TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
BM I 3-2020
CHAPTER 337
BOARD OF MEDICAL IMAGING

FILING CAPTION: Expedited process to obtain an APRN Limited Permit to Supervise Fluoroscopy during a declared emergency.

EFFECTIVE DATE: 03/24/2020 THROUGH 09/01/2020

AGENCY APPROVED DATE: 03/24/2020

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NEED FOR THE RULE(S):
The need for Advanced Practice Registered Nurse (APRN) supervised fluoroscopy during a declared emergency is crucial for the continuance of medical care for Oregonians. The process for obtaining a Limited Permit to Supervise Fluoroscopy includes taking and passing a national exam. The ability to take the Exam may be delayed or impossible to accomplish during times of an emergency. This rule provides for a process to remedy that situation and allow for an APRN who has met all other requirements, to obtain a Limited Permit to Supervise Fluoroscopy in an expedited manner during a declared emergency.

JUSTIFICATION OF TEMPORARY FILING:
During a declared emergency, additional medical imaging professionals are desired to serve the medical needs of the public. These professionals help to ensure the health and well-being of Oregonians and should this rule not be adopted immediately, patients might suffer from not being cared for. As a result of the emergency, many agencies and facilities are shut down or are experiencing delays in executing duties. The inability to take national exams during a declared emergency may cause delays for the Board to issue Permits. During this time of emergency, the need for the imaging professionals is immediate and delaying the adoption of this rule would cause an unnecessary delay in getting these professionals into the medical care system in Oregon. This temporary rule would allow for the expedited application process and issuance of Limited Permits to Supervise Fluoroscopy for Advanced Practice Registered Nurses that are needed during this emergency.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:
ORS 688.620

ADOPT: 337-010-0039
RULE TITLE: Limited Permit to Supervise Fluoroscopy During a Declared Emergency

RULE SUMMARY: The intention of this rule is to provide a process for an Advanced Practice Registered Nurse to obtain an expedited OBMI Permit to Supervise Fluoroscopy during a declared emergency.

RULE TEXT:
(1) When an emergency has been declared, an APRN who does not hold a Limited Permit to Supervise Fluoroscopy issued by the Board, may apply for a Limited Permit to Supervise Fluoroscopy from the OBMI. During the declared Emergency, the Board may modify the timing of the required background check or may temporarily waive the requirement to pass the ARRT Fluoroscopy Exam prior to obtaining the Limited Permit provided all of the following are completed:
   (a) The APRN has taken and completed the Fluoroscopy Framework for Physician Assistants(Framework) and has passed the Post-test. Applicants requesting a waiver of the didactic component of the Framework are not eligible to apply for a Limited Permit under this rule, but must apply through OAR 337-010-0037; and
   (b) The APRN has completed the required Clinical component of the Framework or has been granted a Board waiver for the Clinical component; and
   (c) The APRN has completed the Board-approved APRN device orientation checklist; and
   (d) The APRN has submitted an application to OBMI for the ARRT Fluoroscopy Exam and agrees to take and pass the exam. The APRN must attempt to pass the ARRT Fluoroscopy Exam within three months of the issuance of the Permit unless the APRN has obtained an extension from the Board administrator for additional time to pass the Exam. Failure to comply with the three month or extended deadline, if granted, for the Exam requirement, may result in disciplinary actions, up to and including civil penalties and revocation.
(2) An Emergency may be declared by the Governor, Board chair or the executive director.
(3) With the exception of the timing of the background check and a passing score on the ARRT Fluoroscopy Exam, this Limited Permit for Supervision in Fluoroscopy is subject to all other statutes and rules regarding applications and the Limited Permit for Supervision in Fluoroscopy issuance, including fees.

STATUTORY/OTHER AUTHORITY: ORS 688.555
STATUTES/OTHER IMPLEMENTED: ORS 688.620