

Secretary of State

## STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Board of Licensed Social Workers

877

Agency and Division

Administrative Rules Chapter Number

Clarifies licensure and continuing education requirements, duties of Board Chair. Implements House Bill 2314 (2011).

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

In the Matter of:

Implementation of House Bill 2314 (2011) and HB 5009 (2011)

Statutory Authority:

ORS 675.510 through ORS 675.600;

Other Authority:

House Bill 2314 (2011) & HB 5009 (2011)

Stats. Implemented:

ORS 675.530, 675.532, 675.533; 675.535; 675.537; 675.550; 675.560; 675.565; 675.571, 675.595; 675.600

Need for the Rule(s):

The proposed rules would adopt as permanent temporary rules filed by the Board of Licensed Social Workers on July 5, 2011. The proposed rules would provide for final implementation of HB 2314 (2011) and HB 5009 (2011), and streamline and clarify application and licensure requirements. Specifically, the proposed rules eliminate the requirement to possess LMSW licensure as a prerequisite for LCSW licensure (implementing HB 2314 (2011)), and limit applicability of the LCSW licensure renewal late fee increase ratified by HB 5009 to LCSWs on active status only.

In addition, the proposed rules provide guidance on the CE requirements for renewal of the new RBSW and LMSW license types the Board has been authorized to offer since January 1, 2011.

The proposed rules also provide the Board Chair specific authority for administrative approvals of licensure applications inbetween Board meetings, allowing much quicker approval of applications and licensure issuance.

Finally, the proposed rules provide clear authority to waive licensure fees for licensees on military deployment outside Oregon for 90 days or more.

Documents Relied Upon, and where they are available:

1) Summary of the Board's Proposed Permanent Rules - October 2011

2) Text of temporary rules filed by the Board on July 5, 2011, showing specific edits to Board Rules that are now proposed to become permanent

3) Text of House Bill 2314 (2011) Enrolled

Documents 1 and 2 are available at [www.oregon.gov/blsw](http://www.oregon.gov/blsw)

Document 2 is available at the web site of the Oregon Legislature [www.leg.state.or.us](http://www.leg.state.or.us)

Fiscal and Economic Impact:

Reduction of processing time for applications and elimination of unnecessary steps in the licensure process will result in lower costs for applicants for licensure or certification, or waiver of costs for licensees on military deployment outside Oregon for 90 days or more.

Statement of Cost of Compliance:

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

Some limited savings due to reduction in application processing times and elimination of unnecessary steps in the licensure or certification process, or waiver of costs for licensees on military deployment outside Oregon for 90 days or more.

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:

The proposed rules affect about 4,400 regulated social workers or applicants for licensure or certification from the Board of Licensed Social Workers. Approximately 900 licensees operate in a private practice / small business setting.

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

The proposed rules are not projected to increase reporting, recordkeeping or other administrative activities for compliance, and may in some instances yield reductions in costs for compliance with Board regulations.

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

The proposed rules are not projected to increase supplies, labor or administrative costs required for compliance, and may in some instances yield reductions in costs for compliance with Board regulations.

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

If not, why?:

Representatives of licensees in private practice serve on the Rules Advisory Committee of the Board of Licensed Social Workers. Upon publication of the Notice of Rulemaking Hearing, all licensees and applicants for licensure, including those in private practice, will be specifically notified of the opportunity for comment on the proposed rules.

Administrative Rule Advisory Committee consulted?: Yes

The Rules Advisory Committee of the Board of Licensed Social Workers meets on October 22, 2011 to review and provide any recommendations to the Board regarding the proposed permanent rules.

12-09-2011 9:00 a.m.	Martin Pittioni	martin.pittioni@state.or.us	10-14-11 3:54 PM
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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