NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 848
PHYSICAL THERAPIST LICENSING BOARD

FILING CAPTION: Amending Rule to adopt most current version of the PT Compact Commission Rules.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/06/2019 4:00 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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT: Michelle Sigmund-Gaines
971-673-0203
optlb.exec@state.or.us
800 NE OREGON STREET, SUITE 407
PORTLAND, OR 97232

FILED
10/29/2019 3:13 PM
ARCHIVES DIVISION
SECRETARY OF STATE

NEED FOR THE RULE(S):
The Board must review and adopt any modifications to the PT Compact Commission Rules.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:
Rule-making materials published by the PT Compact Commission at ptcompact.org, which were also posted via the Board's website.

FISCAL AND ECONOMIC IMPACT:
No impact.

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).

The rules themselves apply only to the Board or to any individual purchasing a compact privilege to practice in Oregon. The modifications to the existing Rules made by the Commission were minor and clarifying in nature, with no change in the impact to stakeholders.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):
Given the scope of the rule, small businesses were not specifically involved; however, information went to all licensees, some of whom are small business owners.
WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?
Given the scope of the rule and amendment, a rule advisory committee was determined not to be necessary.

AMEND: 848-055-0001

RULE SUMMARY: Amend existing rule to adopt most current PT Compact Commission Rules in Oregon.

CHANGES TO RULE:

848-055-0001
Compact Commission Rules
(1) Pursuant to ORS 688.240 Section 9.A.2, the Oregon Physical Therapist Licensing Board hereby adopts as rule the Physical Therapy Compact Commission Rules as adopted by the Commission effective October 2018, with the following additions:
(a) These rules are adopted only to the extent that the Compact Commission Rules are consistent with Oregon and Federal law, as determined by the Board.
(b) Pursuant to Article XI, 7 of the Oregon Constitution and per ORS 688.240, any monetary liabilities incurred as a result of arbitration or litigation are subject to the limitations in Oregon law.
(c) The Oregon Physical Therapist Licensing Board will comply with Commission Rule 6.1(C) to the extent that the Board determines that compliance is within the requirements and limitations of law.
(2) The full text of the October 2018 Commission Rules will be made available for review on the Oregon PT Board website at www.oregon.gov/ptbrd.
Statutory/Other Authority: ORS 688.160(6)(c), ORS 688.240
Statutes/Other Implemented: ORS 688.240