



WHO: Health Licensing Office
Respiratory Therapist and Polysomnographic Technologist Licensing Board

WHEN: June 3, 2016 at 10 a.m.

WHERE: Health Licensing Office
Rhoades Conference Room
700 Summer St. NE, Suite 320
Salem, Oregon

What is the purpose of the meeting?

The purpose of the meeting is to conduct board business. A working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Please visit <http://www.oregon.gov/oha/hlo/Pages/Board-RTPT-Polysom-Information.aspx> for current meeting information.

May the public attend the meeting?

Members of the public and interested parties are invited to attend all board/council meetings. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

May the public attend a teleconference meeting?

Members of the public and interested parties may attend a teleconference board meeting **in person** at the Health Licensing Office at 700 Summer St. NE, Suite 320, Salem, OR. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

What if the board/council enters into executive session?

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

Approval of Agenda



Health Licensing Office
Respiratory Therapist and Polysomnographic Technologist Licensing Board

◆◆◆
June 3, 2016 at 10 a.m.
700 Summer St. NE, Suite 320
Salem, Oregon

1. **Call to Order**
2. **Items for Board Action**
 - ◆ Approval of agenda
 - ◆ Approval of minutes – March 18, 2016
 - ◆ Adopt permanent administrative rules – SB 230
3. **Reports**
 - ◆ Director Report
 - ◆ Licensing and Fiscal Statistical Reports
 - ◆ Policy Report
 - ◆ Regulatory Report

Working Lunch

4. **Public/Interest Parties Feedback**
5. **Executive Session** – Pursuant to ORS 192.660(2)(f) for the purpose of considering information or Records exempt from public inspection. (legal advice)
6. **Item for Board Action**
7. **Executive Session** – Pursuant to ORS 192.660(2)(f) for the purpose of considering information or Records exempt from public inspection. (complaint file 15-8030)
8. **Item for Board Action**
9. **Other Board Business**
10. **Agenda Items for Next Regular Board Meeting**

Agenda is subject to change.
For the most up to date information visit www.oregon.gov/oha/hlo

Items for Board Action

Approval of Minutes

March 18, 2016



Health Licensing Office
Respiratory Therapist and Polysomnographic Technologist Licensing Board

◆ ◆ ◆
March 18, 2016
700 Summer Street NE, Suite 320
Salem, Oregon

MINUTES

MEMBERS PRESENT

Joel Glass, Chair
Nicholas Gaffney, Vice-Chair
Tony Garberg
James Hulse

MEMBERS ABSENT

Joe Dwan
Michael Lefor

STAFF PRESENT

Sylvie Donaldson, Interim Director and Division Manager
Bob Bothwell, Regulatory Operations Manager
Samie Patnode, Policy Analyst
Sarah Kelber, Communications Coordinator
Debra Daniels, Qualification Specialist

GUESTS PRESENT

Introductions

Board members, and staff introduced themselves for new board member. James Hulse, who was recently appointed to one of the practitioner's position provided an overview of his professional background.

Call to Order

Joel Glass called the meeting of the Respiratory Therapist and Polysomnographic Technologist Licensing Board to order at 10:01. Roll was called.

Items for Board Action

Approval of Agenda

Nicholas Gaffney made a motion with a second by James Hulse to approve the agenda. Motion passed unanimously.

Approval of Minutes

Nicholas Gaffney made a motion with a second by Tony Garberg to approve the minutes for October 16, 2015. Motion passed unanimously.

Approval of proposed administrative rules – SB 230 Oregon Healthcare Workforce Database

Nicholas Gaffney made a motion with a second by Tony Garberg to approve proposed administrative rules. Motion passed unanimously.

Reports

Sarah Kelber, communications coordinator, reported on the following:

- Launch of the new web site, and the need for new pictures
- Updated on current social media page

Director Report

Sylvie Donaldson, Director, Interim Director and Division Manager, reported on the following:

- Update on transition to Public Health
- Update on future move to a different facility

Licensing and Fiscal Statistical Reports

Donaldson, presented an overview of statistics related to the board. Statistics included licensing statistics, license volumes and active license trends.

The statement of cash flow for the period 07/01/15 -3/8/16 was reviewed with an actual ending cash balance of \$186,870.63

Policy Report

Samie Patnode, policy analyst, reported on the following:

- Update on the Board of Certified Advanced Estheticians.
- Updated on 2016 legislation

Regulatory Report

Bob Bothwell, regulatory operations manager, reported on enforcement activity including:

2013-2015 Biennium

Between July 1, 2013 and June 30, 2015, 15 complaints were received. Of the 15 complaints 4 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
1	1	13

2015-2017 Biennium

Between July 1, 2015 and February 29, 2016, 11 complaints were received. Of the 11 complaints 9 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
1	1	9

Public Comment

No public comment was received.

Executive Session

- The Respiratory Therapist and Polysomnographic Technologist Licensing Board entered executive session pursuant to ORS 192-660(2)(f) at 10:35 a.m. on March 18, 2016 for the purpose of considering information or records exempt from public inspection. Records to be considered related to investigation file.
- Executive session concluded and the board reconvened regular session at 11: 15 p.m. It was noted that no decisions were made and no votes were made in executive session.

Items for Board Action:

In regards to investigation file 15-7861

- Civil penalty to be issued for \$250.00 however, the civil penalty would be stayed if no laws, or rules are violated for two years.

MOTION:

Nicholas Gaffney made a motion with a second by Tony Garberg. Motion passed unanimously.

Other Board Business:

- Members would like a discussion concerning licensing requirements for Respiratory Therapist to align with NBRC requirements.
- Clarification and further review on home studies.

The meeting adjourned at approximately 11:22 a.m.

Minutes prepared by: Maria Gutierrez, Board Specialist

**Adopt Permanent
Administrative Rules**

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SB 230



ISSUE STATEMENT

HEALTH LICENSING OFFICE RESPIRATORY THERAPIST AND POLYSOMNOGRAPHIC TECHNOLOGIST LICENSING BOARD

BACKGROUND

During the 2015 Legislative Session SB 230 was enacted adding respiratory therapists and polysomnographic technologists to the list of health care professionals who must provide certain demographic and practice information prescribed by Oregon Health Authority (OHA) in order to renew their license.

SB 230 specifies the type of information that may be collected including but not limited to demographics, education, training, employment information and specialty practice information. This information is collected through an online survey which is sent directly to OHA. Currently other health care professionals, including licensed dietitians, who are required to provide this information pay a \$2 annually which is collected at time of renewal.

ISSUE:

Proposed rules were published in the Oregon Bulletin on September 1. A public administrative rule hearing was held on May 1, 2016. Public comment was open from May 1 through May 28, 2016. No written public comment was received and no testimony was provided at the administrative rule hearing.

BOARD ACTION:

Recommend adoption of permanent administrative rules an effective date of July 1, 2016.

DIVISION 715

RESPIRATORY THERAPIST AND POLYSOMNOGRAPHIC TECHNOLOGISTS LICENSING BOARD LICENSURE; RENEWAL

331-715-0010

License Issuance and Renewal

(1) A licensee is subject to the provisions of OAR Chapter 331, division 30 regarding the renewal of a license, and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.

(2) License renewal under this rule is valid for one year.

(3) LICENSE RENEWAL: To avoid delinquency penalties, license renewal must be made prior to the license entering inactive status. The licensee must submit the following:

(a) Renewal application form;

(b) Payment of required renewal fee pursuant to OAR 331-705-0060;

(c) Attestation of having obtained required biannual continuing education under OAR 331-720-0010 or 331-720-0015, on a form prescribed by the Agency, whether license is current or inactive; and

(d) Attest to having provided the required information to the Oregon Health Authority pursuant to ORS 676.410;

(e) Pay fee established by Oregon Health Authority pursuant to ORS 676.410; and

~~(d)~~ **(f)** Information, on a form prescribed by the Agency, permitting the Agency to perform a state criminal background check pursuant to OAR 331-030-0004;

(4) INACTIVE LICENSE RENEWAL: A license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the licensee must submit the following:

(a) Renewal application form;

(b) Payment of delinquency and license fees pursuant to OAR 331-705-0060;

(c) Attestation of having obtained required biannual continuing education under OAR 331-720-0010 or 331-720-0015, on a form prescribed by the Agency, whether license is current or inactive;

(d) Attest to having provided the required information to the Oregon Health Authority pursuant to ORS 676.410;

(e) Pay fee established by Oregon Health Authority pursuant to ORS 676.410; and

~~(d)~~ **(f)** Information, on a form prescribed by the Agency, permitting the Agency to perform a state criminal background check pursuant to OAR 331-030-0004;

(5) EXPIRED LICENSE: A license that has been inactive for more than three years is expired and the licensee must reapply for licensure and meet the requirements listed in OAR 331-710-0010 or 331-710-0050.

(6) A licensee failing to meet continuing education requirements listed under OAR 331-720-0010 or 331-720-0015 is considered to have an expired license and must reapply and meet requirements pursuant to OAR 331-710-0010 or 331-710-0050.

Stat. Auth.: ORS 676.605, 676.615 & 688.830

Stats. Implemented: ORS 676.605, 676.615 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05; HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05; HLA 7-2010, f. & cert. ef. 11-1-10; HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

**OREGON HEALTH AUTHORITY
HEALTH LICENSING OFFICE
RESPIRATORY THERAPIST AND POLYSOMNOGRAPHIC LICENSING BOARD
ON RULEMAKING HEARING**

DATE: May 20, 2016

TO: Health Licensing Office and Respiratory Therapist
and Polysomnographic Licensing Board

FROM: Samantha Patnode, Hearing Officer

SUBJECT: Report on Rulemaking Hearing

Background

In the matter of amending Oregon Administrative Rule (OAR) 331-715-0010, a public hearing was held for the purpose of receiving comments requiring respiratory therapists and polysomnographic technologists provide certain demographic and practice information prescribed by Oregon Health Authority (OHA) in order to renew their license including a \$2 fee which is paid directly to OHA via an online survey.

Prior to the hearing the Health Licensing Office (HLO) filed Notice of Proposed Rulemaking Hearing and Statement of Need and Fiscal Impact with the Secretary of State which was published in the May 2016 Oregon Bulletin. Interested persons were invited to offer oral testimony and written comment on the proposed amendments. The Notice provided that the last day to submit comments was May 28, 2016.

The public hearing was conducted on May 20, 2016, beginning at 9:02 a.m. and closed at 9:03 a.m. at the Health Licensing Office, Rhoades Conference Room located at 700 Summer Street in Salem, Oregon. The hearing was conducted by Samantha Patnode, policy analyst who served as the Hearing Officer.

Summary of Proposed Rules

During the 2015 Legislative Session SB 230 was enacted adding respiratory therapists and polysomnographic technologists to the list of health care professionals who must provide certain demographic and practice information prescribed by OHA in order to renew their license.

SB 230 specifies the type of information that may be collected including but not limited to demographics, education, training, employment information and specialty practice information. This information is collected through an online survey which is sent directly to OHA. Currently other health care professionals, including licensed dietitians, who are required to provide this information pay a \$2 annually which is collected at time of renewal.

Written Comments and Documents

HLO received no written public comment on the proposed rule adoptions.

Summary of Oral Comments

HLO received no oral testimony on the proposed rule adoptions.

Director Report

Licensing and Fiscal Statistical Reports

Respiratory Therapist and Polysomnographic Technologist Licensing Board

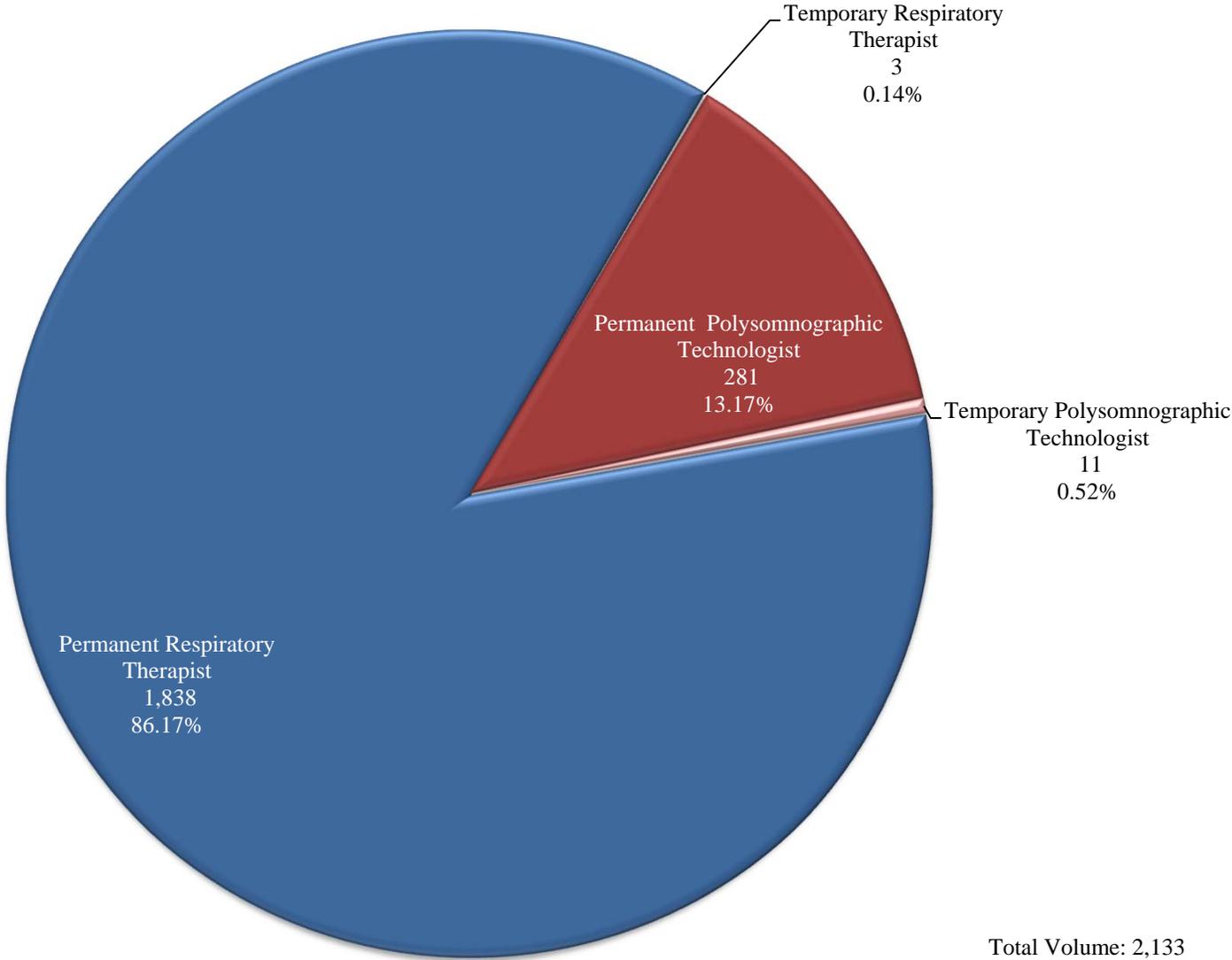
Licensing Division Statistics as of May 24, 2016

2015 - 2017 Biennium

Quarter	Respiratory Therapist Licenses Issued	Polysomnographic Technologist Licenses Issued	Temporary Licenses Issued	Renewals Processed	% Renewed Online
1st	87	5	-	544	80.88%
2nd	29	3	-	563	84.72%
3rd	32	7	1	367	79.29%
4th	32	11	2	136	76.47%
5th	-	-	-	-	
6th	-	-	-	-	
7th	-	-	-	-	
8th	-	-	-	-	
Total:	180	26	3	1,610	80.34%

Active License Volume *as of May 24, 2016*

2015-2017 Biennium

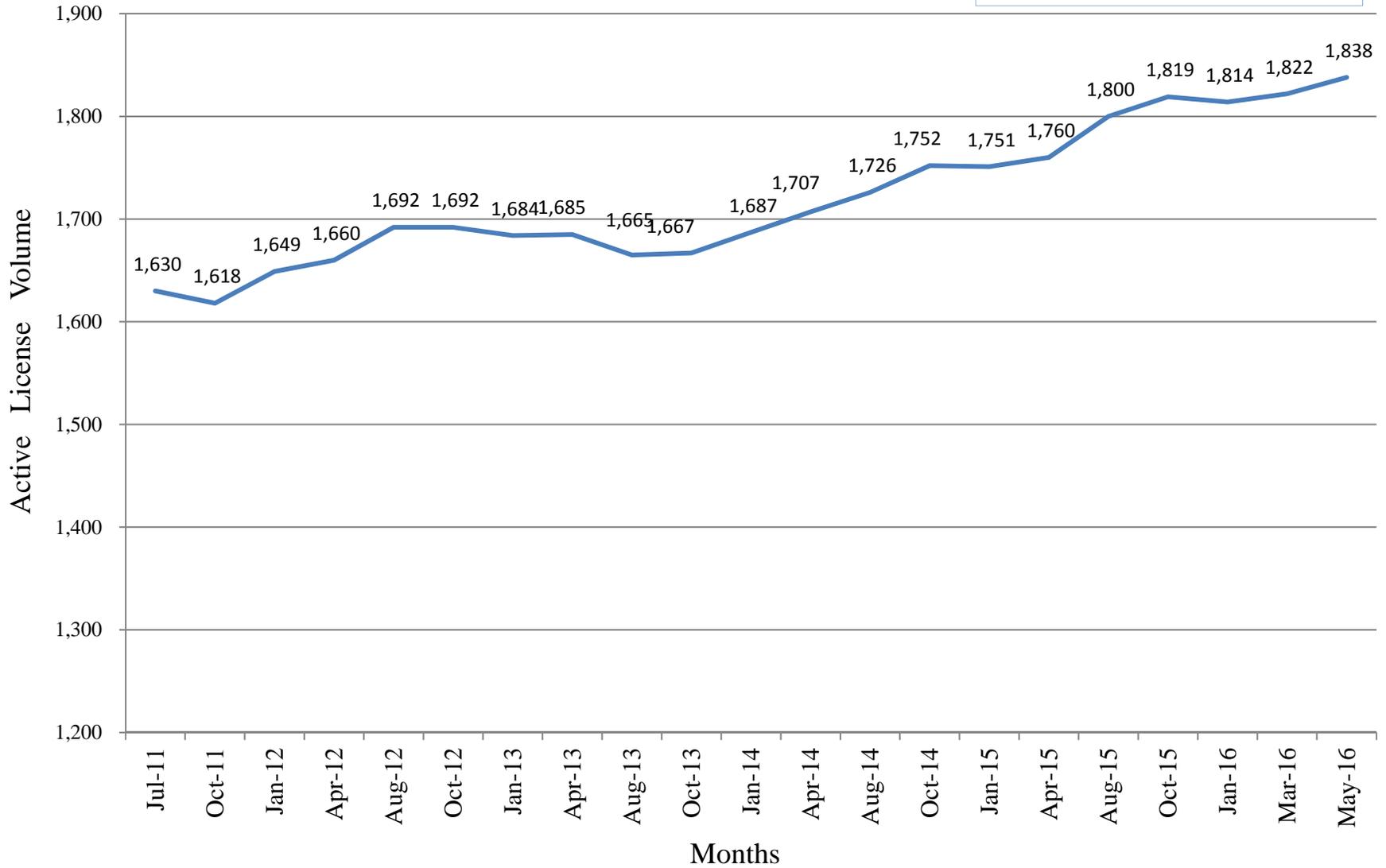


Total Volume: 2,133
Number of Licensees with both Perm Respiratory Therapist and Perm Polysom Technologist Licenses: 19

Active Permanent Respiratory Therapists

July 2011 - May 2016

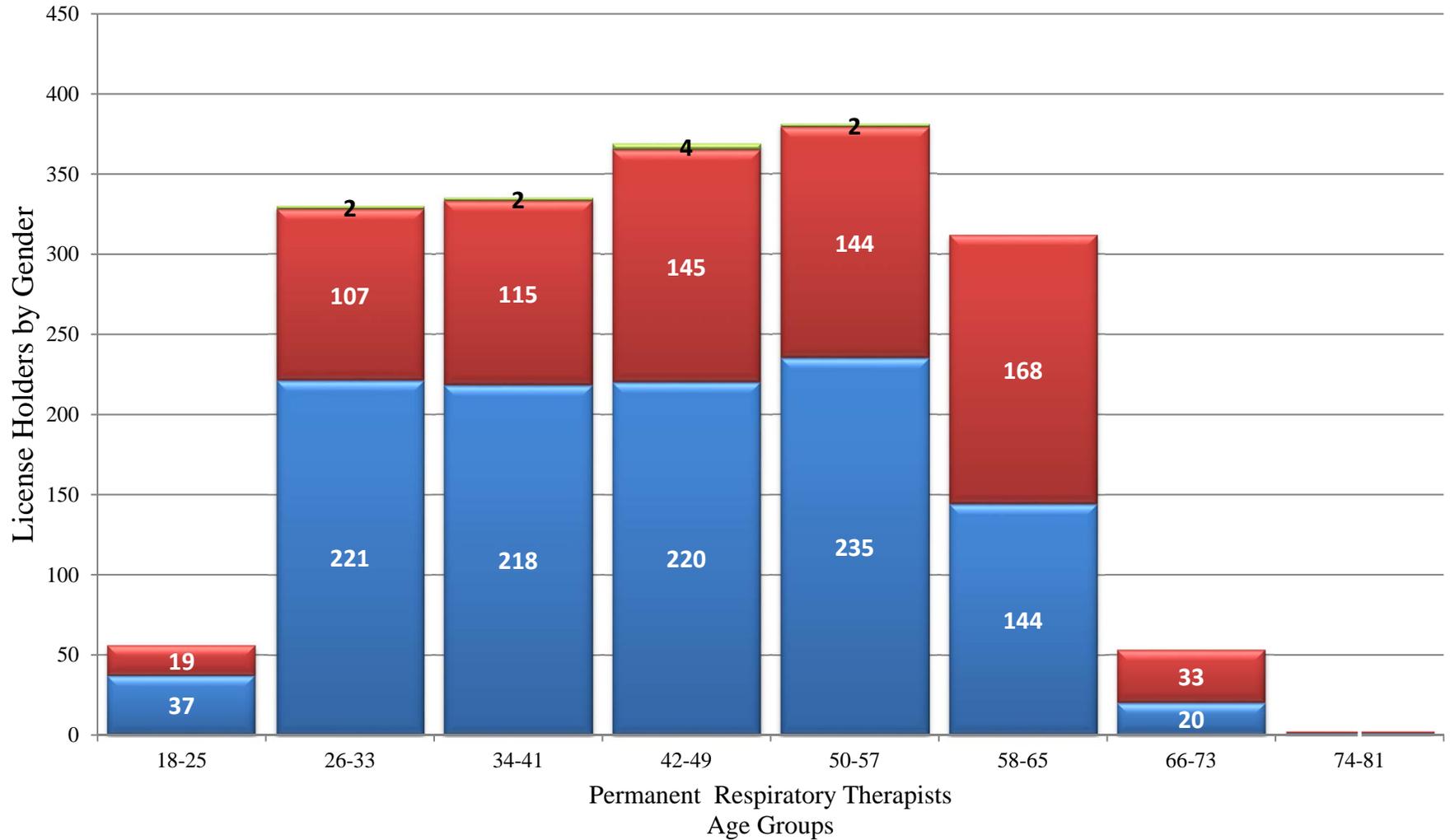
+2.11% change in growth over 1 year
+12.76% change in growth over 5 years



Active Permanent Respiratory Therapists

Statistics grouped by Gender and Age Group as of May 24, 2016

2015 - 2017 Biennium



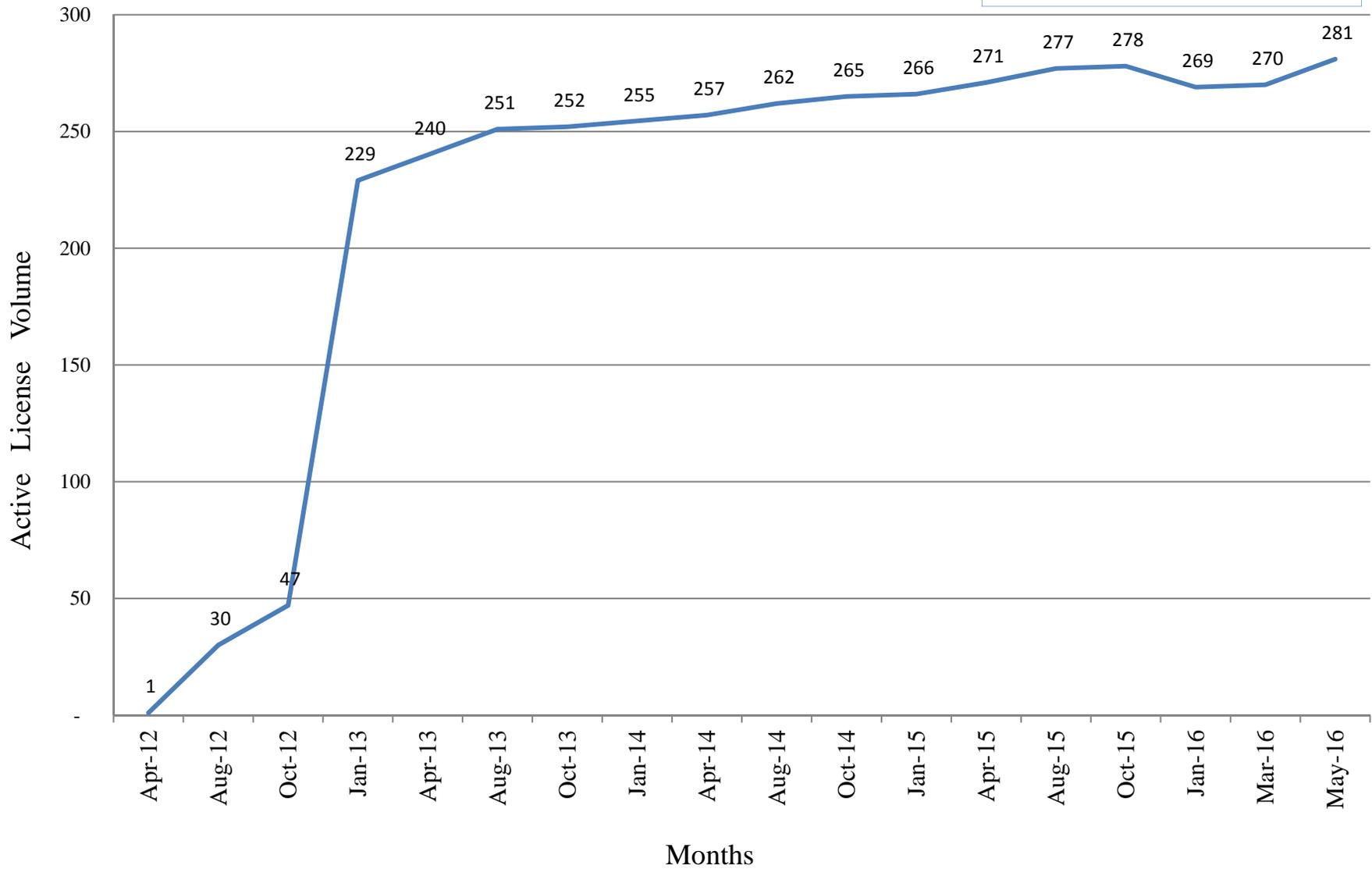
■ Female 1,096
■ Male 732
■ 10

Total Volume: 1,838

Active Permanent Polysomnographic Technologists

April 2012 - May 2016

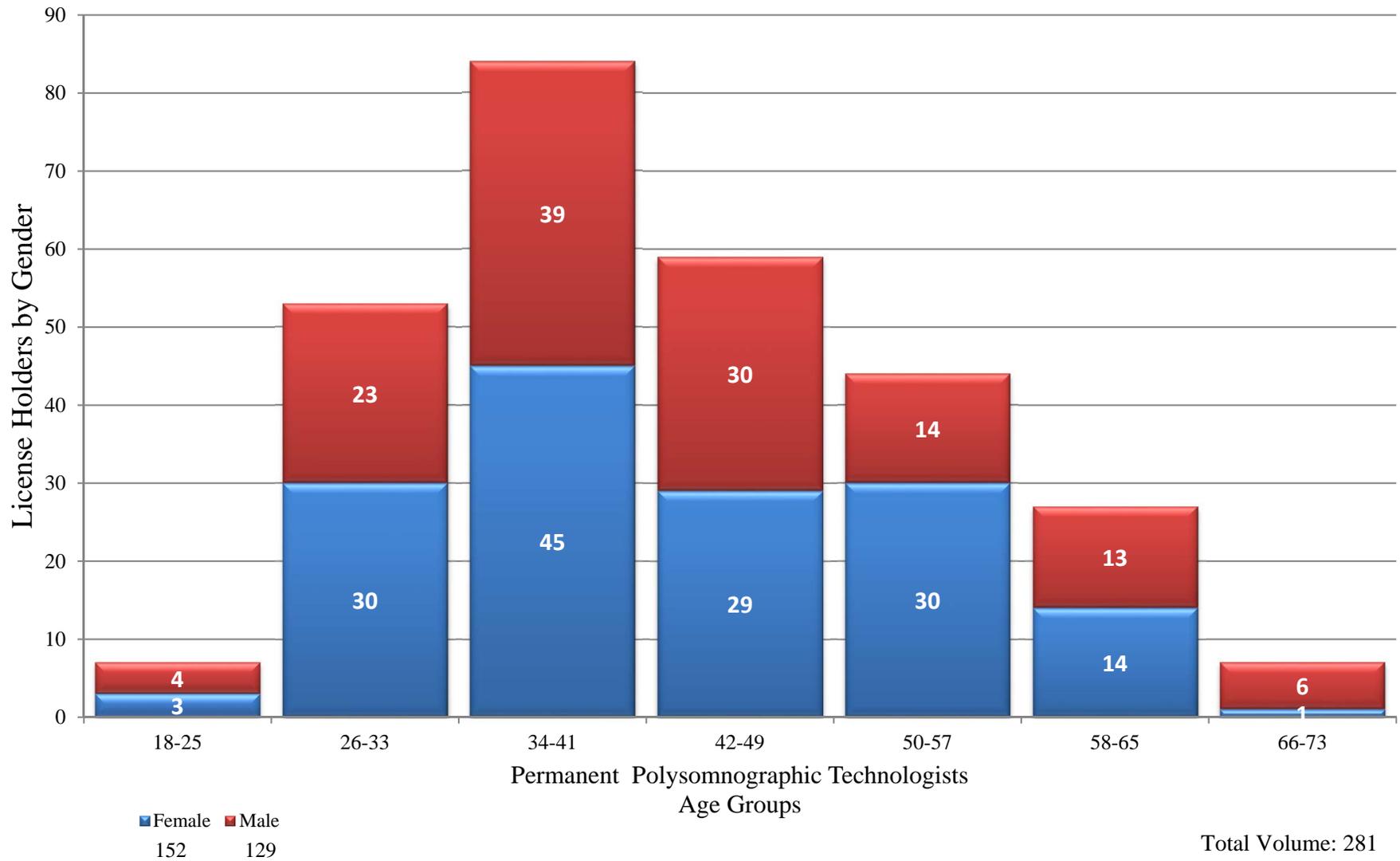
+1.44% change in growth over 1 year



Active Permanent Polysomnographic Technologists

Statistics grouped by Gender and Age Group as of May 24, 2016

2015 - 2017 Biennium



HEALTH LICENSING OFFICE Fund 3540 - RESPIRATORY THERAPY STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/15 - 05/24/16	
CURRENT	
15-17' Beginning Cash Balance	\$ 202,699.00
Revenues	\$ 100,675.00
Expenditures	\$ 126,697.71
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (126,697.71)
Subtotal: Resources Available	\$ 176,676.29
Change in (Current Assets)/Liabilities	\$ -
Ending Cash Balance (Actual)	\$ 176,676.29
Indirect Charges are calculated using the following rates:	
* Based on average licensee volume	
Shared Assessment %	2.80%
Examination %	0.42%
Small Board Qualification %	33.22%
Inspection %	0.00%

HEALTH LICENSING OFFICE Fund 3540 - RESPIRATORY THERAPY STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/13- 06/30/15	
PROJECTED	
15-17' Beginning Cash Balance	\$ 202,699.00
Revenues	\$ 248,632.93
Expenditures	\$ 299,513.39
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (299,513.39)
Subtotal: Resources Available	\$ 151,818.55
Change in (Current Assets)/Liabilities	\$ -
Ending Cash Balance (Projection)	\$ 151,818.55
Indirect Charges are calculated using the following rates:	
*Based on Licensee Volume as of May 20, 2013	
Shared Assessment %	2.80%
Examination %	0.42%
Small Board Qualification %	33.22%
Inspection %	0.00%

Policy Report

Communications

HEALTH LICENSING OFFICE

RT- S- 10150838

Polysomnography

Respiratory Therapist and
Polysomnographic Technologist
Licensing Board

101230

RENEWAL NOTICE

Please return entire form with payment.

Indicate changes **ONLY, ON REVERSE.**

New Personal Information? Yes No

New Work Location? Yes No

Continuing education (CE) period:

7 Hours required by 08/31/2015

YOU MUST RESPOND TO ALL OF THE FOLLOWING QUESTIONS AS A QUALIFICATION FOR RENEWAL:

1. Have you been convicted of a misdemeanor or felony since your last renewal / application? YES NO

If YES, please explain:

2. Are you currently on probation or parole? YES NO

If YES, you must provide a letter of release from your probation or parole officer allowing you to obtain an authorization to practice. *HLO may conduct a criminal background check.*

CONTINUING EDUCATION AND SURVEY SELF-ATTESTATION:

I am currently in compliance with continuing education credit/hours as required under Oregon Administrative Rules and adequate proof of attendance is available for audit or investigation by the Health Licensing Office.

I have completed the Oregon Health Policy and Research survey online at
Respiratory Therapist: <https://oregondas.allegiantech.com/cgi-bin/qwebcorporate.dll?idx=7H8TPJ>
Polysomnographic Technologist: <https://oregondas.allegiantech.com/cgi-bin/qwebcorporate.dll?idx=FWXK5P>
as required by Oregon law. (ORS 676.410)

Signature _____ Date _____
Month / Day / Year

License/Registration #:

RT- S- 10150838

Active through:

8/31/2016

License renewal fee : **\$50.00**
(1 year)

OHPR survey fee : **\$2.00**

TOTAL AMOUNT DUE : \$52.00

Renew Online!

It's fast, easy and
secure.

www.oregon.gov/oha/hlo

Your PIN code: 1230

Please enclose **EXACT AMOUNT** indicated above or your renewal will be returned.

Please write registration/license number on check. Make checks payable to Health Licensing Office.

Enclose late fee if postmarked after your renewal date. Late fee is \$50 per year, up to three years from inactive date.

If you do not receive your new registration in the mail within 14 days, please contact HLO at
(503)378-8667 or hlo.info@state.or.us.



RT-S-10150838-1944-50

NEW — SURVEY REQUIREMENT

During the 2015 Legislative Session SB 230 was enacted, adding respiratory therapists and polysomnographic technologists to the list of health care professionals (ORS 676.410(5)) who must provide certain demographic and practice information prescribed by Oregon Health Authority (OHA) in order to renew their license.

SB 230 specifies the type of information that may be collected, including but not limited to demographics, education, training, employment information and specialty practice information. This information is collected through an online survey that is sent directly to OHA. Currently, other health care professionals, including licensed dietitians, who are required to provide this information pay a \$2 fee annually, which is collected at time of renewal.

It's your duty to report

Pursuant to ORS 676.150, certain professionals who are licensed through Health Licensing Office have 10 working days after witnessing unprofessional or prohibited conduct to report the incident to the licensing board that oversees the licensee.

Unprofessional conduct is:

- Conduct unbecoming a licensee.
- Conduct detrimental to the best interest of the public including conduct contrary to recognized standards of ethics within the profession.
- Conduct that endangers the health, safety or welfare of a patient or client.

Prohibited conduct is:

- A criminal act against a patient or client.
- An act that puts a patient or client at risk.

In addition, a licensee who is convicted of a misdemeanor or felony, or arrested in connection with a felony crime, has 10 days to tell their licensing board.

Changes to your personal licensing record? Please indicate below or check here: **No changes at this time.**
If your NAME has been changed, you are required to submit approved documentation—marriage certificate, divorce Decree, court judgment documents, etc. (OAR 331-010-0040) AND current government-issued photo ID (OAR 331-030-0000). Contact HLO for complete requirements.

Physical Address: <i>(where you live)</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
Mailing Address: <i>(where you want mail delivered, if different from physical address above)</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
Daytime Phone Number: () —			

Work Location/ Facility Information: You are required to notify the Health Licensing Office of your current work location or change in work location. Indicate below or check here: **I am not working at this time.**

Name of Facility / Business:			
Facility / Business Physical Address: <i>(where facility / business is located)</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
Facility / Business Mailing Address: <i>(where mail is delivered, if different from physical address above)</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
Facility / Business Phone:			
Facility License Number: <i>(If Applicable and Licensed by HLO)</i>			

If working in more than one location please include additional information on a separate sheet of paper.

Regulatory Report

Health Licensing Office



700 Summer St. NE, Suite 320
Salem, OR 97301-1287
Phone: (503) 378-8667
Fax: (503) 370-9004
Web: www.oregon.gov/oha/hlo
E-mail: hlo.info@state.or.us

Respiratory Therapist and Polysomnographic Technologist Licensing Board

June 3, 2016

2013 - 2015 Biennium

Between July 1, 2013 and June 30, 2015, 15 complaints were received by the Office. Total open 3. Total closed 12.

ANONYMOUS	CLIENT	OTHER
1	1	13

2015- 2017 Biennium

Between July 1, 2015 and April 30, 2016, 17 complaints were received by the Office. Total open 13. Total closed 4.

ANONYMOUS	CLIENT	OTHER
1	1	15

Other: Mandatory Reporter
Internal
Public

Public/Interest Parties Feedback

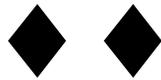
Executive Session

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Pursuant to ORS 192.660(2)(f) for the purpose of considering information or records exempt from public inspection.

Items for Board Action

Executive Session



ORS 192.660(2)(f) for the purpose of considering
information or records exempt from public inspection.

Items for Board Action

Other Board Business

**Agenda items for next
regular board meeting**