

NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form

Physical Therapist Licensing Board

848

Agency and Division

Administrative Rules Chapter Number

James Heider

(971) 673-0203

Rules Coordinator

Telephone

Physical Therapist Licensing Board, 800 NE Oregon St, Suite 407, Portland, OR 97232

Address

RULE CAPTION

Amend temporary permits, exam scores, lapsed fee, continuing education, board sanctions and initiation standards rules

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

Hearing Date	Time	Location	Hearings Officer
1-20-12	08:30 AM	PSOB 800 NE Oregon Street Room 445 Portland, Oregon 97232	James D. Heider

Auxiliary aids for persons with disabilities are available upon request.

RULEMAKING ACTION

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

ADOPT:**AMEND:**

OAR 848-010-0015; OAR 848-010-0020; OAR 848-010-0026; OAR 848-010-0035; OAR 848-035-0030; OAR 848-035-0040; OAR 848-040-0125; OAR 848-045-0010

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 688.160(6)(c)

Other Authority:**Statutes Implemented:**

ORS 688.040; ORS 688.100; ORS 688.110; ORS 688.140; ORS 688.160(6)(b); ORS 688.160(6)(g); ORS 688.160(i)

RULE SUMMARY

Review and amend current rules to extend temporary permit for first time test takers from 60 days to 90 days to accommodate the new national examination fixed date testing; amend multiple passing score criteria for pre-1996 test takers to simply passing an exam approved by the board; change the late charge for a lapsed license fee to a single charge instead of a late charge for each year lapsed; broaden approved CE to include credit for other activities such as performing as a Clinical Instructor or for writing an published article; publish the Board's adopted sanction matrix into rule for practicing with a lapsed license and non-compliance with CE regulations; and clarify the need for performing an initial evaluation in the standards to initiate physical therapy; and other housekeeping items.

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.

Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed
01-20-2012 8:30 a.m.	James Heider	james.heider@state.or.us	11-28-11 10:09a.m.

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

ARC 923-2003

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Physical Therapist Licensing Board

848

Agency and Division

Administrative Rules Chapter Number

Amend temporary permits, exam scores, lapsed fee, continuing education, board sanctions and initiation standards rules

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

In the Matter of:

Amendment OAR 848-010-0015; OAR 848-010-0020; OAR 848-010-0026; OAR 848-010-0035; OAR 848-035-0030; OAR 848-035-0040; OAR 848-040-0125; OAR 848-045-0010

Statutory Authority:

ORS 688.160(6)(c)

Other Authority:

Stats. Implemented:

ORS 688.040; ORS 688.100; ORS 688.110; ORS 688.140; ORS 688.160(6)(b); ORS 688.160(6)(g); ORS 688.160(i)

Need for the Rule(s):

Review and amend current rules to extend temporary permit for first time test takers from 60 days to 90 days to accommodate the new national examination fixed date testing; amend multiple passing score criteria for pre-1996 test takers to simply passing an exam approved by the board; change the late charge for a lapsed license fee to a single charge instead of a late charge for each year lapsed; broaden approved CE to include credit for other activities such as performing as a Clinical Instructor or for writing an published article; publish the Board's adopted sanction matrix into rule for practicing with a lapsed license and non-compliance with CE regulations; and clarify the need for performing an initial evaluation in the standards to initiate physical therapy; and other housekeeping items.

Documents Relied Upon, and where they are available:

Current Board Statute and Rules; minutes from the 11.04.11 Board meeting; the 10.10.11 and 10.24.11 Administrative Rules Committee Meetings which can all be found on the Board website at www.ptboard.state.or.us.

Fiscal and Economic Impact:

The Board has analyzed the proposed administrative rule changes and finds that there should be no significant fiscal or economic impact to the Board, any other local government units, state agencies, schools, the public or the business community.

Statement of Cost of Compliance:

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

The Board has analyzed the proposed administrative rule changes and finds that there should be no cost of compliance to any local government units, state agencies, schools, the public or the business community.

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:
Not Applicable

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

Not Applicable

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

Not Applicable

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

If not, why?:

The Legal Counsel representing Oregon Physical Therapists in Independent Practice (OPTIP) sat on both the Administrative Rules Advisory Committee and the Drafting Sub-Committee. OPTIP represents 125 small independent Physical Therapy Clinics throughout the State of

Oregon.

Administrative Rule Advisory Committee consulted?: Yes

Yes, an Administrative Rules Advisory Committee was formed and consisted of 22 members: 15 PTs; 2 PTAs; 1 PT Student; 1 Attorney; the Executive Director; the Board Clinical Advisor/Investigator, also a PT; and the Board Chair also a PT. Meetings were held on 10.10.11, and 10.24.11. Additionally, a public Board meeting was held on 11.04.11 to review and approve the proposed rule changes as presented, to the Board, by the Administrative Rules Committee; this meeting was posted with notice sent to all interested parties.

<u>01-20-2012 8:30 a.m.</u>	<u>James Heider</u>	<u>james.heider@state.or.us</u>	<u>11-28-11 10:09 AM</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed

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

ARC 925-2007