



# Oregon

John A. Kitzhaber, MD, Governor

## *Health Licensing Agency*

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**WHO:** Oregon Health Licensing Agency  
Nursing Home Administrators Board  
Legislation & Rules Committee

**WHEN:** Monday, June 13, 2011 – 9 am

**WHERE:** Oregon Health Licensing Agency  
Rhoades Conference Room  
700 Summer St NE, Suite 320  
Salem, Oregon

**COMMITTEE:** Kathleen Elias, Nicole Burnham, Lynne Howe, Arlene Gardner

### **What is the purpose of the meeting?**

The purpose of the meeting is to begin to review of Oregon Revised Statutes 688.710-990 and Oregon Administrative Rules Chapter 850, Divisions 001-030. Please use appropriate language, manners and protocols when conducting business. A working lunch may be served for committee members and designated staff in attendance. Please visit <http://egov.oregon.gov/OHLA/NHAB/meetings.shtml> for current meeting information.

### **Is the public or licensees allowed to attend the meeting?**

Yes. Members of the public are invited and encouraged to be in attendance at all committee meetings, although public comment is not generally taken during this time. Technical experts may be in attendance at committee meetings and could be called upon to provide knowledge in specific areas.

### **What if the committee enters into executive session?**

Prior to entering into executive session the committee chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The committee will return to open session before taking any final action or making any final decisions.

### **Who do I contact if I have questions or need special accommodations?**

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

All members are asked to please give at least 24-hour notice if they are unable to attend the meeting so arrangements may be made.



**AGENDA**  
**Oregon Health Licensing Agency**  
**Nursing Home Administrators Board**  
9:00 a.m., Monday, June 13, 2011  
700 Summer Street N.E., Suite 320  
Salem, Oregon

**Call to Order**

- Public Attendance & Participation – ORS 192.630(1)

**1. Update on Legislative Session**

**2. Introduction to Rule Writing: Review of Hierarchy of Rules and Laws**

**3. Overview of OHLA Rules and Statutes**

**4. Overview of NHAB Statutes**

**5. Rule writing begins**

- Review of OHLA recommendations
- Policy questions
- Potential legal questions
- Potential legislative concepts

*Working Lunch 11:30 to Noon*

**6. Other Business of the Committee**

**Upcoming Full Board Meetings:**

- July 13, 2011
- October 12, 2011
- April 11, 2012
- July 11, 2012

**Scheduled 2011 L&R Committee dates:**

- June 27, July 12, August 22, September 12, October 3, November 8, November 29

**7. Adjourn (target 2:00 p.m.)**

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# Oregon Health Licensing Agency

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## MEMORANDUM

January 6, 2011

**To:** OHLA Boards and Councils  
**From:** Nancy Sellers, Senior Policy Adviser  
**Subject:** Overview of Legislative Process

### Hierarchy of Law Governing State Agencies

- US and Oregon Constitutions
  - Oregon Revised Statutes
    - *Oregon Laws*
    - *Budget Notes*
      - Governor's Executive Orders/Agency Directives
        - Oregon Administrative Rules
          - Agency Policies
            - Agency Practices

Laws may be made, amended or repealed by a vote of the people in an initiative or referendum, or by the Legislature.

State of Oregon Executive Branch agencies may not independently propose legislation. The process for agencies to request legislation is through the official Legislative Concept process:

1. Agency determines need for legislation. Upon director's approval, submits a formal proposal during a set timeline in between regular legislative sessions (the interim).
2. Proposals are reviewed by the Governor's Office and its designees (Department of Administrative Services). Consistency with the Governor's goals and political agenda and any fiscal impacts are considered.
3. Approved concepts are submitted to Legislative Counsel for drafting into bill form.
4. Final review by the Governor. Concepts receiving final approval are "Pre-session filed" by the Governor and enter the same formal legislative process as any other bill for consideration by the Legislature.

**Persons acting as agents of the Executive Branch of government – including agency management, employees and appointed board and council members – are not allowed to advocate for or against legislation, budgets or other legislative initiatives without the express permission of the Governor's Office.**

# OREGON HEALTH LICENSING AGENCY



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## Nursing Home Administrators Board

Athletic Trainers  
Barbers  
Body Piercing Technicians  
Denturists  
Direct Entry Midwives  
Electrologists  
Environmental Health Specialists  
Estheticians  
Hair Designers  
Hearing Aid Specialists  
Nail Technicians  
Nursing Home Administrators  
Permanent Color Technicians  
Respiratory Therapists  
Sex Offender Therapists  
Tattoo Artists  
Waste Water Specialists

Board of Athletic Trainers  
Board of Cosmetology  
Board of Direct Entry Midwifery  
Board of Denture Technology  
Environmental Health Registration Board  
Nursing Home Administrators Board  
Respiratory Therapist Licensing Board  
Sex Offender Treatment Board  
Advisory Council on Hearing Aids  
Advisory Council for Electrologists, Permanent Color Technicians & Tattoo Artists

## Administrative Rulemaking Schedule

June 13, 2011..... Legislation & Rules Committee  
June 27, 2011..... Legislation & Rules Committee  
July 12, 2011..... Legislation & Rules Committee  
July 13, 2011..... NHAB Board Meeting  
August 22, 2011 ..... Legislation & Rules Committee  
September 12, 2011..... Legislation & Rules Committee  
October 3, 2011..... Legislation & Rules Committee  
October 12, 2011 ..... NHAB Board Meeting  
November 8, 2011 ..... Legislation & Rules Committee  
November 29, 2011..... Legislation & Rules Committee  
January 23, 2012 ..... Legislation & Rules Committee  
February 20, 2012..... Legislation & Rules Committee  
March 5, 2012 ..... Legislation & Rules Committee  
April 11, 2012 ..... NHAB Board Meeting, Approve Proposed Rules and Fiscal Impact  
April 12, 2012 ..... File Proposed Rules  
May 1, 2012 ..... Notice of Proposed Rulemaking in Oregon Bulletin  
May 28, 2012..... Last day for public comment  
July 11, 2012..... NHAB Board Meeting to Adopt Permanent Rules  
July 18, 2012..... Permanent Rules Effective

OHLA 6/9/11

Visit us on the Web at [www.oregon.gov/OHLA](http://www.oregon.gov/OHLA)

