

Secretary of State  
Certificate and Order for Filing  
**TEMPORARY ADMINISTRATIVE RULES**  
A Statement of Need and Justification accompanies this form.

**FILED**  
6-26-15 4:23 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on Upon filing, by the  
Oregon Board of Dentistry

Agency and Division

Administrative Rules Chapter Number

Stephen Prisby

818  
(971) 673-3200

Rules Coordinator

Telephone

1500 SW 1st Ave., Suite 770, Portland, OR 97201

Address

To become effective 06/26/2015 through 12/22/2015.

**RULE CAPTION**

Implement a legislatively approved fee increase of \$75 on all licensees' biennial licensure fees.

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 with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

818-001-0087

**SUSPEND:**

**Statutory Authority:**

Stat. Auth.: ORS 679 & 680

**Other Authority:**

**Statutes Implemented:**

Stats. Implemented: ORS 293.445, 679.060, 679.115, 679.120, 679.250, 680.050, 680.075, 680.200 & 680.205

**RULE SUMMARY**

The Board shall increase the biennial license fee by \$75 for all licensees.

Stephen Prisby

stephen.prisby@state.or.us

Rules Coordinator Name

Email Address

Secretary of State  
**STATEMENT OF NEED AND JUSTIFICATION**  
A Certificate and Order for Filing Temporary Administrative Rules  
accompanies this form

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Oregon Board of Dentistry  
Agency and Division

818  
Administrative Rules Chapter Number

Implement a legislatively approved fee increase of \$75 on all licensees' biennial licensure fees.

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

In the Matter of:

OAR 818-001-0087

**Statutory Authority:**

Stat. Auth.: ORS 679 & 680

**Other Authority:**

**Statutes Implemented:**

Stats. Implemented: ORS 293.445, 679.060, 679.115, 679.120, 679.250, 680.050, 680.075, 680.200 & 680.205

**Need for the Temporary Rule(s):**

The purpose of this increase is to allow the Board to hire an additional 1.0 FTE Dental Investigator. For the past 20 years the Board has hired independent contractor dental consultant investigators on a part-time basis to assist with the investigation of dental cases, this process has simply not been able to keep up with the number of complaints as well as the complexity of those complaints.

The Oregon Board of Dentistry will promulgate permanent rules later in 2015, but for now it needs to implement a Temporary Rule to raise fees effective July 1, 2015: Dental License Fees will be increased from \$315.00 to \$390.00, Dental Faculty License Fees will be increased from \$260.00 to \$335.00 and Dental Hygiene License Fees will be increased from \$155.00 to \$230.00

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

HB 5014 (the OBD's 2015-17 Budget Bill) was signed by the Governor and authorizes the OBD to implement a \$75 per/licensee biennial fee increase effective July 1, 2015.

A copy of HB 5014, and a draft of OAR 818-001-0087 are available at the OBD's website [www.Oregon.gov/dentistry](http://www.Oregon.gov/dentistry)

**Justification of Temporary Rule(s):**

The increased revenue from the fee increase is to add one full-time dental investigator to the OBD staff. Currently the OBD utilizes part-time investigators, and this is not an effective or efficient way to handle the large investigative case load. Full-time employees can handle more cases efficiently than part-time employees.

Stephen Prisby

[stephen.prisby@state.or.us](mailto:stephen.prisby@state.or.us)

Printed Name

Email Address

**DIVISION 1  
PROCEDURES**

**818-001-0087**

**Fees**

(1) The Board adopts the following fees:

(a) Biennial License Fees:

(A) Dental — ~~\$315~~ **390**;

(B) Dental — retired — \$0;

(C) Dental Faculty — ~~\$260~~ **335**;

(D) Volunteer Dentist — \$0;

(E) Dental Hygiene — ~~\$155~~ **230**;

(F) Dental Hygiene — retired — \$0;

(G) Volunteer Dental Hygienist — \$0.

(b) Biennial Permits, Endorsements or Certificates:

(A) Nitrous Oxide Permit — \$40;

(B) Minimal Sedation Permit — \$75;

(C) Moderate Sedation Permit — \$75;

(D) Deep Sedation Permit — \$75;

(E) General Anesthesia Permit — \$140;

(F) Radiology — \$75;

(G) Expanded Function Dental Assistant — \$50;

(H) Expanded Function Orthodontic Assistant — \$50;

(I) Instructor Permits — \$40;

(J) Dental Hygiene Restorative Functions Endorsement — \$50;

(K) Restorative Functions Dental Assistant — \$50;

(L) Anesthesia Dental Assistant — \$50;

(M) Dental Hygiene, Expanded Practice Permit — \$75;

(N) Non-Resident Dental Permit - \$100.00;

(c) Applications for Licensure:

(A) Dental — General and Specialty — \$345;

(B) Dental Faculty — \$305;

(C) Dental Hygiene — \$180;

(D) Licensure Without Further Examination — Dental and Dental Hygiene — \$790.

(d) Examinations:

(A) Jurisprudence — \$0;

(B) Dental Specialty:

(i) If only one candidate applies for the exam, a fee of \$2,000.00 will be required at the time of application; and

(ii) If two candidates apply for the exam, a fee of \$1,000.00 will be required at the time of application; and

(iii) If three or more candidates apply for the exam, a fee of \$750.00 will be required at the time of application.

(e) Duplicate Wall Certificates — \$50.

(2) Fees must be paid at the time of application and are not refundable.

(3) The Board shall not refund moneys under \$5.01 received in excess of amounts due or to which the

Board has no legal interest unless the person who made the payment or the person's legal representative requests a refund in writing within one year of payment to the Board.

Stat. Auth.: ORS 679 & 680

Stats. Implemented: ORS 293.445, 679.060, 679.115, 679.120, 679.250, 680.050, 680.075, 680.200 & 680.205

Hist.: DE 6-1985(Temp), f. & ef. 9-20-85; DE 3-1986, f. & ef. 3-31-86; DE 1-1987, f. & ef. 10-7-87; DE 1-1988, f. 12-28-88, cert. ef. 2-1-89, corrected by DE 1-1989, f. 1-27-89, cert. ef. 2-1-89; Renumbered from 818-001-0085; DE 2-1989(Temp), f. & cert. ef. 11-30-89; DE 1-1990, f. 3-19-90, cert. ef. 4-2-90; DE 1-1991(Temp), f. 8-5-91, cert. ef. 8-15-91; DE 2-1991, f. & cert. ef. 12-31-91; DE 1-1992(Temp), f. & cert. ef. 6-24-92; DE 2-1993, f. & cert. ef. 7-13-93; OBD 1-1998, f. & cert. ef. 6-8-98; OBD 3-1999, f. 6-25-99, cert. ef. 7-1-99; Administrative correction, 8-2-99; OBD 5-2000, f. 6-22-00, cert. ef. 7-1-00; OBD 8-2001, f. & cert. ef. 1-8-01; OBD 2-2005, f. 1-31-05, cert. ef. 2-1-05; OBD 2-2007, f. 4-26-07, cert. ef. 5-1-07; OBD 3-2007, f. & cert. ef. 11-30-07; OBD 1-2009(Temp), f. 6-11-09, cert. e. 7-1-09 thru 11-1-09; OBD 2-2009, f. 10-21-09, cert. ef. 11-1-09; OBD 1-2010, f. 6-22-10, cert. ef. 7-1-10; OBD 3-2011(Temp), f. 6-30-11, cert. ef. 7-1-11 thru 12-27-11; OBD 4-2011, f. & cert. ef. 11-15-11; OBD 1-2012, f. & cert. ef. 1-27-12; OBD 1-2013, f. 5-15-13, cert. ef. 7-1-13; OBD 1-2014, f. 7-2-14, cert. ef. 8-1-14

**Enrolled  
House Bill 5014**

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Oregon Department of Administrative Services)

CHAPTER .....

AN ACT

Relating to the financial administration of the Oregon Board of Dentistry; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** Notwithstanding any other law limiting expenditures, the amount of \$3,010,692 is established for the biennium beginning July 1, 2015, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Board of Dentistry.

**SECTION 2.** This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect July 1, 2015.

Passed by House May 7, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 19, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2015

Approved:

.....M.,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State