

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on September 13, 2011 by the _____ Date prior to or same as filing date

Oregon Health Licensing Agency (OHLA), Board of Cosmetology OAR Chapter 817
Agency and Division Administrative Rules Chapter Number

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to become effective September 13, 2011 through March 11, 2012
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Amend civil penalty assessment rules.
Amend rules related to practicing as on or an individual with a communicable disease.

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

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT:

AMEND: 817-090-0025, 817-090-0035, 817-090-0045, 817-090-0105, 817-120-0005

SUSPEND:

REPEAL:

Stat. Auth.: ORS 676.607, 676.615, 676.992, 690.165, 690.167, 690.205

Other Auth.:

Stats. Implemented: ORS 676.992, 690.015

RULE SUMMARY

It is necessary to amend OAR 817-090-0025, 817-090-0035, and 817-090-0045 because the agency and the board do not have statutory authority to assess civil penalties for violations of ORS chapter 676 or OAR chapter 331 under OAR chapter 817.

It is necessary to amend OAR 817-090-0105 and 817-120-0005 because it is unlawful under the ADA for a state to prevent an individual from practicing cosmetology based on that individual's HIV/AIDS (communicable disease) status.

Authorized Signer Randall Everitt, Director September 13, 2011
Printed name Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. ARC 940-2005