

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Medical Board, Licensing Department	OAR Chapter 847	
Agency and Division	Administrative Rules Chapter Number	
Malar Ratnathicam	1500 SW 1st Ave., #620, Portland, OR 97201	971-673-2713
Rules Coordinator	Address	Telephone

RULE CAPTION

[Correct license type to Active-Telemonitoring](#)

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

RULEMAKING ACTION

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

ADOPT:

AMEND: [OAR 847-008-0023](#)

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: **ORS 677.265**

Other Auth.:

Stats. Implemented: **ORS 677.265**

RULE SUMMARY

[The proposed rule amendment corrects the license type to Active-Telemonitoring.](#)

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

12/28/09

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

	Kathleen Haley, Executive Director	10/20/09
Signature	Printed name	Date

*Rulemaking Notices published in the Oregon Bulletin 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, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

ARC 923-2005

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 Medical Board, Licensing Department

OAR Chapter 847

Agency and Division

Administrative Rules Chapter Number

Correct license type to Active-Telemonitoring

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

In the Matter of: **OAR 847, Division 008, the proposed rule amendment corrects the license type to Active-Telemonitoring.**

Statutory Authority: **ORS 677.265**

Other Authority:

Stats. Implemented: **ORS 677.265**

Need for the Rule(s): **The amendment is needed to correct the license type to Active-Telemonitoring. It was originally filed as license type Active-Teleradiology in error.**

Documents Relied Upon, and where they are available: **OAR Chapter 847, and ORS 677, Medical Practice Act; available at Board office or at http://arcweb.sos.state.or.us/rules/OARS_800/OAR_847/847_tofc.html and <http://www.leg.state.or.us/ors/677.html>.**

Fiscal and Economic Impact: **There is no fiscal impact associated with this amendment, which is only a correction to the license type.**

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): **None.**
2. Cost of compliance effect on small business (ORS 183.336): **None.**
 - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: **Not applicable.**
 - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: **None.**
 - c. Equipment, supplies, labor and increased administration required for compliance: **None.**

How were small businesses involved in the development of this rule? **Members of the Administrative Affairs Committee who were consulted in the development of the rule represent small businesses.**

Administrative Rule Advisory Committee consulted?: **Yes, the Administrative Affairs Committee on September 9, 2009. The rules were reviewed by the Board at its quarterly meeting on October 9, 2009.**

	Kathleen Haley, Executive Director	10/20/09
Signature	Printed name	Date

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

OREGON ADMINISTRATIVE RULES
CHAPTER 847, DIVISION 008 – OREGON MEDICAL BOARD
PROPOSED RULES CHANGES – OCTOBER 2009
FIRST REVIEW BY THE BOARD

847-008-0023

Telemonitoring Registration

(1) Telemonitoring is the intraoperative monitoring of data collected during surgery and electronically transmitted to a physician who practices in a location outside of Oregon via a telemedicine link for the purpose of allowing the monitoring physician to notify the operating team of changes that may have a serious effect on the outcome and/or survival of the patient. The monitoring physician is in communication with the operation team through a technician in the operating room.

(2) The facility where the surgery is to be performed must be a licensed hospital or ambulatory surgical center licensed by the Department of Human Services, must grant medical staff membership and/or clinical privileges to the monitoring physician, and must request the Oregon Medical Board grant Active- Telemonitoring status to the monitoring physician to perform intraoperative telemonitoring on patients during surgery.

(3) Physicians granted Active - Telemonitoring status may register and pay a biennial active registration fee. The physician with Active – [~~Teleradiology~~] **Telemonitoring** status desiring to have Active status to practice in Oregon must submit the Affidavit of Reactivation and processing fee, and satisfactorily complete the reactivation process before beginning active practice in Oregon.