provide advanced training in the**
43 **elements listed in subsection (2) of this section, and that provide training in treatment**
44 **modalities demonstrated to be effective in working with individuals who are experiencing**
45 **suicidality, including individuals in historically marginalized communities.**

1 [(5)] (6) The authority shall adopt rules to carry out this section. The rules adopted under this
 2 section must include, but are not limited to, rules:

3 (a) Establishing infrastructure to support and monitor the engagement of licensees, as defined
 4 in ORS 676.860, in the continuing education opportunities described in this section; and

5 (b) Establishing, for a continuing education opportunity included on the list described in this
 6 section, minimum standards that require a six-hour continuing education opportunity to include
 7 content specific to high-risk populations and to the assessment of issues related to imminent harm
 8 through lethal means or self-injurious behaviors.

9 **SECTION 3.** ORS 676.860 is amended to read:

10 676.860. (1) As used in this section:

11 (a) “Board” means:

- 12 (A) Occupational Therapy Licensing Board;
- 13 (B) Oregon Board of Naturopathic Medicine;
- 14 (C) Oregon Medical Board;
- 15 (D) Oregon State Board of Nursing;
- 16 (E) Oregon Board of Physical Therapy; and
- 17 (F) State Board of Chiropractic Examiners.

18 (b) “Licensee” means a person authorized to practice one of the following professions:

- 19 (A) Occupational therapist, as defined in ORS 675.210;
- 20 (B) Certified registered nurse anesthetist, as defined in ORS 678.245;
- 21 (C) Chiropractic physician, as defined in ORS 684.010;
- 22 (D) Clinical nurse specialist, as defined in ORS 678.010;
- 23 (E) Naturopathic physician, as defined in ORS 685.010;
- 24 (F) Nurse practitioner, as defined in ORS 678.010;
- 25 (G) Physician, as defined in ORS 677.010;
- 26 (H) Physician assistant, as defined in ORS 677.495;
- 27 (I) Physical therapist, as defined in ORS 688.010; *[and]*
- 28 (J) Physical therapist assistant, as defined in ORS 688.010; **and**
- 29 **(K) Acupuncturist licensed under ORS 677.759.**

30 (2)(a) In collaboration with the Oregon Health Authority, a board shall adopt rules to require
 31 a licensee regulated by the board to report to the board, upon reauthorization to practice, the
 32 licensee’s completion of any continuing education regarding suicide risk assessment[,] **and** treatment
 33 *[and management]* **approved by the board.**

34 **(b) A board may approve a continuing education opportunity included on the list de-**
 35 **scribed in section 1 of this 2023 Act that is six hours in length, except that a board may ap-**
 36 **prove a continuing education opportunity included on the list described in section 1 of this**
 37 **2023 Act that is less than six hours in length and that does not include both elements de-**
 38 **scribed in section 1 (2)(a) of this 2023 Act if the board determines an element is inappropriate**
 39 **for a licensee regulated by the board.**

40 **(c) A board may by rule specify minimum training and experience requirements that a**
 41 **licensee must meet in order to be exempt from the requirement to complete continuing ed-**
 42 **ucation regarding suicide risk assessment and treatment.**

43 (3) A licensee shall report the completion of any continuing education described in subsection
 44 (2) of this section to the board that regulates the licensee.

45 (4)(a) A board shall document completion of any continuing education described in subsection

1 (2) of this section by a licensee regulated by the board. The board shall document the following data:

2 (A) The number of licensees who complete continuing education described in subsection (2) of
3 this section;

4 (B) The percentage of the total of all licensees who complete the continuing education;

5 (C) The counties in which licensees who complete the continuing education practice; and

6 (D) The contact information for licensees willing to share information about suicide risk
7 assessment[,] **and** treatment [*and management*] with the authority.

8 (b) The board shall remove any personally identifiable information from the data submitted to
9 the board under this subsection, except for the personally identifiable information of licensees will-
10 ing to share such information with the authority.

11 (c) For purposes of documenting completion of continuing education under this subsection, a
12 board may adopt rules requiring licensees to submit documentation of completion to the board.

13 (5) A board, on or before March 1 of each even-numbered year, shall report to the authority on
14 the data documented under subsection (4) of this section, as well as information about any initiatives
15 by the board to promote suicide risk assessment[,] **and** treatment [*and management*] among its
16 licensees.

17 (6) The authority, on or before August 1 of each even-numbered year, shall report to the interim
18 committees of the Legislative Assembly related to health care on the information submitted to the
19 authority under subsection (5) of this section. The authority shall include in the report information
20 about initiatives by boards to promote awareness about suicide risk assessment[,] **and** treatment
21 [*and management*] and information on how boards are promoting continuing education described in
22 subsection (2) of this section to licensees.

23 (7) The authority may use the information submitted to the authority under subsection (5) of this
24 section to develop continuing education opportunities related to suicide risk assessment[,] **and**
25 treatment [*and management*] for licensees and to facilitate improvements in suicide risk
26 assessment[,] **and** treatment [*and management*] efforts in this state.

27 **SECTION 4.** ORS 676.863 is amended to read:

28 676.863. (1) The Oregon Health Authority shall develop a list of continuing education opportu-
29 nities related to suicide risk assessment[,] **and** treatment [*and management*] and make the list
30 available to each board, as defined in ORS 676.860 and 676.866.

31 (2) In developing the list, the authority shall:

32 (a) Consider suicide risk assessment[,] **and** treatment [*and management*] training programs re-
33 commended by organizations that provide suicide awareness advocacy and education; and

34 (b) Consult with institutions of higher education and experts in suicide risk assessment[,] **and**
35 treatment [*and management*].

36 **SECTION 5.** ORS 676.866 is amended to read:

37 676.866. (1) As used in this section:

38 (a) "Board" means:

39 (A) The Oregon Board of Psychology;

40 (B) The Oregon Board of Licensed Professional Counselors and Therapists;

41 (C) The State Board of Licensed Social Workers;

42 (D) The Teacher Standards and Practices Commission; and

43 (E) The Traditional Health Workers Commission.

44 (b) "Licensee" means:

45 (A) A clinical social worker, as defined in ORS 675.510;

1 (B) A regulated social worker, as defined in ORS 675.510;

2 (C) A licensed marriage and family therapist, as defined in ORS 675.705;

3 (D) A licensed psychologist, as defined in ORS 675.010;

4 (E) A licensed professional counselor, as defined in ORS 675.705;

5 (F) A school counselor, as defined by rule by the Teacher Standards and Practices Commission;
6 and

7 (G) The following professionals regulated by the Oregon Health Authority by rules adopted
8 pursuant to subsection (9) of this section or employed in a program operated or overseen by the
9 authority:

10 (i) A qualified mental health associate;

11 (ii) A qualified mental health professional;

12 (iii) A certified alcohol and drug counselor;

13 (iv) A prevention specialist;

14 (v) A problem gambling treatment provider;

15 (vi) A recovery mentor;

16 (vii) A community health worker;

17 (viii) A personal health navigator;

18 (ix) A personal support specialist;

19 (x) A peer wellness specialist;

20 (xi) A doula;

21 (xii) A family support specialist;

22 (xiii) A youth support specialist; and

23 (xiv) A peer support specialist.

24 (2)(a) The authority and a board shall require a licensee regulated by the authority or the board
25 to complete two hours every two years or three hours every three years of continuing education
26 related to suicide risk assessment[,] **and** treatment [*and management*] and report to the authority
27 or the board the licensee's completion of the continuing education described in this subsection. The
28 authority and the board shall ensure that the timelines for completion of the continuing education
29 align with the licensee's professional authorization issuance and renewal timelines.

30 (b) The authority and a board shall approve continuing education opportunities that are appli-
31 cable and relevant to the licensees regulated by the authority or the board. A board may encourage
32 a licensee regulated by the board to complete continuing education opportunities recommended by
33 the authority.

34 (3) A licensee shall report the completion of the continuing education described in subsection
35 (2) of this section to the board that regulates the licensee or to the authority if the licensee is a
36 professional listed in subsection (1)(b)(G) of this section.

37 (4)(a) The authority and a board shall document completion of the continuing education de-
38 scribed in subsection (2) of this section by a licensee regulated by the authority or a board.

39 (b) In consultation with the authority, a board shall adopt rules requiring licensees to submit
40 documentation of completion to the board.

41 (c) The authority shall adopt rules requiring licensees regulated by the authority to submit
42 documentation of completion to the authority.

43 (5) The authority and a board may adopt rules to:

44 (a) Identify the experience and training that a licensee regulated by the authority or the board
45 must have in order to be exempt from the requirements of subsection (2) of this section.

1 (b) Allow the concurrent completion of continuing education described in subsection (2) of this
2 section with continuing education opportunities related to professional ethics or cultural compe-
3 tency if the opportunities also provide the continuing education described in subsection (2) of this
4 section.

5 (6) A board, on or before March 1 of each odd-numbered year, shall report to the authority on
6 the information described in subsection (4) of this section, as well as information about the imple-
7 mentation of the continuing education described in subsection (2) of this section.

8 (7) The authority, on or before August 1 of each odd-numbered year, shall report to the interim
9 committees of the Legislative Assembly related to health care on the information submitted to the
10 authority under subsection (6) of this section and information collected by the authority under sub-
11 section (4) of this section. The authority shall remove any personally identifiable information col-
12 lected by or submitted to the authority under subsection (4) or (6) of this section.

13 (8) The authority may use the information collected by the authority under subsection (4) of this
14 section in conjunction with the information described in ORS 676.860 to facilitate improvements in
15 suicide risk assessment[,] **and** treatment [*and management*] efforts in this state.

16 (9)(a) The authority and a board may adopt rules to carry out this section.

17 (b) The authority may adopt rules to define and regulate the professions listed in subsection
18 (1)(b)(G) of this section.

19 **SECTION 6. (1) Section 1 of this 2023 Act and the amendments to ORS 676.860, 676.863**
20 **and 676.866 by sections 3 to 5 of this 2023 Act become operative on January 1, 2024.**

21 **(2) The amendments to section 1 of this 2023 Act by section 2 of this 2023 Act become**
22 **operative on July 1, 2025.**

23 **(3) The Oregon Health Authority and a board, as defined in ORS 676.860, may take any**
24 **action before the operative date specified in subsection (1) of this section, that is necessary**
25 **to enable the authority and the board to exercise, on and after the operative date specified**
26 **in subsection (1) of this section, all of the duties, functions and powers conferred on the**
27 **authority and the board by section 1 of this 2023 Act and the amendments to ORS 676.860,**
28 **676.863 and 676.866 by sections 3 to 5 of this 2023 Act.**

29 **SECTION 7. This 2023 Act takes effect on the 91st day after the date on which the 2023**
30 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**