

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

Board of Massage Therapists
Agency and Division

334
Administrative Rules Chapter Number

Clarifying Internal Cavity, Class Certification, Discipline, and Exempt Practices Rule Language, adding a definition

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amendments of rules in OAR Chapter 334, Divisions 1, 10, and 40

Statutory Authority:

687.011, 687.121, 687.081

Other Authority:

Statutes Implemented:

687.121

Need for the Rule(s):

To clarify verbiage and adopt new definition.

Documents Relied Upon, and where they are available:

OAR 334, 2012 Board meeting minutes and Rules committee meeting minutes. These documents are available on the Web site at <http://www.oregon.gov/obmt>

Fiscal and Economic Impact:

There is no measurable impact to the Board of Massage Therapists.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

334-010-0029 Internal Cavity, No projected fiscal impact
334-010-0027 Exempt Practices, No projected fiscal impact
334-010-0046 Class Certification, No projected fiscal impact
334-001-0060 Definitions, No projected fiscal impact
334-040-0010 Discipline, No projected fiscal impact

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

334-010-0029 Internal Cavity, less than 10% of Licensed Massage Therapists businesses, approximately 600
334-010-0027 Exempt Practices, No projected fiscal impact
334-010-0046 Class Certification, No projected fiscal impact
334-001-0060 Definitions, No projected fiscal impact
334-040-0010 Discipline, No projected fiscal impact

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

334-010-0029 Internal Cavity, decrease approximately \$3 per biennium, the costs of storing/electronically storing signed paperwork.
334-010-0027 Exempt Practices, No projected fiscal impact
334-010-0046 Class Certification, No projected fiscal impact
334-001-0060 Definitions, No projected fiscal impact
334-040-0010 Discipline, No projected fiscal impact

c. Equipment, supplies, labor and increased administration required for compliance:

334-010-0029 Internal Cavity, decrease approximately \$5 per biennium; for toner, paper and printing expense
334-010-0027 Exempt Practices, No projected fiscal impact
334-010-0046 Class Certification, No projected fiscal impact
334-001-0060 Definitions, No projected fiscal impact
334-040-0010 Discipline, No projected fiscal impact

How were small businesses involved in the development of this rule?

How were small businesses involved in the development of this rule?

Each licensee may be considered a small business. Licensees and stakeholders are Rules committee members and Licensees and stakeholders were notified through Rules committee meetings minutes and invitations to attend the meetings.

**Administrative Rule Advisory Committee consulted?: Yes
If not, why?:**

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|--|----------------|----------------------------|------------------|
| 11-26-2012 Close of Hearing | Christine West | christine.west@state.or.us | 10-15-12 1:30 PM |
| Last Day (m/d/yyyy) and Time for public comment | Printed Name | Email Address | Date Filed |

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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