

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on **10/9/09** by the
Date prior to or same as filing date

Oregon Medical Board, Licensing Department

OAR Chapter 847

Agency and Division

Administrative Rules Chapter Number

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to become effective **upon filing**. Rulemaking Notice was published in the **August 2009** Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Allow licensee to remain in inpatient treatment facility beyond 25 consecutive days without suspension

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)

ADOPT: OAR 847-065-0005

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

AMEND:

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: **ORS 677.265**

Other Auth.:

Stats. Implemented: **ORS 677.225, 677.645**

RULE SUMMARY

Proposed rule amendment allows licensees to remain in an inpatient treatment facility beyond 25 consecutive days without an automatic suspension of their license if the licensee is in compliance with the Health Professionals Program (HPP) and is not in practice. If HPP determines a licensee has a mental illness that affects their ability to practice medicine safely they will request the licensee withdraw from practice; if licensee refuses, the licensee shall be reported to the Oregon Medical Board with a copy of the mental health evaluation.

Kathleen Haley, Executive Director

10/20/09

Authorized Signer

Printed name

Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

OREGON ADMINISTRATIVE RULES
CHAPTER 847, DIVISION 065 – OREGON MEDICAL BOARD
PROPOSED RULES CHANGES – OCTOBER 2009
FINAL REVIEW BY THE BOARD

847-065-0005

Licensees with Mental Illness Treated in Hospital Exceeding 25 Consecutive Days

A licensee's participation in the Board's Health Professionals Program, to include inpatient evaluations or treatment in a treatment facility that exceeds 25 consecutive days, does not require an automatic suspension of a licensee, if the licensee is in compliance with their HPP agreement and does not practice medicine during a period of impairment. If the HPP Supervisory Council makes a determination that the licensee has a mental illness that affects the ability of the licensee to safely practice medicine, the Council will ask the licensee to immediately withdraw from practice. If the licensee declines, the Council will immediately report to the Board that the licensee has a mental illness that affects the ability of the licensee to safely practice, and with this report provide a copy of the evaluation upon which this determination is based.