

Chapter 694

1987 REPLACEMENT PART

Hearing Aid Dealers

GENERALLY

- 694 015 Definitions for ORS 694 015 to 694 170
- 694 025 License required to deal in hearing aids
- 694 028 Conditions for making or sale of hearing aid by temporary licensee, sale by direct mail prohibited
- 694 036 Statement to prospective hearing aid purchaser, contents, copy retained
- 694 042 Right to rescind hearing aid purchase, grounds, notice of rescission, time limit, amount of refund

LICENSING

- 694 052 Licensing of current registration certificate holders
- 694 055 Qualifications of applicants for license, fee
- 694 065 Examination of applicants
- 694 075 Scope of examination
- 694 085 Licensing, fees
- 694 095 Temporary license, fee
- 694 115 Notice to division of place of business, notice to licensees by division
- 694 125 License renewal, fees, effect of failure to renew, continuing education requirement
- 694 136 Grounds for suspension or revocation of license or probation
- 694 138 License denial procedure
- 694 145 Prohibited acts and practices

ADMINISTRATION

- 694 155 Powers and duties of Health Division

- 694 159 Civil fines
- 694 165 Advisory Council on Hearing Aids, qualifications, terms, compensation and expenses
- 694 170 Duties of council
- 694 185 Disposition of receipts

PENALTIES

- 694 991 Penalties, concurrent jurisdiction of offenses

CROSS REFERENCES

Administrative procedures and rules of state agencies, 183 310 to 183 550

Legislative review of need for agency, 182 615

Persons in military or naval service relieved from fee payment, 408 450

State agencies generally, Ch 182

694 055

Waiver of educational requirement for admission to examination 670 010

694 136

Denial suspension or revocation of license prohibited solely because of criminal conviction, 670 280

Injunction against practicing after suspension or revocation of license 676 220

694 165

Appointive officers, term, removal and appointment of successor, 236 140

Subsistence and mileage allowance for travel, 292 210 to 292 250

OCCUPATIONS AND PROFESSIONS

GENERALLY

694 010 [Repealed by 1959 c 406 §34]

694.015 Definitions for ORS 694.015 to 694.170. As used in ORS 694 015 to 694 170, unless the context requires otherwise

(1) "Division" means the Health Division

(2) "Council" means the Advisory Council to the Health Division on Hearing Aids

(3) "Hearing aid" means any prosthetic instrument or device designed for or represented as aiding, improving or correcting defective human hearing and any parts, attachments or accessories of such an instrument or device. A hearing aid is not intended to include any device which is surgically implanted or otherwise medically inserted by a physician licensed by ORS chapter 677 for the purpose of treating or correcting a hearing impairment

(4) "Dealing in hearing aids" means the sale, lease or rental or attempted sale, lease or rental of hearing aids in conjunction with the evaluation or measurement of the powers or range of human hearing and the recommendation, selection or adaptation of hearing aids [1959 c 634 §1 1967 c 631 §1, 1971 c 650 §28, 1985 c 227 §3]

694 020 [Amended by 1955 c 689 §2, repealed by 1959 c 406 §34]

694.025 License required to deal in hearing aids. No person, including an audiologist or a physician, shall deal in hearing aids or display a sign or in any other way advertise or represent that the person deals in hearing aids unless the person holds a valid license issued by the division as provided in ORS 694 015 to 694 170 [1959 c 634 §2, 1967 c 631 §2 1971 c 650 §29 1985 c 227 §4]

694.028 Conditions for making or sale of hearing aid by temporary licensee; sale by direct mail prohibited. (1) It shall be unlawful for any person holding a temporary license under ORS 694 095 to make or attempt to sell a hearing aid to a person unless the temporary licensee has successfully passed the qualifying examination or the supervising licensee has certified to the division that the temporary licensee has received adequate training

(2) It shall be unlawful for any licensed hearing aid dealer to sell or attempt to sell a hearing aid by direct mail. This subsection does not prohibit advertising by mail or delivery of a hearing aid by mail if the fitting and sale were completed at the office of the dealer [1985 c 227 §20]

694 030 [Amended by 1955 c 689 §3, repealed by 1959 c 406 §34]

694 035 [1959 c 634 §12 1967 c 631 §3, repealed by 1975 c 673 §1 (694 036 enacted in lieu of 694 035)]

694.036 Statement to prospective hearing aid purchaser; contents; copy retained.

(1) Prior to consummation of the sale of a hearing aid, a person dealing in hearing aids shall deliver to the prospective purchaser a written statement, signed by the person dealing in hearing aids. The statement shall be on a form prescribed by the Health Division which shall include but not be limited to all of the following

(a) The name and address of the prospective purchaser,

(b) The date of the sale,

(c) Specifications as to the make, serial number and model number of the hearing aid or aids sold,

(d) The address or principal place of business of the person dealing in hearing aids,

(e) A statement to the effect that the aid or aids delivered to the purchaser are used or reconditioned, as the case may be, if that is the fact,

(f) The number of the license of the person dealing in hearing aids,

(g) The terms of any guarantee or expressed warranty, if any, made to the purchaser with respect to such hearing aid or hearing aids, including that provided in ORS 694 042,

(h) The address of the Health Division and the procedure for making a complaint under ORS 694 015 to 694 170,

(i) In no smaller type than the largest used in the body copy portion, the following bordered statement

"It is desirable that a person seeking help with a hearing problem (especially for the first time) consult an ear doctor and obtain a clinical hearing evaluation. Although hearing aids are often recommended for hearing problems, another form of treatment may be necessary."

, and

(j) The signature of the prospective purchaser indicating that the prospective purchaser has read and understands the information contained in the statement

(2) A duplicate copy of the statement required under subsection (1) of this section shall be kept for one year by the person selling the hearing aid. The statement shall be made avail-

able to the Health Division upon request [1975 c 673 §2 (enacted in lieu of 694 035), 1985 c 227 §5]

694 040 [Repealed by 1959 c 406 §34]

694.042 Right to rescind hearing aid purchase; grounds; notice of rescission; time limit; amount of refund. (1)(a) In addition to any other rights and remedies the purchaser may have, the purchaser of a hearing aid shall have the right to rescind the transaction if

(A) The purchaser for whatever reason consults a licensed medical physician specializing in diseases of the ear, or an audiologist not licensed under this chapter and not affiliated with anyone licensed under this chapter and licensed medical physician, subsequent to purchasing the hearing aid, and the licensed physician advises such purchaser against purchasing or using a hearing aid and in writing specifies the medical reason for the advice, and the purchaser returns the hearing aid to the seller, or holds it at the seller's disposal, in its original condition less normal wear and tear, or

(B) The seller, in dealings with the purchaser, committed any act listed in ORS 694 136, or failed to provide the statement required by ORS 694 036

(b) The purchaser of a hearing aid shall have the right to rescind provided in paragraph (a) of this subsection only if the purchaser gives written notice of the intent to rescind the transaction to the seller at the seller's place of business by certified mail, return receipt requested, which notice shall be posted not later than 30 days following the date of delivery of the hearing aid to the purchaser

(c) If the conditions of subparagraph (A) or (B) of paragraph (a) of this subsection and paragraph (b) of this subsection have been met, the seller shall, without request, refund to the purchaser within 10 days after the cancellation all deposits, including any down payment, less 15 percent of the total purchase price per 30 days as reasonable rental, and less the reasonable price of ear molds, if any, and shall return all goods traded in to the seller on account of or in contemplation of the sale less any reasonable costs actually incurred in making ready for sale goods so traded in, in which event the purchaser shall incur no additional liability for the cancellation

(2)(a) The purchaser of a hearing aid has the right to rescind the transaction for other than the seller's breach if for reasonable cause the purchaser returns the hearing aid or holds it at the fitter or dispenser's disposal and the hearing aid is in its original condition less normal wear and

tear, if the purchaser sends a notice to the licensee at the licensee's regular place of business by certified mail, return receipt requested. The notice shall state that the transaction is canceled pursuant to this section, and must be mailed not later than 30 days following the date of delivery. Reasonable cause does not include a mere change of mind or cosmetic concerns

(b) The licensee retains the right to a reasonable attempt to solve or eliminate problems defined within reasonable cause

(c) If the purchaser has taken the steps described in this section to cancel the purchase and subsequently agrees with the licensee to extend the trial or rescission period, the purchaser remains entitled to receive the refund upon demand made within 60 days of the original date of delivery or such other time as agreed to in writing by both parties. Written notice of the last date for demanding a refund is to be provided to the purchaser at the time the trial or rescission period is extended

(d) In the event of cancellation under this section, or as otherwise provided by law, the licensee must, without further request, refund to the purchaser postmarked within 10 days after such cancellation, all deposits, including down payment, less 15 percent of the total purchase price. The licensee must also return all goods traded in on account of or in contemplation of the sale less any reasonable costs actually incurred in making ready for sale the goods

(e) The purchaser shall incur no additional liability for a cancellation or rescission under this section

(3) For purposes of subsection (2) of this section, reasonable cause exists in the following situations

(a) The hearing aid or the fitting and dispensing services fail to conform to any affirmation of fact or promise made by the licensee which relates to the hearing aid or fitting and dispensing services and which becomes a part of the basis of the transaction. An affirmation of fact or promise becomes part of the basis of the transaction when the purchaser relies on it or is, in part, induced into making the purchase by it,

(b) The licensee fails to advise the purchaser that a description of the hearing aid or fitting and dispensing services fails to conform to the actual object or service and the licensee knows or should have known that the purchaser would use the description as part of the basis of the transaction,

(c) The hearing aid or fitting and dispensing services would fail to pass without objection in the industry under the contract description,

tion of the license, has made any material misstatement of fact, or has failed to disclose any material fact necessary to make that which is stated not misleading

(b) Using or causing or promoting the use of, in any advertising matter, promotional literature, testimonial, guarantee, warranty, label, insignia or any other representation, however disseminated or published, which is false, misleading or deceptive

(c) Employing directly or indirectly any suspended or unlicensed person to perform any work covered by ORS 694 015 to 694 170

(d) Failing or refusing to honor or to perform as represented any representation, promise, agreement or warranty in connection with the promotion, dispensing or fitting of a hearing aid

(e) Advertising a particular model, type or kind of hearing aid for sale which purchasers or prospective purchasers responding to the advertisement cannot purchase

(f) Fitting or dispensing a hearing aid for use by any person without first determining through direct observation and personal interview whether any of the following conditions exist and, if so determined, failing to refer the person to a licensed medical physician specializing in diseases of the ear or if no such licensed physician is available in the community, to any licensed medical physician

(A) Visible congenital or traumatic deformity of the ear,

(B) History of, or active drainage from the ear within the previous 90 days,

(C) History of sudden or rapidly progressive hearing loss within the previous 90 days,

(D) Acute or chronic dizziness,

(E) Unilateral hearing loss of sudden or recent onset within 90 days,

(F) Significant air-bone gap (greater than or equal to 15 decibels, American National Standards Institute, 500, 1,000 and 2,000 Hz average), or

(G) Any other condition that the division may by rule establish

(g) Fitting or dispensing a hearing aid for use by any person under 16 years of age unless within 90 days of such sale the child has been referred

(A) To an otolaryngologist for examination and for a recommendation of corrective measures which may be required, or

(B) To a properly licensed medical physician for like examination and recommendation, or

(C) To an audiologist licensed by the State of Oregon for an evaluation of the child's hearing and for a recommendation of corrective measures which may be required if the child is also examined by a properly licensed medical physician who gives approval for possible hearing aid use

(h) Representing that the services or advice of a person licensed to practice medicine and surgery, osteopathy and surgery, or a clinical audiologist will be used or made available in the selection, fitting, adjustment, maintenance or repair of hearing aids when that is not true, or using the word "doctor," "clinic," or other words, abbreviations, or symbols which tend to connote a medical or osteopathic profession when such use is not accurate

(i) Permitting another to use the license.

(j) Engaging in the fitting or dispensing of hearing aids while suffering from a contagious or infectious disease involving undue risk to the public

(k) Dealing in hearing aids under a false, misleading or deceptive name

(L) For any violation of the provisions of ORS 694 015 to 694 170

(m) Failure to properly and reasonably accept responsibility for the actions of employees

(n) Allowing a person issued a temporary license to deal in hearing aids without direct supervision

(o) Failure by a hearing aid dealer to maintain a business address and telephone number at which the dealer may be reached during normal business hours

(p) Gross incompetence in dealing in hearing aids

(q) Sale of a hearing aid by direct mail For purposes of this paragraph, delivery by mail of a replacement hearing aid or parts does not constitute sale by direct mail

(2) If the person or the parents or guardian of the person refuse for good cause to seek medical opinion the person dealing in hearing aids shall obtain from the person or the parents or guardian of the person a certificate to that effect in a form as prescribed by the division It is a violation of paragraph (f) of subsection (1) of this section for any person dealing in hearing aids or employees and putative agents thereof, upon making such required referral for medical opinion, to in any manner whatsoever disparage or discourage a prospective hearing aid user from seeking such medical opinion prior to the fitting and dispensing of a hearing aid Nothing required to be

performed by a person dealing in hearing aids under paragraph (f) of subsection (1) of this section means that the person is engaged in the diagnosis of illness or the practice of medicine or any other activity prohibited by the provisions of ORS 694 036, 694 042, 694 095 and this section

(3) If the parents or guardian of a person under 16 years of age refuses for good cause to seek medical opinion, the person dealing in hearing aids shall obtain from such parents or guardian a certificate to that effect in a form prescribed by the division. However, the replacement of an identical hearing aid within one year is not subject to paragraph (g) of subsection (1) of this section [1975 c 675 §5 (enacted in lieu of 694 135), 1985 c 227 §13, 1987 c 158 §145]

694.138 License denial procedure.

Where the division proposes to refuse to issue or renew a license, or proposes to revoke or suspend a license, opportunity for hearing shall be accorded as provided in ORS 183 310 to 183 550 [1971 c 734 §156, 1985 c 227 §14]

694 140 [Repealed by 1959 c 406 §34]

694.145 Prohibited acts and practices.

No person shall

(1) Sell, barter or offer to sell or barter a license

(2) Purchase or procure by barter a license with intent to use it as evidence of the holder's qualification to deal in hearing aids

(3) Alter materially a license with fraudulent intent

(4) Use or attempt to use as a valid license a license which has been purchased, fraudulently obtained, counterfeited or materially altered

(5) Wilfully make a false, material statement in an application for licensure or for renewal of a license [1959 c 634 §15 1967 c 631 §11 1985 c 227 §15]

694 150 [Repealed by 1959 c 406 §34]

ADMINISTRATION

694.155 Powers and duties of Health Division. The powers and duties of the division are as follows

(1) To authorize all disbursements necessary to carry out the provisions of ORS 694 015 to 694 170

(2) To determine training and experience requirements prerequisite to taking the examination and to supervise and administer qualifying examinations to test the knowledge and proficiency of applicants for licensure

(3) To license persons who apply to the division and who have qualified to deal in hearing aids

(4) To purchase and maintain or rent audiometric equipment and facilities necessary to carry out the examination of applicants for licensure

(5) To issue and renew licenses

(6) To suspend or revoke licenses in the manner provided in ORS 183 310 to 183 550

(7) To appoint representatives to conduct or supervise the examination of applicants for licensure

(8) To designate the time and place for examining applicants for licensure

(9) To adopt rules not inconsistent with the laws of this state which are necessary to carry out the provisions of ORS 694 015 to 694 170

(10) To require the periodic inspection of the audiometric testing equipment and to carry out the periodic inspection of facilities of persons who deal in hearing aids

(11) To appoint or employ subordinate employees

(12) To adopt rules specifying exemptions relating to assistive listening devices [1959 c 634 §23, 1967 c 631 §12, 1985 c 227 §16]

694.159 Civil fines. The Health Division may impose a civil fine for violation of ORS 694 015 to 694 170 or any rule adopted pursuant thereto [1985 c 227 §21]

694 160 [Repealed by 1959 c 406 §34]

694.165 Advisory Council on Hearing Aids; qualifications; terms; compensation and expenses. (1) There hereby is created the Advisory Council to the Health Division on Hearing Aids. The council shall consist of seven members to be appointed by the Governor

(2) Members of the council shall be residents of this state. One member shall be a person licensed to practice medicine in this state who holds a certificate of qualification from the American Board of Otolaryngology. Only one member shall hold clinical certification in audiology with the American Speech and Hearing Association and shall be a member in good standing of that association. Four members shall be persons experienced in the fitting of hearing aids, who possess the qualifications provided in ORS 694 055. One member shall be a public member who does not possess the professional qualifications of other members. No member of the council shall be a member or employe of the division

(d) The hearing aid or fitting and dispensing services fail to accomplish the ordinary purposes for which they are purchased,

(e) The hearing aid or fitting and dispensing services fail to satisfy an extraordinary expectation of the purchaser and, at the time the licensee performed on the contract, the licensee knew or should have known of the extraordinary expectation that the purchaser had and that the purchaser was relying on the licensee's skill and judgment to satisfy the expectation, or

(f) The licensee fails to meet any standard of conduct prescribed in the law or rules regulating the fitting and dispensing of hearing aids and this failure affects in any way the transaction which the purchaser seeks to rescind [1975 c 673 §6, 1985 c 227 §6]

694 045 [1959 c 634 §3, repealed by 1967 c 631 §7]

694 050 [Repealed by 1959 c 406 §34]

LICENSING

694.052 Licensing of current registration certificate holders. The Health Division shall license under ORS 694 015 to 694 170 any person who holds a current and valid certificate of registration under ORS 694 015 to 694 170 [1985 c 227 §22]

694.055 Qualifications of applicants for license; fee. An applicant for licensure shall pay a fee established by the division under ORS 694 085 and shall show to the satisfaction of the division that the applicant

(1) Is a person 18 years of age or older

(2) Has an education equivalent to a four-year course in a standard high school [1959 c 634 §4, 1967 c 631 §4, 1973 c 182 §7, 1973 c 827 §76 1985 c 227 §7]

694 060 [Repealed by 1959 c 406 §34]

694.065 Examination of applicants. (1) An applicant for licensure who is notified by the division that the applicant has fulfilled the requirements of ORS 694 055, shall appear at a time, place and before such persons as the division may designate, to be examined by written and practical tests

(2) The division shall determine training and experience requirements as prerequisites for an applicant to take the examination. The training requirements for licensing as an audiologist or for certification of a licensed physician by the American Board of Otolaryngology shall satisfy the training and experience prerequisite requirements

(3) The division shall give a qualifying examination during the second full week in January,

April, October and during the third full week in July. The applicant must pass the qualifying examination within nine months of fulfilling the requirements of ORS 694 055 [1959 c 634 §§5, 5a, 1967 c 631 §5 1985 c 227 §8]

694 070 [Repealed by 1959 c 406 §34]

694.075 Scope of examination. The qualifying examination provided in ORS 694 065 (1) shall consist of

(1) Tests of knowledge in the following areas as they pertain to the fitting of hearing aids

(a) Basic physics of sound

(b) The human hearing mechanism, including the science of hearing and the causes and rehabilitation of abnormal hearing and hearing disorders

(c) Structure and function of hearing aids

(2) Tests of proficiency in the following techniques as they pertain to the fitting of hearing aids

(a) Pure tone audiometry, including air conduction testing and bone conduction testing

(b) Live voice or recorded voice speech audiometry, including speech reception threshold testing and speech discrimination testing

(c) Effective masking

(d) Recording and evaluation of audiograms and speech audiometry to determine hearing aid candidacy

(e) Selection and adaptation of hearing aids and testing of hearing aids

(f) Taking earmold impressions [1959 c 634 §6]

694 080 [Repealed by 1959 c 406 §34]

694.085 Licensing; fees. (1) The division shall license each applicant, without discrimination, who possesses the required training and experience and who satisfactorily passes the examination. Upon payment of a fee established by the division under this section, the division shall issue to the applicant a license signed by the Assistant Director for Health. The license shall be effective until the anniversary of the date of its issuance

(2) Subject to the review of the Executive Department and the prior approval of the appropriate legislative review agency, the division shall establish all fees under ORS 694 015 to 694 170. The fees and charges established under this subsection shall not exceed the cost of administering the regulatory program of the board pertaining to the purpose for which the fee or charge is established, as authorized by the Legislative Assembly for the board's budget, as modified by the Emer-

gency Board or future sessions of the Legislative Assembly [1959 c 634 §7, 1973 c 182 §8 1977 c 873 §14, 1985 c 227 §9]

694.090 [Amended by 1955 c 689 §4 repealed by 1959 c 406 §34]

694.095 Temporary license; fee. (1) An applicant who fulfills the requirements of ORS 694 055 and who has not previously applied to take the qualifying examination provided under ORS 694 065 (1) may apply to the division for a temporary license

(2) Upon receiving an application provided under subsection (1) of this section accompanied by a fee established by the division under ORS 694 085, the division shall issue a temporary license which shall entitle the applicant to deal in hearing aids for a period ending 10 days after the conclusion of the next qualifying examination given after the date of issue

(3) No temporary license shall be issued by the division under this section unless the applicant shows to the satisfaction of the division that the applicant is or will be under the direct supervision and training of a person who holds a valid license issued under ORS 694 015 to 694 170

(4) If a person who holds a temporary license issued under this section does not take the next qualifying examination given after the date of issue, the temporary license shall not be renewed

(5) If a person who holds a temporary license issued under this section is found by the division to be dealing in hearing aids without the direct supervision and training required in subsection (3) of this section, the division may revoke, suspend or fail to renew the temporary license [1959 c 634 §9 1967 c 631 §6 1975 c 673 §3, 1985 c 227 §10]

694 100 [Amended by 1955 c 689 §5, repealed by 1959 c 406 §34]

694 105 [1959 c 634 §10, repealed by 1967 c 631 §7]

694 110 [Amended by 1955 c 689 §6, repealed by 1959 c 406 §34]

694.115 Notice to division of place of business; notice to licensees by division. (1) A person who holds a license shall notify the division in writing of the regular address of the place or places where the person deals or intends to deal in hearing aids

(2) The division shall keep a record of the places of business of persons who hold a license

(3) Any notice required to be given by the division to a person who holds a license may be given by mailing it to the address of the last place of business of which the person has notified the division [1959 c 634 §11 1967 c 631 §8 1985 c 227 §11]

694 120 [Repealed by 1959 c 406 §34]

694.125 License renewal; fees; effect of failure to renew; continuing education requirement. (1) Each person who deals in hearing aids shall, on or before the anniversary of issuance of the license, pay a fee established by the division under ORS 694 085 for a renewal of the license and shall keep such license conspicuously posted in the office or place of business of the person at all times A 30-day grace period shall be allowed after the renewal date, during which a license may be renewed on payment of a fee established by the division under ORS 694 085 The division may suspend the license of any person who fails to renew the license before the expiration of the 30-day grace period After the expiration of the grace period, the division may renew a license upon the payment of a fee established by the division under ORS 694 085 No person who applies for renewal, whose license was suspended for failure to renew, shall be required to submit to any examination as a condition of renewal if the person renews within three years after the date of expiration of the license

(2) The division may require proof of continuing education of hearing aid dealers as a condition of license renewal

(3) During the first five-year period a dealer is licensed in this state, the division may require not to exceed 12 hours per year of approved education During the second five-year period a dealer is licensed in this state, the division may require not to exceed nine hours per year of approved education After 10 years of licensure in this state, the division may require not to exceed six hours per year of approved education Continuing education hours completed by an audiologist or a physician practicing otolaryngology that fulfill the requirements of this section shall satisfy the continuing education requirements as established by the division [1959 c 634 §13, 1967 c 631 §9, 1973 c 182 §9, 1977 c 873 §15, 1985 c 227 §12]

694 130 [Amended by 1955 c 689 §7, repealed by 1959 c 406 §34]

694 135 [1959 c 634 §14, 1967 c 631 §10, repealed by 1975 c 673 §4 (694 136 enacted in lieu of 694 135)]

694.136 Grounds for suspension or revocation of license or probation. (1) Any person licensed under ORS 694 015 to 694 170 may have the license revoked or suspended for a fixed period, or may be placed on probation by the division for any of the following causes

(a) The person, in the application for a license, or in any written or oral communication to the division concerning the issuance or reten-

(3) The term of office of a member is three years beginning on July 1 of the year of appointment. A member shall continue to serve until a successor has been appointed and qualifies. Before a member's term expires, the Governor shall appoint a successor to assume the duties of office on July 1 at the expiration of the predecessor's term. A vacancy in the office of a member shall be filled by appointment for the unexpired term.

(4) Members of the council are entitled to compensation and expenses as provided in ORS 292 495 [1959 c 634 §§16, 17, 19, 20, 1967 c 631 §13, 1969 c 314 §95, 1985 c 227 §17]

694.170 Duties of council. (1) The council shall have the responsibility and duty of advising the division in all matters relating to ORS 694 015 to 694 170, shall prepare the examinations required by ORS 694 015 to 694 170 subject to the approval of the division and shall assist the division in carrying out the provisions of ORS 694 015 to 694 170.

(2) The division shall consider and be guided by the recommendations of the council in all matters relating to ORS 694 015 to 694 170 [1959 c 634 §21]

694 175 [1959 c 634 §22, repealed by 1971 c 753 §74]

694 180 [1959 c 634 §24, 1961 c 593 §5, repealed by 1971 c 753 §74]

694.185 Disposition of receipts. All moneys received by the Health Division under ORS 694 015 to 694 170 shall be paid into the General Fund in the State Treasury and placed to the credit of the Health Division Account and such moneys hereby are appropriated continuously and shall be used only for the administration and enforcement of ORS 694 015 to 694 170 and 694 991 [1973 c 427 §4, 1985 c 227 §18]

694 305 [1973 c 199 §1, renumbered 681 205]

694 315 [1973 c 199 §2, renumbered 681 220]

694 325 [1973 c 199 §4, renumbered 681 230]

694 335 [1973 c 199 §3, renumbered 681 250]

694 345 [1973 c 199 §5, renumbered 681 260]

694 355 [1973 c 199 §20, renumbered 681 270]

694 365 [1973 c 199 §22, renumbered 681 280]

694 375 [1973 c 199 §21, renumbered 681 290]

694 385 [1973 c 199 §6, renumbered 681 300]

694 395 [1973 c 199 §23, renumbered 681 310]

694 405 [1973 c 199 §25, renumbered 681 320]

694 415 [1973 c 199 §19, renumbered 681 330]

694 425 [1973 c 199 §24, renumbered 681 340]

694 435 [1973 c 199 §26, renumbered 681 350]

694 445 [1973 c 199 §7, renumbered 681 400]

694 455 [1973 c 199 §§9, 11, renumbered 681 410]

694 465 [1973 c 199 §18, renumbered 681 420]

694 475 [1973 c 199 §§12, 13, renumbered 681 430]

694 485 [1973 c 199 §14, renumbered 681 440]

694 495 [1973 c 199 §15, renumbered 681 450]

694 505 [1973 c 199 §16, renumbered 681 460]

694 515 [1973 c 199 §17, renumbered 681 470]

694 525 [1973 c 199 §27, renumbered 681 480]

PENALTIES

694 990 [Repealed by 1959 c 406 §34]

694.991 Penalties; concurrent jurisdiction of offenses. (1) Violation of any provision of ORS 694 015 to 694 170 is punishable, upon conviction, by a fine of not more than \$500 or by imprisonment for not more than 90 days, or both.

(2) Justice courts and district courts have concurrent jurisdiction with the circuit courts of violation under ORS 694 015 to 694 170 [1959 c 634 §§25, 26, subsection (3) enacted as 1973 c 199 §28, subsection (3) renumbered 681 991]

OCCUPATIONS AND PROFESSIONS
