

Secretary of State

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Health Licensing Agency, Administrative Services Division
Agency and Division

834

Administrative Rules Chapter Number

In the Matter of: Amendment of 834-10-0050

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

Amend the fee and renewal cycle for Licensed Dietitians.

Statutory Authority: ORS 676.615, Oregon Law 2011, Chapter 630, Section 12

Other Authority:

Stats. Implemented: ORS 691.435, 691.445, 691.465, 676.607

Need for the Temporary Rule(s):

The Agency needs to file the temporary administrative rule effective October 1, 2011 to change the fee from \$6.25 per month to \$75 (\$6.25 X 12) per year to align with statutory authority under ORS 691. The Temporary rule is needed to rollout license expiration dates to a yearly cycle and align the fee to the new renewal cycle, which begins October 2011. It will also reduce barriers to licensure and reduce the economic impact on licensees by streamlining the renewal process.

Although the fee in effect remains flat it would allow a licensee to pay a smaller renewal fee once a year vs. paying a larger renewal fee every two years.

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.

All documents are available at the Oregon Health Licensing Agency, 700 Summer Street NE, Suite 320, Salem, OR 97301. To obtain information or copies of information please contact Sylvie McMillan, Fiscal / Licensing Manager, at 503-373-1974, during normal business hours Monday through Friday between 7:30 am to 4:00 pm.

Email: Sylvie.McMillan@state.or.us

Justification of Temporary Rule(s):

During the 2011 Legislative session Senate Bill 939 moved the Board of Licensed Dietitians (Board) 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 Board's 2009 statute stated that licenses expire October 31 of odd numbered years and were prorated on a monthly basis if issued for less than 24 months. SB 939 changed the statute to say that the license expires one year from the date of issuance. The current rule states that the fee is \$6.25 a month. The Agency is filing the temporary administrative rule effective October 1, 2011 to change the fee to \$75 (\$6.25 X 12) per year and change the expiration dates for most licensees so an even amount of licenses expire each month.

	Randall Everitt	09/29/2011
Authorized Signer	Printed name	Date