

TITLE 52

OCCUPATIONS AND PROFESSIONS

Chapter	670	Occupations and Professions Generally
	671	Architect, Landscape Architect, Contractor and Business
	672	Professional Engineers, Land Surveyors; Geologists
	673	Accountants, Tax Consultants and Preparers
	675	Psychologists, Occupational Therapists, Clinical Social Workers
	676	Health Professions Generally
	677	Regulation of Medicine, Podiatry and Related Medical Services
	678	Nurses, Nursing Home Administrators
	679	Dentists
	680	Dental Hygienists, Denturists
	681	Audiologists and Speech Pathologists
	683	Optometrists
	684	Chiropractors
	685	Naturopaths
	686	Veterinarians, Veterinary Medicine
	687	Massage Technicians and Massage Businesses
	688	Physical Therapists, Radiologic Technologists
	689	Pharmacists, Drug Outlets, Drug Sales
	690	Barbers and Hairdressers, Electrologists
	692	Funeral Service Practitioners, Embalmers, Funeral Establishments, Cemetery and Crematory Operators
	693	Plumbers
	694	Hearing Aid Dealers
	695	Watch Dealers
	696	Real Estate and Escrow Activities
	697	Collection Agency Businesses, Debt Consolidating Agencies
	698	Auctions
	699	Innkeepers and Hotelkeepers
	700	Sanitarians
	701	Builders
	702	Consumer Electronic Entertainment Equipment Service
	703	Polygraph Examiners
	704	Outfitters and Guides

Chapter 670

1987 REPLACEMENT PART

Occupations and Professions Generally

EDUCATIONAL REQUIREMENTS

- 670 010 Waiver of educational requirement for admission to examination for license or certificate to practice profession, trade or calling
- 670 020 Filing evidence of complete educational requirement after taking examination

LICENSING ADMINISTRATION

(Generally)

- 670 275 Policy statement
- 670 280 Denial, suspension or revocation of license prohibited solely because of criminal conviction
- 670 283 Power of state agency to suspend license includes power to reinstate

OCCUPATIONS AND PROFESSIONS

- 670 290 Prohibited uses of juvenile records in employment, licensing or admission
- 670 300 Licensing and advisory board officers, quorum and meeting requirements, compensation and expenses of members
- 670 304 Application of ORS 670 300 to 670 410
- 670 306 Administrative officers for boards, other employes
- 670 310 Rulemaking authority, board seal
- 670 315 Administration of oaths, obtaining and taking evidence at board proceedings, effect of failure to obey board subpoena
- 670 325 Proceedings on denial of license, restraining violations, authority of hearing officers, record of proceedings
- 670 335 Disposition of fees received by boards, procedure for payment of board expenses
- 670 345 Procedure for filling vacancies on board
- 670 350 Administration of professional qualification examinations
- (Reciprocal Agreements)
- 670 380 When reciprocal licensing or registration agreements authorized, termination

(Licensing Period)

- 670 410 Changing of licensing period

CROSS REFERENCES

- Administrative rules and procedures, 183 310 to 183 550
- Attorneys, Ch 9
- Discrimination prohibited, 30 670
- Driver training schools and instructors, certification by Motor Vehicles Division, 822 500 to 822 535
- Elevator installation, repairs, operation, 460 045
- Escrow agents, 696 511
- Milk handlers and producer-handlers, 583 440
- Nurserymen, 571 055
- Pressure vessel inspectors, 480 570
- Prior convictions, procuring order to set aside in certain cases, 137 225
- Private vocational schools, agents and salesmen, 345 030
- Professional corporations, Ch 58
- Water well contractors and operators, 537 747 to 537 753
- Wrecker of motor vehicles, 822 100 to 822 150
- 670 325**
- Proceedings against pilots, 776 465

EDUCATIONAL REQUIREMENTS

670.010 Waiver of educational requirement for admission to examination for license or certificate to practice profession, trade or calling. Any state board or commission that examines applicants for license or certification to practice a profession or engage in a trade or calling may, in its discretion, waive the educational requirement for admission to such examination, provided that the applicant furnishes evidence satisfactory to such state board or commission that the applicant is currently enrolled in a school, college or university approved by such state board or commission and will satisfy the educational requirement for admission to such examination on satisfactory completion of courses for which the applicant is currently enrolled and that this educational requirement will be met not later than four calendar months from the first day of the month following the month in which the examination is given [1953 c 103 §1, 1975 c 429 §5, 1977 c 47 §1]

670.020 Filing evidence of complete educational requirement after taking examination. (1) Evidence of completion of the educational requirement waived as provided in ORS 670.010 shall be filed with such state board or commission not later than four calendar months from the first day of the month following the month in which the examination is taken. State boards and commissions shall withhold official certification of the successful completion of the examination until such evidence is furnished. The affidavit of the registrar or administrative head of the school, college or university shall be deemed satisfactory evidence.

(2) If any candidate admitted to an examination as provided in ORS 670.010 shall fail or neglect within said period to complete the educational requirement for such examination, then the completion of the examination by such candidate shall be null and void, and of no effect. The state board or commission which examined the candidate, however, shall retain any examination fee paid by the candidate [1953 c 103 §2, 1975 c 429 §6, 1981 c 89 §19]

670.210 [1967 c 344 §1, 1971 c 648 §31, repealed by 1981 c 76 §1]

670.220 [1967 c 344 §§2, 3, 1971 c 648 §32, repealed by 1981 c 76 §1]

670.230 [1967 c 344 §4, repealed by 1981 c 76 §1]

670.240 [1967 c 344 §5, repealed by 1981 c 76 §1]

**LICENSING ADMINISTRATION
(Generally)**

670.275 Policy statement. In enacting chapter 753, Oregon Laws 1971, it is the intention of the Legislative Assembly to provide for the more effective coordination of the administrative functions of boards charged with responsibility for protecting the public through the licensing and regulating of certain professions practiced in this state. Further, it is the intention of the Legislative Assembly to retain responsibility for decisions on qualifications, standards of practice, licensing, discipline and other discretionary functions relating to professional activities in the professional licensing boards, members of which are qualified by education, training and experience to make the necessary judgments [Formerly 184 575]

Note. The Legislative Counsel has not, pursuant to 173 160, undertaken to substitute specific ORS references for the words "this Act" in 670.275 Chapter 753, Oregon Laws 1971, enacted into law and amended ORS sections which may be found by referring to the 1971 Comparative Section Table located in volume 6A of Oregon Revised Statutes

670.280 Denial, suspension or revocation of license prohibited solely because of criminal conviction. Notwithstanding any other law, no licensing board or agency shall deny, suspend or revoke an occupational or professional license or certification solely for the reason that the applicant or licensee has been convicted of a crime, but it may consider the relationship of the facts which support the conviction and all intervening circumstances to the specific occupational or professional standards in determining the fitness of the person to receive or hold such license or certificate [1973 c 359 §1]

670.283 Power of state agency to suspend license includes power to reinstate. If a state agency, board or commission has the power to issue any license, certification or registration necessary to practice any profession or engage in any trade or calling, any statute granting the state agency, board or commission the power to suspend the license, certification or registration includes the power to reinstate

(1) At a time certain, or

(2) When the person subject to suspension fulfills conditions for reinstatement set by the agency, board or commission [1979 c 201 §1]

670.285 [1975 c 759 §10, renumbered 183 435]

670.290 Prohibited uses of juvenile records in employment, licensing or admission. It shall be unlawful for any state agency or licensing board, including the Oregon State Bar, to

(1) Require that an applicant for employment, licensing or admission answer any ques-

tions regarding the existence or contents of a juvenile record that has been expunged pursuant to ORS 419 800 to 419 839,

(2) Bar or discharge from employment or refuse to hire or employ such individual because of the existence or contents of a juvenile record that has been expunged pursuant to ORS 419 800 to 419 839, or

(3) Deny, revoke or suspend a license because of the existence or contents of a juvenile record that has been expunged pursuant to ORS 419 800 to 419 839 [1977 c 801 §2, 1983 c 820 §16]

670.300 Licensing and advisory board officers; quorum and meeting requirements; compensation and expenses of members. (1) Except as otherwise provided by law, each professional licensing and advisory board shall select annually one of its members as chairman and another as vice chairman, with such powers and duties necessary for the performance of the functions of such offices as the board shall determine

(2) The majority of the members of the board constitutes a quorum for the transaction of business

(3) The board shall meet at least once a year, not later than July 1, at a place, day and hour determined by the board. The board shall also meet at such other times and places as are specified by the call of the chairman or a majority of the members of the board

(4) Members of the board are entitled to compensation and expenses as provided in ORS 292 495 [1971 c 753 §8, 1987 c 414 §95]

670.304 Application of ORS 670.300 to 670.410. Except as otherwise specifically provided, ORS 670 300 to 670 410 apply to the following professional licensing and advisory boards

(1) Professional licensing and advisory boards established in the Building Codes Agency

(2) Professional licensing boards referred to in ORS 456 741

(3) Professional licensing and advisory boards established in the Office of the Secretary of State

(4) The Oregon Board of Maritime Pilots, in the Department of Transportation

(5) The State Board of Barbers and Hairdressers, in the Health Division of the Department of Human Resources

(6) The State Television and Radio Service Advisory Board, in the Bureau of Labor and Industries [1987 c 414 §94]

670 305 [1971 c 753 §9, repealed by 1973 c 659 §1 (670 306 enacted in lieu of 670 305)]

670.306 Administrative officers for boards; other employes. (1) Subsections (2) and (3) of this section shall apply only to the following professional licensing boards

(a) State Board of Architect Examiners

(b) Builders Board

(c) State Board of Engineering Examiners

(d) State Landscape Architect Board

(e) State Landscape Contractors Board

(f) Oregon Board of Maritime Pilots

(g) State Board of Tax Service Examiners

(h) State Board of Accountancy

(2) A board shall fix the qualifications of and appoint an administrative officer, after consultation

(a) In the case of a board referred to in paragraph (a), (b), (c), (d) or (e) of subsection (1) of this section, with the chairman of the Building, Housing and Real Estate Council

(b) In the case of a board referred to in paragraph (f), (g) or (h) of subsection (1) of this section, with the executive officer of the department or other agency in which the board is established

(3) An administrative officer of a board shall not be a member of that board

(4) Subject to the applicable rules of the State Personnel Relations Law, the board shall fix the compensation of its administrator, who shall be in the unclassified service

(5) Subject to applicable rules of the State Personnel Relations Law, the administrative officer shall appoint all subordinate employes, prescribe their duties and fix their compensation [1973 c 659 §2 (enacted in lieu of 670 305), 1975 c 429 §7, 1975 c 464 §1, 1981 c 821 §2, 1987 c 414 §96]

670.310 Rulemaking authority; board seal. (1) Except as otherwise provided by law and in accordance with any applicable provisions of ORS 183 310 to 183 550, each professional licensing board and advisory board may make such rules as are necessary or proper for the administration of the laws such board is charged with administering

(2) Each professional licensing board and advisory board may adopt a seal [1971 c 753 §10, 1987 c 414 §97]

670.315 Administration of oaths; obtaining and taking evidence at board proceedings; effect of failure to obey board

subpena. (1) Except as otherwise provided by law each professional licensing board or advisory board, acting through its chairman or vice chairman or a hearing officer, may administer oaths, take depositions and issue subpoenas to compel the attendance of witnesses and the production of books, papers, records, memoranda or other information necessary to the carrying out of the laws the board is charged with administering

(2) If any person fails to comply with a subpoena issued under this section or refuses to testify on any matters on which the person may be lawfully interrogated, the procedure provided in ORS 183 440 shall be followed to compel obedience [1971 c 753 §11, 1987 c 414 §98]

670 320 [1971 c 753 §12, repealed by 1987 c 414 §172]

670.325 Proceedings on denial of license; restraining violations; authority of hearing officers; record of proceedings. (1) All proceedings for the refusal to issue, or the suspension or revocation of any license, certificate of registration or other evidence of authority required to practice any profession subject to the authority of a professional licensing or advisory board shall be conducted pursuant to the procedure for contested cases required or authorized by ORS 183 310 to 183 550

(2) If a professional licensing or advisory board decides that any person has or is about to engage in any activity that is or will be a violation of law the board is charged with enforcing, the board may institute a proceeding in an appropriate circuit court to restrain the activity or proposed activity. An injunction may be issued without proof of actual damages, but does not relieve the defendant of any criminal liability

(3) Any hearing officer appointed by a professional licensing board is vested with full authority of the board to schedule and conduct hearings on behalf and in the name of the board on all matters referred to the hearing officer for hearing by the board, including proceedings for placing persons registered or licensed by the board on probation and for suspension and revocation of registration or licenses, and shall cause to be prepared and furnished to the board, for decision thereon by the board, a complete written transcript of the record of the hearing. The transcript shall contain all evidence introduced at the hearing and all pleas, motions and objections and all rulings of the hearing officer. Each hearing officer may administer oaths and issue summonses, notices and subpoenas, but may not place any registrant or licensee on probation or issue, refuse, suspend or revoke a registration or license [1971 c 753 §13, 1987 c 414 §99]

670.330 [1971 c 753 §14, renumbered 456 757 in 1987]

670.335 Disposition of fees received by boards; procedure for payment of board expenses. All fees or other funds received by a professional licensing or advisory board shall be paid into the State Treasury monthly. Such payments shall be credited to separate accounts in the General Fund for each board, and any such payments shall constitute a continuous appropriation of such amounts from the General Fund for the purpose of carrying out the functions of the board making the payment. All necessary expenses of each board shall be paid from the amounts paid by such board in the same manner as other claims against the state are paid, after approval thereof by the chairman or administrator of the board. [1971 c 753 §15, 1987 c 414 §101]

670 340 [1971 c 753 §16, renumbered 456 762 in 1987]

670.345 Procedure for filling vacancies on board. At least 60 days before a vacancy is to occur on a professional licensing or advisory board, the professional organizations representing persons subject to licensing or other regulation by the board may nominate at least three qualified persons for each vacancy, and shall certify its nominees to the appointing officer or body who shall consider these nominees in selecting successors to retiring board members. This section does not apply to appointment of public members [1971 c 753 §17, 1987 c 414 §103]

670.350 Administration of professional qualification examinations. Each professional licensing and advisory board that is authorized or required by law to administer an examination as part of its determination of professional qualifications shall administer such examinations at least once each year at such time and place as the board shall designate [1971 c 753 §18, 1987 c 414 §104]

(Reciprocal Agreements)

670.380 When reciprocal licensing or registration agreements authorized; termination. (1) If the administrator determines that the standards, qualifications and examinations for licensing or registration of building trades and mechanical and specialty skills of another state are substantially similar to the standards, qualifications and examinations required under applicable Oregon statutes and rules administered by the agency as specified in ORS 455 325, the administrator with approval of the designated examining or advisory board may, when it is in the best interest of the economy of the State of Oregon, enter into a reciprocal agreement with such other state to issue without examination licenses or

certificate of registration upon proof of licensing or registration in such other state and upon payment of appropriate fees.

(2) Reciprocal agreements may be terminated by the administrator with approval of the designated, examining or advisory board, upon a determination that the other party is not maintaining and enforcing standards, qualifications and examinations substantially similar to those of Oregon [1974 s s c 47 §§1, 2, 1987 c 414 §105]

(Licensing Period)

670.410 Changing of licensing period.

(1) A board may vary the expiration date of a registration, license or certificate issued by the

board Notwithstanding any other law, registrations, licenses and certificates may be made to expire on a biennial basis

(2) In accordance with subsection (1) of this section, the board shall give a person written notice of the new renewal date assigned and make appropriate adjustments in the renewal fee

(3) This section applies only to those registrations, licenses and certificates issued under ORS 479 640, 690 005 to 690 235 or ORS chapters 671, 672, 673, 693, 701, 702 and 776 [1977 c 873 §27, 1979 c 107 §1, 1981 c 821 §3, 1987 c 414 §106]

670 990 [1967 c 344 §6 repealed by 1981 c 76 §1]