

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 (OHLA),  
Nursing Home Administrators Board

853

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**Agency and Division**

**Administrative Rules Chapter Number**

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Standardization with other professions regulated by OHLA

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

**In the Matter of:**

**Adopt:**

853-020-0000, 853-030-0000, 853-030-0010, 853-030-0020, 853-030-0030, 853-030-0040, 853-030-0050, 853-030-0060, 853-030-0070, 853-040-0000, 853-050-0000, 853-050-0010, 853-060-0000, 853-060-0010

**Repeal:**

853-001-0000, 853-001-0005, 853-001-0020, 853-001-0025, 853-001-0030, 853-010-0010, 853-010-0015, 853-010-0017, 853-010-0020, 853-010-0025, 853-010-0035, 853-010-0040, 853-010-0045, 853-010-0050, 853-010-0055, 853-010-0060, 853-010-0065, 853-010-0070, 853-010-0074, 853-010-0075, 853-010-0076, 853-010-0077, 853-010-0078, 853-010-0079, 853-010-0080

**Statutory Authority:** ORS 678, 676.605, 676.606, 676.607, 676.608, 676.615

**Other Authority:**

**Stats. Implemented:** ORS 678.710, 678.720, 678.025, 678.730, 678.740, 678.750, 678.760, 678.770, 678.775, 678.780, 678.790, 678.800, 678.810, 678.820, 678.990

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**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.

**Documents Relied Upon, and where they are available:**

The 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 2010-2012 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](mailto:samie.patnode@state.or.us)

**Fiscal and Economic Impact:**

The agency determined there is a fiscal impact in requiring preceptors to attend training workshops, requiring pre-approvals on certain types of continuing education (CE) courses and by abolishing, establishing, increasing and decreasing some of the board's fees.

The overall dollar figure of the fiscal impact is indeterminate due to the unknown number of new continuing education approvals, cost variation in preceptor training workshops and variations in the amount of savings expected to be generated from these proposed rule changes.

Savings are expected to be generated from reduced paper work, reduced requirements for continuing education for licensees, reduced training requirements and travel costs for Administrators-in-Training (AIT), reduced costs related to agency staff and reduced fees for board applicants and licensees.

**Statement of Cost of Compliance:**

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

The proposed rules will impact the agency, licensees, preceptors, the Oregon Health Care Association (OHCA), the Oregon Alliance of Senior and Health Services (OASHS), Nursing Homes and CE providers.

The proposed rules will have a minimal fiscal impact to approximately 141 Nursing Homes or 56 preceptors in terms of paying for the preceptor training workshops every three years. Usually the Nursing Home will pay for the preceptor training workshops for the preceptor. Agency CE approvals are now required for the OHCA and the OASHS increasing agency costs due to increased staff time to approve these CE courses.

Licensees will see a fiscal impact related to abolishing, establishing, increasing and decreasing some of the board's fees. All licensees and applicants will be affected by the proposed changes to the board's fees. These changes are expected to decrease the board's revenues by \$64,235 during the 2011-2013 biennium, and by \$43,705 during the 2013-2015 biennium. These fee changes are needed to bring the board's revenues into alignment with the actual cost of operating the board.

The proposed rules redefine training requirements for the AIT program by no longer requiring AIT interviews, standardizing program requirements and reducing the required program hours for applicants with specified waivers. These changes to the AIT program reduce the overall cost to the AIT and reduce economic barriers to licensure.

CE providers' may experience a small decrease in revenues due to CE requirements for licensees being reduced from 30 hours per year to 20 hours per year. The minimal loss in revenues experienced by CE providers' results in a savings passed onto agency licensees.

**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:**

Up to 141 Nursing Homes maybe affected in terms of paying for preceptor training workshops every three years and an unknown number of CE providers' may experience minimal revenue losses from the change in continuing education requirements for licensees.

**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?:**

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|           | Randall Everitt |      |
| Signature | Printed name    | Date |