

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

Board of Geologist Examiners
Agency and Division

809
Administrative Rules Chapter Number

Adding Proctored Examination Reviews to Services Offered to Geology and Certified Engineering Geology Examination Candidates

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

In the Matter of:

Adding Proctored Examination Reviews to Services Offered to Geology and Certified Engineering Geology Examination Candidates

Statutory Authority:

For 809-040-0021, ORS 672.555, 672.575

For 809-010-0001, ORS 182.466, 670.310, 672.705

Other Authority:

Statutes Implemented:

For 809-040-0021, ORS 672.555, 672.575

For 809-010-0001, ORS 672.705

Need for the Rule(s):

The Board has not historically offered proctored review services but has determined that doing so would be to the benefit of examination candidates working towards geologist registration. ASBOG, the national exam provider, requires that a state board have an adopted policy specifying that proctored review is offered before it will accommodate that service in the state. By amending the rules, the Board would make it clear that proctored reviews are allowed for Oregon candidates sitting for ASBOG exams. The Board would also then need to provide an equitable option to those taking the CEG examination, which is a state-level exam. The rule title needs to be updated to more accurately describe the exam-related services offered. The Fee rule would need to be updated to specify the charges for these newly offered services plus to make other housekeeping changes.

Documents Relied Upon, and where they are available:

Existing OSBGE rules, Association of State Boards of Geology (ASBOG) Candidates Handbook, Oregon-Washington interagency agreement for the Certified Engineering Geology examination.

Fiscal and Economic Impact:

Since the proctored review services addressed by the rule amendments would be optional services, minimal impacts on examination applicants and the Board's budget are anticipated. The Board does not expect to receive numerous requests for proctored reviews, and an applicant would only incur additional cost if electing to go through a manual rescoring or proctored review. No other fees are being changed.

Statement of Cost of Compliance:

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

No impact anticipated. The rule amendments would provide examination applicants with the option of requesting a proctored review as part of an effort to successfully complete examinations needed for registration. The revisions do not impact how the Geologist Practice Act or OSBGE rules apply to state agencies, local governments, or the general public.

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:

Again, the rule amendments would only impact examination candidates and then only those opting to partake of proctored review services. The amendments would not apply to small businesses, and no impacts on small businesses are otherwise anticipated. Businesses and industries with small businesses would not be subjected to any new requirements.

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

No impacts anticipated.

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

The Board proposes to add a cost-recovery fee to cover the administrative costs associated with offering proctored reviews. This fee would only apply to examination candidates that opt to request a proctored review. As such, the proposed rule amendments would be revenue neutral.

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

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

Board meetings and Rule Advisory Committee meetings where discussion of the rules occurred were public meetings with notice provided. All registrants and other interested parties will be notified of the proposed amendments and specifically invited to comment on behalf of their businesses or as individuals. Any small business with activity considered to be the public practice of geology or other interests in the rules may provide comments to the Board through submission of written comments to the Board office or by participation in the rulemaking hearing. The notice and supporting information will be posted on the Board website for the general public.

Administrative Rule Advisory Committee consulted?: Yes
If not, why?:

<u>07-18-2013 5:00 p.m.</u>	<u>Christine Valentine</u>	<u>christine.valentine@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

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