

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Health Licensing Agency/Board of Licensed Dietitians
Agency and Division

834
Administrative Rules Chapter Number

Standardization with other professions regulated by OHLA and makes the temporary rule permanent.

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

In the Matter of:

Adopt: 834-020-0000, 834-030-0000, 834-030-0010, 834-040-0000, 834-050-0000, 834-050-0010, 834-060-0000, 834-060-0010

Repeal: 834-001-0000, 834-001-0005, 834-010-0005, 834-010-0010, 834-010-0015, 834-010-0019, 834-010-0025, 834-010-0030, 834-010-0035, 834-010-0040, 834-010-0045, 834-010-0050(T), 834-010-0050, 834-010-0055, 834-010-0065

Statutory Authority: ORS 691, 676.605, 676.606, 676.607, 676.608, 676.615, Oregon Laws 2011, Chapter 630, 691.405, 691.415, 691.435, 619.445, 691.165, 691.485

Other Authority:

Stats. Implemented: ORS Oregon Laws 2011, Chapter 630, 691.405, 691.415, 691.435, 619.445, 691.165, 691.485

Need for the Rule(s):

The proposed rules streamline and standardize the board's rule format to align with the other professions regulated by the agency. The proposed changes align with current industry standards and statutory requirements, and follow agency and statewide rulemaking standards and principles.

During the 2011 Legislative Session, Senate Bill 939 moved the Board of Licensed Dietitians under the administration of the Oregon Health Licensing Agency. Section 12 of the enrolled version of Senate Bill 939 gives the Agency the authority to establish fees by rule. The statute states that the license is valid for one year. It was necessary to amend OAR 834-010-0050 to align with the statute. The rule also amends the minimum annual requirements for continuing education.

Documents Relied Upon, and where they are available:

Senate Bill 939, DAS fee approval documents, budget, cash flow, and statistical reports and the rollout plan were relied upon for temporary rule 834-101-0050(T) which is now being made permanent.

Other documents relied upon for the proposed changes to the administrative rules can be found in meeting minutes, audio records, committee reports, meeting materials, and agency and board fiscal reports. The documents and audio records were compiled over the 2011-2012 fiscal years during the rulemaking process.

All documents are available at the Oregon Health Licensing Agency (OHLA), 700 Summer Street NE, Suite 320, Salem, OR 97301-1287. To obtain information or copies of information please contact Samantha Patnode, Policy Analyst, at 503-373-1917, during normal business hours Monday Through Friday between 7:30am to 4:30pm. Email: samie.patnode@state.or.us

Fiscal and Economic Impact:

The agency determined there is a minimal fiscal impact from amending the licensees continuing education (CE) requirements and by rolling out license expiration dates.

The fiscal impact related to CE courses is indeterminate due to the variation in the cost of CE courses.

The fiscal impact related to the rollout of license expiration dates is expected to reduce revenues during the 2011-2013 biennium by \$2,340.

Statement of Cost of Compliance:

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

The technical updates to the rules have no expected effect on state agencies, units of local government or the public.

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

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

The technical updates to the rules have no expected effect on small businesses.

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

This rulemaking did not increase current reporting, recordkeeping or any other administrative activities required for compliance.

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

This rulemaking did not increase current equipment, supplies, labor or administration needed for compliance.

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

Because these proposed rules are largely technical updates based on streamlining and aligning the rules to the agency model, no small businesses were consulted in the development of these proposed rules.

Administrative Rule Advisory Committee consulted?:

Yes.

If not, why?:

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007