



State of Oregon
Kate Brown, Governor

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TO: All Interested Parties

FROM: Ruby R. Jason
Executive Director

DATE: May 2016

**SUBJECT: ADMINISTRATIVE RULEMAKING HEARING REGARDING THE
ADOPTION OF THE AMENDMENTS TO OAR 851-002-0010
(AGENCY FEES)**

On Thursday, June 16, 2016, 9:00 a.m., the Oregon State Board of Nursing will hold a hearing regarding the adoption of the proposed amendments to Chapter 851, Division 2, of the Oregon Administrative Rules regarding Agency Fees. This hearing will be held in the conference room of the Oregon State Board of Nursing, 17938 S.W. Upper Boones Ferry Road, Portland, Oregon.

Attached is a copy of the Notice of Proposed Rulemaking for this hearing. The Board is authorized by ORS 678.245, 678.285, and 678.111 to establish and amend such rules.

If you are unable to attend the hearing, you may submit your comments to me in writing by June 14, 2016 and I will see that they are incorporated into the testimony received at the hearing and considered by the Board at their June 16, 2016 meeting.

The Board looks forward to receiving your input.

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

FILED
4-29-16 3:23 PM
ARCHIVES DIVISION
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Board of Nursing
Agency and Division
Peggy A. Lightfoot
Rules Coordinator
Board of Nursing, 17938 SW Upper Boones Ferry Rd., Portland, OR 97224
Address

851
Administrative Rules Chapter Number
(971) 673-0638
Telephone

RULE CAPTION

Add Endorsement application fee of \$9 to existing fees per SB 1585
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
6-16-16	9:00 a.m.	17938 SW Upper Boones Ferry Rd, Portland, OR 97224	Bonnie Kostelecky, Board

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

OAR 851-002-0010

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 678.415 and 678.417

Other Authority:

SB 1585

Statutes Implemented:

ORS 678.415

RULE SUMMARY

SB 1585 added the \$9 surcharge to fund the Oregon Nursing Advancement Fund to now include applications for Endorsement, in addition to new and renewal applications.

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

06-16-2016 5:00 p.m. Peggy A. Lightfoot peggy.lightfoot@state.or.us
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address
for public comment

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

FILED
4-29-16 3:23 PM
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SECRETARY OF STATE

Board of Nursing
Agency and Division

851
Administrative Rules Chapter Number

Add Endorsement application fee of \$9 to existing fees per SB 1585

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

In the Matter of:

OAR 851-002-0010

Statutory Authority:

ORS 678.415 and 678.417

Other Authority:

SB 1585

Statutes Implemented:

ORS 678.415

Need for the Rule(s):

To comply with SB 1585 amending previous legislation and adding the endorsement applications to the surcharge previously established to support the Oregon Nursing Advancement Fund, administered by the Oregon Center for Nursing. Previous legislation during the 2016-2016 session applied this surcharge to new and renewal applications only.

Documents Relied Upon, and where they are available:

Text of SB 1585

Fiscal and Economic Impact:

Fiscal impact of additional endorsement surcharge is estimated to be about fee to be about \$75,600 all of which would be paid into the Oregon Nursing Advancement Fund with the state treasury and forwarded to the Oregon Center for Nursing.

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):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None: The cost of the programs are borne by the licensees as individuals and not on their employer.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

No impact on current operational processes.

c. Equipment, supplies, labor and increased administration required for compliance:

None.

How were small businesses involved in the development of this rule?

Not considered due to bill being legislatively adopted.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

Only added a surcharge for a specific application type, legislatively mandated.

06-16-2016 5:00 p.m. Peggy A. Lightfoot peggy.lightfoot@state.or.us
Last Day (m/d/yyyy) and Time Printed Name Email Address
for public comment

DRAFT

Underlined material is proposed to be added.
~~Strikethrough material is proposed to be deleted.~~

Division 2 Agency Fees

851-002-0010

RN/LPN Schedule of Fees

- (1) License Renewal — \$145.
- (2) Delinquent fee — \$100.
- (3) Surcharge to Support the Workforce Data Analysis Fund at Renewal — \$5.
- (4) Surcharge to Support the Oregon Nursing Advancement Fund at for Licensure by Examination and Renewal — \$9, Licensure by Endorsement, and Renewal applications — \$9.
- (5) License by Endorsement — \$195.
- (6) Licensure by Examination — \$160.
- (7) Written Verification of License — \$12.
- (8) Limited Licenses:
 - (a) Reentry — \$95.
 - (b) Extension of Reentry — \$25.
- (9) Limited Licenses for Educational Experience:
 - (a) International Graduate Nursing Students — \$65.
 - (b) Extension of International Graduate Nursing Students — \$25.
 - (c) International RN in Short-Term Educational Experience — \$35.
 - (d) International Exchange Students — \$25.
 - (e) U.S. RNs in Distance Learning — \$15.
 - (f) Extension of Distance Learning — \$15.
- (10) Reexamination for Licensure — \$25.
- (11) Reactivation — \$160.
- (12) Reinstatement by Reactivation — \$160.
- (13) Nurse Emeritus -\$50 (biennial)

Stat. Auth.: ORS 678.150 & 678.410

Stats. Implemented: ORS 678.410

Hist.: NER 26(Temp), f. & ef. 12-11-75; NER 32, f. & ef. 5-4-76; NER 5-1981, f. & ef. 11-24-81; NER 2-1982, f. & ef. 8-25-82; NER 5-1983, f. 12-9-83, ef. 1-1-84; NER 5-1985, f. 7-30-85, ef. 10-1-85; NER 6-1986, f. & ef. 12-3-86; NB 5-1987, f. & ef. 7-1-87; NB 7-1987, f. & ef. 10-5-87; NB 1-1988, f. & cert. ef. 4-18-88; NB 2-1989, f. 6-22-89, cert. ef. 7-1-89; NB 2-1991, f. 6-14-91, cert. ef. 7-1-91; NB 3-1991, f. & cert. ef. 9-25-91; NB 5-1993, f. 6-15-93, cert. ef. 7-1-93; NB 7-1993, f. & cert. ef. 7-1-93; NB 13-1993, f. & cert. ef. 12-20-93; NB 5-1994 f. & cert. ef. 9-15-94; Renumbered from 851-020-0295; NB 8-1994, f. & cert. ef. 12-7-94; NB 7-1995(Temp), f. & cert. ef. 6-23-95; NB 2-1996, f. & cert. ef. 3-12-96; NB 9-1997, f. 7-22-97, cert. ef. 9-1-97; BN 6-1998(Temp), f. & cert. ef. 7-15-98 thru 12-31-98; Administrative correction 8-5-98; BN 10-1998, f. & cert. ef. 8-7-98; BN 11-1998, f. & cert. ef. 9-22-98; BN 4-1999, f. 5-21-99, cert. ef. 7-1-99, Renumbered from 851-031-0200; BN 11-1999, f. & cert. ef. 12-1-99; BN 6-2000, f. & cert. ef. 4-24-00; BN 17-2002, f. & cert. ef. 10-18-02; BN 6-2003, f. & cert. ef. 7-7-03; BN 5-2007, f. 5-4-07, cert. ef. 7-1-07; BN 5-2009, f. & cert. ef. 10-7-09; BN 6-2009, f. 12-17-09, cert. ef. 1-1-10; BN 7-2010, f. & cert. ef. 6-25-10; BN 16-2010, f. & cert. ef. 11-29-10; BN 10-2012, f. 7-6-12, cert. ef. 8-1-12; BN 1-2015, f. 4-21-15, cert. ef. 6-1-15