

OFFICE OF THE SECRETARY OF STATE
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ARCHIVES DIVISION
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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 811
BOARD OF CHIROPRACTIC EXAMINERS

FILED
04/06/2018 3:49 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Telehealth

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/26/2018 5:00 PM

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.

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Salem, OR 97301

Filed By:
Kelly Beringer
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 05/24/2018
TIME: 9:00 AM - 9:30 AM
OFFICER: Jason Young DC, Board
Chair
ADDRESS: Ashland Hills Hotel &
Suites
2525 Ashland St
Ashland, OR 97520
SPECIAL INSTRUCTIONS:
Telephone access will be available

DATE: 07/26/2018
TIME: 9:00 AM - 9:30 AM
OFFICER: Jason Young DC, Board
Chair
ADDRESS: OBCE Administrative
Office
530 Center St NE, Suite 620
Salem, OR 97301-3772
SPECIAL INSTRUCTIONS:
Telephone access will be available

NEED FOR THE RULE(S):

To address, and provide definition to what "telehealth" means for chiropractic physicians.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Existing OAR and SB 786 (2017)

FISCAL AND ECONOMIC IMPACT:

No significant impact to profession

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

None affected

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

public meeting participation

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Multiple public meetings discusses the issue

ADOPT: 811-015-0066

RULE SUMMARY: To regulate the practice of chiropractic by unlicensed persons on Oregon patients

CHANGES TO RULE:

811-015-0066

Telehealth

(1) As used in this section, "telehealth" means a variety of methods, through the use of electronic and telecommunications technologies, for the distance delivery of health care services, including chiropractic services, and clinical information designed to improve the health status of a patient located in Oregon, and to enhance delivery of the health care services and clinical information.¶¶

(2) A chiropractic physician who is licensed by, and is in active status with, the Oregon Board of Chiropractic Examiners to practice chiropractic may use telehealth if:¶¶

(a) In the professional judgment of the chiropractic physician, the use of telehealth is an appropriate manner in which to provide a chiropractic service; ¶¶

(b) The chiropractic physician is providing a chiropractic service that is within the scope of practice of the chiropractic physician; and¶¶

(c) If there is a pre-established doctor/patient relationship.¶¶

(3) The use of telehealth as described in subsection (2) of this section is not an expansion of the scope of practice of chiropractic physicians.¶¶

(4) The board shall treat a chiropractic service that is delivered by a chiropractic physician through telehealth as described in subsection (2) of this section the same as the board treats the chiropractic service when delivered in person. The board shall apply identical quality and practice standards to a particular chiropractic service regardless of the method of delivery of the chiropractic service.

Statutory/Other Authority: ORS 684

Statutes/Other Implemented: ORS 684.155