

**OREGON BOARD OF MEDICAL IMAGING – POLICIES – REVISED November 2024**

<b>POLICY</b>	<b>OBMI POLICY NUMBER</b>	<b>ADOPTED BY REFERENCE</b>
Nondiscrimination policy		DAS Policy by reference 50.010.01, 50.010.03 <a href="https://www.oregon.gov/das/Policies/50-010-01.pdf">https://www.oregon.gov/das/Policies/50-010-01.pdf</a> <a href="https://www.oregon.gov/das/Policies/50-010-03.pdf">https://www.oregon.gov/das/Policies/50-010-03.pdf</a>
Meal reimbursements (non-travel related)		Oregon Accounting Manual No. 10.40.10
Policy regarding use of information-related technology		DAS policies 107-004-100,-150, -151, -052,-120,-140 <a href="https://www.oregon.gov/das/Pages/policies.aspx#IT">https://www.oregon.gov/das/Pages/policies.aspx#IT</a>
Telework policy		DAS-HR Policy 50-050.01 <a href="https://www.oregon.gov/das/Policies/50-050-01.pdf">https://www.oregon.gov/das/Policies/50-050-01.pdf</a>
Policy regarding sick leave with pay		DAS-HR Policy 60-000.01 <a href="https://www.oregon.gov/das/Policies/60-000-01.pdf">https://www.oregon.gov/das/Policies/60-000-01.pdf</a>
Policy for Oregon Family Leave Act and Federal Family Leave Act		DAS-HR Policy 60-000.15 <a href="https://www.oregon.gov/das/Policies/60-000-15.pdf">https://www.oregon.gov/das/Policies/60-000-15.pdf</a>
Promotion and maintenance of a respectful workplace		DAS-HR Policy 50.010.01 <a href="https://www.oregon.gov/das/Policies/50-010-01.pdf">https://www.oregon.gov/das/Policies/50-010-01.pdf</a>
Drug and alcohol policy		DAS-HR Policy 50.000.01 <a href="https://www.oregon.gov/das/Policies/50-000-01.pdf">https://www.oregon.gov/das/Policies/50-000-01.pdf</a>
Office closure policy		DAS policy 60.015.01 <a href="https://www.oregon.gov/das/Policies/60-015-01.pdf">https://www.oregon.gov/das/Policies/60-015-01.pdf</a>
Use of state resources, including internet		DAS Policy 107-004-110 <a href="https://www.oregon.gov/das/Pages/policies.aspx#IT">https://www.oregon.gov/das/Pages/policies.aspx#IT</a>
Information security policy		DAS policies on security into policies 107-004-100,-150, -151, -052,-120,-140 <a href="https://www.oregon.gov/das/Pages/policies.aspx#IT">https://www.oregon.gov/das/Pages/policies.aspx#IT</a>
Staff communication to board chair and DAS/HR	833 426 0023	
Public Records Management (pursuant to Governor exec order 16-06)	833 426 0025	
Procedure for Responding to Public Records Requests (pursuant to Governor exec order 16-06)	833 426 0026	
Review of Criminal Background of License/Permit Applicants	833 426 0027	
Reporting Criminal Background on License/Permit Application	833 426 0028	

Accounts Receivable Management- Uncollectible Accounts: Write-off Guidelines		Oregon Accounting Manual No. 35.50.10
Enterprise Customer Service Standards		DAS policies on Enterprise Customer Service Standards 107-001-040 <a href="https://www.oregon.gov/das/Policies/107-001-040.pdf">https://www.oregon.gov/das/Policies/107-001-040.pdf</a>

Oregon Board of Medical Imaging

Policy and Procedures

Office	Subject	Number		
Oregon Board of Medical Imaging	Staff communication to board chair and DAS/HR	833	426	0023
		Issue Date 10/07/2011		
Objective: To clarify the OBMI staff's ability to independently communicate with the board chair or the Department of Administrative Services Human Resource Services Division.				
Approved: Oregon Board of Medical Imaging				

OBMI STAFF COMMUNICATION POLICY

Any member of the OBMI staff may communicate directly with the Board Chair or with the Department of Administrative Services' Human Resource Services Division without any form of permission from, nor any form of communication to, the OBMI executive director.

## Oregon Board of Medical Imaging Policy and Procedures

Office	Subject	Number		
Oregon Board of Medical Imaging	<b>PUBLIC RECORDS MANAGEMENT</b>	833	426	0025
<u>Reference:</u> Governor's Executive Order 16-06		Issue / Revision Date October 2016		
<u>Objective:</u> Proper management of public records under the jurisdiction of the OBMI.				
<u>Approved:</u> Oregon Board of Medical Imaging (OBMI)				

The Oregon Board of Medical Imaging (OBMI) adheres to ORS 192.410 to 192.505 and ORS 688 regarding requests for public information. It is the policy of OBMI to acknowledge information requests within one business week of receipt, and to fulfill the requests within 30 days. OBMI is committed to public transparency in all of its work as outlined in Oregon law.

The OBMI's policy is to ensure public records are managed and maintained appropriately within OBMI and consistently across the enterprise of state government.

This Public Records Management Policy, adopted in accordance with the requirements of DAS Statewide Policy 107-001-020 and ORS 192.018, addresses the following components:

- I. Public Records Maintenance
- II. Roles and Responsibilities
- III. Education and Training
- IV. Access and Ownership
- V. Integrity
- VI. Retention Generally
- VII. Storage and Retrieval
- VIII. Public Records Requests
- IX. Disposition and Destruction

### **Compliance**

The OBMI shall develop and implement internal policies and procedures that support compliance, deter abuse and detect violations of this policy.

#### **I. Public Records Maintenance**

Public records shall be maintained and managed in a manner that protects the integrity of the records within OBMI without regard to the technology or medium used to create or communicate

the record, from the time of creation of a public record to the time of final disposition of the public record as determined by their authorized records retention schedule.

## **II. Roles and Responsibilities**

Oregon law requires agencies to designate an Agency Records Officer “to coordinate its agency’s Records Management Program” (ORS 192.105(2)(a)). The OBMI executive director will serve as primary liaison with the State Archivist and receive training from the State Archivist in performing their duties.

OBMI will ensure agency public records are managed in accordance with their authorized records retention schedules, from the time of creation to final disposition, by assigning designated staff/positions with the following responsibilities:

- The Executive Director will review retention schedules with Administrative Assistant.
- The Executive Director will conduct a yearly review of records, (electronic, paper, etc.) to determine if records should be retained or destroyed.
- The Executive Director or other available OBMI staff persons will destroy records according to their authorized retention period.

## **III. Education and Training**

Basic public records training will be completed as a component of OBMI’s new employee orientation training; and incorporated as part of regular employee training, completed once a biennium.

OBMI will utilize the following training program to provide public records training: The Executive Director or a representative of the OBMI will attend Secretary of State Archive training when offered.

## **IV. Access and Ownership**

Without regard to how public records are being stored, the OBMI will have custody and control over public records. Thorough on-going review of technological advances, the OBMI shall ensure all public records are maintained and accessible for as long as required by applicable retention schedules or litigation holds.

The OBMI’s disaster mitigation processes are addressed in OBMI’s Business Continuity Plan.

## **V. Integrity**

The OBMI will ensure appropriate access and version controls are applied to all electronically stored records from record creation to final disposition.

The authenticity of each record can be demonstrated either by certified copy of paper records or via accompanying metadata for all electronic records.

## **VI. Retention Generally**

OBMI will preserve and classify public records in accordance with ORS chapter 192, OAR chapter 166-300 and DAS Statewide Policy 107-004-050 regarding Information Asset Classification.

OBMI will work with the Archives Division to establish retention practices to ensure compliance with ORS chapter 192 and OAR chapter 166-300.

### **Cloud-Computing**

The OBMI practices and procedures with respect to public records management in the Cloud will ensure compliance with DAS Statewide Cloud-Computing Policy (DAS Statewide Policy 107-004-150; 107-004-150 PR) and OAR chapter 166.

### **Official Email Accounts**

In most circumstances, emails sent to or from a State employee's official email account will meet the definition of a public record. It is therefore OBMI's policy that virtually all email messages composed or sent using employees' official equipment and/or official email addresses be for primarily business purposes.

When OBMI receives a public records request, all official email accounts and systems used for official State business are subject to search and production.

### **Personal Email Accounts / Social Media / Text Messaging**

It is the policy of OBMI that employees do not utilize private email accounts to conduct State business. Nor does OBMI utilize Social Media, Text messaging or Unified Communications. In the event that electronic communication relating to state business is transmitted through an employee's personal account, such communication must be immediately forwarded or copied to their state email account so that it can be properly maintained as a public record.

### **Voice Mail**

Unless otherwise required, the OBMI will not retain messages on voicemail.

## **VII. Storage and Retrieval**

Paper records: OBMI will maintain a filing system of the agency's paper records based on authorized retention schedules. The filing system will include the location of records, retention periods and procedures for retrieval to ensure accessibility of agency records.

Electronic records: The OBMI will maintain a filing system and naming conventions for all agency records stored in electronic format, based upon the OBMI's authorized retention schedules. The filing system and naming conventions will include the location of records in agency directories, retention periods, access controls and privacy conditions to support management of the agency's inventory of electronic records.

The OBMI will work with the State Archivist to ensure that retention periods for all records have been met before any data is destroyed and prior to deleting any large electronic record system.

## **VIII. Public Records Requests**

The OBMI shall respond to all official requests for public records as timely as possible, consistent with the proper exercise of judgment relating to OBMI's other duties.

Additional policies and procedures related to requests for public records (intake, processing, and disclosure and/or determinations related to fees and charges) are the subject of separate agency policies and statewide protocols, processes and procedures.

## **IX. Disposition and Destruction of Public Records**

The OBMI shall dispose of and/or destroy public records in accordance with the requirements of authorized records retention schedules and OAR chapter 166-300.

Pursuant to ORS 357.855, the State Archivist shall be consulted by OBMI employees for advice and assistance with determining the disposition of certain record types, not accounted for in State Agency General or Special Retention Schedules and reconciliation of unforeseen issues regarding public records.

## Oregon Board of Medical Imaging Policy and Procedures

Office	Subject	Number		
Oregon Board of Medical Imaging	PROCEDURE FOR RESPONDING TO PUBLIC RECORDS REQUESTS	833	426	0026
Reference: Governor's Executive Order 16-06		Issue / Revision Date April 2017		
<u>Objective:</u> Proper response to requests for public records				
<u>Approved:</u> Oregon Board of Medical Imaging (OBMI)				

How to submit request for public records: A request for public records that are in the custody of Board of Medical Imaging may be made by submitting a written request to the Board of Medical Imaging. The request may be submitted in person, by mail, by fax or by e-mail, as follows:

By regular mail:

Oregon Board of Medical Imaging  
800 NE Oregon Street, Suite 1160A  
Portland, OR 97232-2162

By FAX: 971-673-0218

By e-mail: [Obmi.info@obmi.oregon.gov](mailto:Obmi.info@obmi.oregon.gov) (Call 971-673-0215 and let us know it's been submitted by email)

The request must provide the following information in writing:

1. Include name and address of the person requesting the public record;
2. Include telephone number or other contact information for the person requesting the public record;
3. Include a sufficiently detailed description of the record(s) requested to allow the Board of Medical Imaging to search for and identify responsive records;
4. Include the date of the request.

Calculation of Fees: **NOTE – FEES MUST BE ADOPTED IN ADMINISTRATIVE RULES**

1. OBMI shall waive a minimum of 30 minutes of staff time for all Public Records Requests after which fees may be assessed for additional staff time, applicable services and supplies required to fulfill a Public Records Request in accordance with the applicable fee-schedule below.
2. The hourly rate charged for additional staff time will be based on the level of skill or expertise required to complete the work performed. Meaning, if work done to fulfill a request requires clerical-level skills, agencies may only charge the clerical hourly rate time



spent on that portion of the work (as a maximum), even if a managerial-level or professional-level employee actually fulfills the request on behalf of the agency.

3. OBMI will not charge for staff time spent witnessing records inspection when the estimated cost of making public records available for inspection is:
  - less than the cost of providing the requestor with a copy of the public record; or
  - insignificant (requested public records are readily accessible and do not require review, redaction or segregation).
4. Fees will be charged for staff time required to redact exempt information from requested public records prior to release.

**Staff Time: NOTE – FEES MUST BE APPROVED IN RULE, OR THEY CANNOT BE CHARGED**

Fees for staff time required to fulfill a Public Records Request shall not exceed:

- **\$25/hour for Clerical** (administrative, office specialists, other support staff)
- **\$40/hour for Managerial** (Program managers, PIOs)
- **\$75/hour for Professional** (IT, HR, High-level Analyst)
- **DOJ, special attorney and other applicable legal fees:** at the actual hourly rate charged for Public Records Request-related services. Fees are subject to statutory limitations described in [ORS 192.440\(4\)\(b\)](#).

**Production of Responsive Records**

Fees generated by providing paper or electronic copies to requesters:

- **Copies:** Based on current state printing and distribution price list.
- **Media:** Based on statewide price-agreement with OfficeMax.
- **Postage:** Based on current postal rates.

**Additional Cost Considerations**

Miscellaneous fees related to production and release of responsive records:

- Expedited Archive retrieval
- Costs of software companies/contracts (as needed to manage the volume of request)
- Other 3<sup>rd</sup> party costs (in extreme circumstances)

**Applicability of Fee Structure**

This fee-structure does not apply to agency-specific records with established pre-set price per record (e.g. vital records, licenses, police reports; DMV motor-carrier fees, etc.) or fees assessed for notarized/certified copies of public records.

## **Board of Medical Imaging -- Public Interest Threshold Evaluation Form**

### **HOW TO USE THIS FORM:**

State agencies including OBMI are statutorily required to consider and grant reasonable requests to waive and/or reduce fees associated with fulfilling a public records request when doing so is in the public interest because providing access primarily benefits the general public.

The Public Interest Threshold Evaluation provides agencies with standardized criteria to use when evaluating a request for a fee-reduction/waiver submitted by a public records requestor under ORS 192.440(5). The OBMI shall consider each factor to determine whether the public interest in disclosure of the requested records warrants granting a fee-reduction/waiver.

All requests for a Public Interest Fee-Waiver or -Reduction will be evaluated on a case-by-case basis using information provided by the requestor as well as information independently available to the OBMI.

### **ADDITIONAL GUIDANCE:**

- To adequately balance the State's obligation to be transparent and accessible with the obligation to prudently safeguard public funds and resources, fee-waivers and -reductions should be granted when the statutory standard has been met – when disclosure will primarily benefit the general public.
- A request to waive or reduce fees related to a public records request, that requires substantial agency resources to complete, may be denied if the interest of the general public would be better served by preserving agency resources.
- The public interest is not a fixed concept and the balance of public interest may change over time. It may shift as information becomes older or in the light of issues of the day. The circumstances at the time of the request will be considered.
- A genuine public interest in the subject matter of a request is required as the basis for granting a waiver. The public interest is not necessarily the same as what interests the public. The fact that a topic has been discussed in the media does not automatically mean that there is a public interest in disclosing the information that has been requested about it.
- This standardized fee-structure does not supersede, modify or replace the existing legal responsibilities of the OBMI. The OBMI must continue to meet obligations required by applicable laws, policies, procedures and standards including without limitation: State and Federal public records laws, privacy laws and regulations and fees for certain public records as defined in statute.

### **Note:**

**Requests for fee-reduction or waiver will be evaluated on a case-by-case basis based on:**

- **The information provided by the requester; and**
- **The totality of circumstances at the time of the request.**

**Previous requests and evaluations will not be considered as part of the evaluation.**

**BOARD OF MEDICAL IMAGING – PUBLIC INTEREST THRESHOLD EVALUATION FORM**

**Date of Request:** \_\_\_\_\_

**Name of Requestor:** \_\_\_\_\_

**Requested Record(s):** \_\_\_\_\_  
 \_\_\_\_\_

**PUBLIC INTEREST THRESHOLD CRITERIA**

**Public Interest Threshold Criteria Evaluation**

The OBMI shall consider the criteria below to determine whether waiving or reducing the costs associated with fulfilling a public records request would serve the public interest by primarily benefiting the general public.

**Public Interest:**

- |    |  |                                 |                                |
|----|--|---------------------------------|--------------------------------|
| 1. | Would disclosure of the requested information, directly impact, affect, or serve an identified interest of the general public? | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
| 2. | Would the requested information, advance the welfare or well-being of the general public?                                      | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
| 3. | Will the requester be able to actually, meaningfully disseminate the requested information?                                    | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |

**Private or Commercial Interest:**

- |    |   |                                 |                                |
|----|---|---------------------------------|--------------------------------|
| 4. | Is the public benefit greater than the individual benefit derived from disclosure?  | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
| 5. | Is there a specifically identified purpose for which the public records are being sought that is wholly unrelated to 1) commercial purposes; or 2) actual or possible use in connection with administrative, judicial or legal proceedings? | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |

**Reasonableness:**

- |    |   |                                 |                                |
|----|---|---------------------------------|--------------------------------|
| 6. | Is the request targeted at a specifically identified matter (meaning, not overly-broad or -complex)?  | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
| 7. | Can the agency grant a waiver or reduce fees without causing an unreasonable burden on agency resources?  | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
| 8. | Is the public interest served by disclosure greater than the burden to the agency (amount of staff time diverted to fulfilling a request and costs of subsidization)? | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |

**Determination/Decision:**

\_\_\_\_\_  
**Employee Name (Print)**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

# Oregon Board of Medical Imaging

## Policy and Procedures

Agency	Subject	Policy Number		
Oregon Board of Medical Imaging	Review of Criminal Background of License/Permit Applicants	833	426	0027
Approved: Oregon Board of Medical Imaging		Revision Date: 10/19/2018 Effective Date: 1/1/19		
Objective: To provide guidance for staff to use to determine which initial license/permit applicants with criminal background cannot be awarded any type of license or permit until the applicant's case is reviewed by the Investigative Committee, and the Board authorizes issuance of a license/permit.				

### **REVIEW OF INITIAL APPLICATION REQUIRED PRIOR TO ISSUANCE**

For initial applicants for a license or permit who have any of the following categories of criminal background, any form of license or permit can only be issued if approved by the Board. Applicants subject to this requirement are those whose criminal record includes any of the following:

1. Any felony conviction, no matter how long ago.
2. Any arrest for a felony within the four years immediately prior to the date of submission of the application. This applies even if the charges were later reduced or dropped.
3. Any misdemeanor conviction that occurred after the applicant reached age 18 and that is within the four years immediately prior to the date of submission of the application, measured from the date of conviction to the date that the application is submitted, excluding first offense DUII which resulted in diversion.
4. Any misdemeanor arrest for a *crime against a person* that occurred after the applicant reached age 18 and that is less than four years old, measured from date of arrest to the date of application submission. This applies even if the charges were later reduced or dropped.
5. Any misdemeanor arrest involving intoxicants or illegal drugs that occurred after the applicant reached age 18 and that is less than four years old, measured from date of arrest to date of application submission. This applies even if the charges were later reduced or dropped. This requirement does not apply to a first offense DUII which resulted in diversion.

The Investigative Committee and the Board reserve the right to direct an initial applicant or renewal applicant to appear before the Investigative Committee or before the Board in executive session, to discuss criminal background. Upon showing of urgent need, the executive director may refer an application to the Investigative Committee to determine if a short-term license should be granted until the Board can review the case. "Urgent need" is to be determined based upon the health facility's inability to provide necessary services to patients without the immediate services of the license applicant.

## Oregon Board of Medical Imaging

### Policy and Procedures

Agency	Subject	Policy Number		
Oregon Board of Medical Imaging	Reporting Criminal Background on License/permit Application or Renewal	833	426	0028
Approved: Oregon Board of Medical Imaging		Revision Date: 10/19/2018 Effective Date: 1/1/2019		
Objective: To enable the OBMI to properly review the criminal background of license/permit applicants, to ensure that medical imaging licensees or permit holders can be expected to interact with patients and colleagues in a manner that is professional and ethical. ORS 688.455(1)(c),(f).				

#### CRIMINAL HISTORY THAT MUST BE DISCLOSED ON APPLICATION OR RENEWAL

Require all initial applicants and renewal applicants to disclose information related to the following, unless previously disclosed to the OBMI:

1. Any felony conviction, no matter how long ago.
2. Any arrest for a felony within the four years immediately prior to the date of submission of the application. This applies even if the charges were later reduced or dropped.
3. Any misdemeanor conviction that occurred after the applicant reached age 18 and that is within the four years immediately prior to the date of submission of the application, measured from the date of conviction to the date that the application is submitted, excluding first offense DUII which resulted in diversion.
4. Any misdemeanor arrest for a *crime against a person* that occurred after the applicant reached age 18 and that is less than four years old, measured from date of arrest to the date of application submission. This applies even if the charges were later reduced or dropped.
5. Any misdemeanor arrest involving intoxicants or illegal drugs that occurred after the applicant reached age 18 and that is less than four years old, measured from date of arrest to date of application submission. This applies even if the charges were later reduced or dropped.

The Investigative Committee and Board reserve the right to review additional incidents of criminal behavior and to require submission of additional information related to criminal arrests or convictions.