



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

BMI 2-2021
CHAPTER 337
BOARD OF MEDICAL IMAGING

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Provide an expedited process to obtain a medical imaging license during an emergency

EFFECTIVE DATE: 09/02/2021 THROUGH 02/27/2022

AGENCY APPROVED DATE: 09/01/2021

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NEED FOR THE RULE(S):

The need for additional technologists during an emergency is crucial for the continuance of medical care for Oregonians. The process for licensure includes obtaining fingerprint background checks. The fingerprint background check results can be delayed or impossible to obtain during times of an emergency. This rule provides for a process to remedy that situation and allow for medical imaging technologists that have Board recognized national credentials to obtain a license in an expedited manner during an emergency.

JUSTIFICATION OF TEMPORARY FILING:

During an emergency, additional medical imaging technologists are desired to serve the medical needs of the public. These technologists 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, hospitals and medical facilities may experience shortages in medical staff. The process for obtaining fingerprinting for background check results may cause extended delays for the Board to issue licenses due to turn-around time. During an emergency, the need for the technologists is immediate and delaying the adoption of this rule could cause an unnecessary delay in getting these technologists into the medical care system in Oregon. This temporary rule would allow for the expedited application process and issuance of licenses for medical imaging technologists that are needed during an emergency.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Oregon Revised Statutes 688.405-688.990
https://www.oregon.gov/gov/Documents/executive_orders/eo_21-15.pdf

ADOPT: 337-010-0048

RULE TITLE: Expedited Licensure Process During an Emergency

RULE SUMMARY: The intention of this rule is to provide a process for a person who holds a Board recognized national medical imaging credential that is current and in good standing, to obtain an expedited OBMI license during an

emergency.

RULE TEXT:

- (1) When an emergency has been declared, a person who does not hold a license issued by the Board but does hold a Board recognized national medical imaging credential that is current and in good standing, may apply for a Permanent Initial License from the OBMI. Under a declared emergency, the Board chair and Executive Director may modify established initial licensing processes to assist with the healthcare response to the emergency circumstances.
- (2) An Emergency may be declared by the Governor or Board chair.
- (3) With the exception of any modified licensure process established pursuant to subsection (1) of this rule, this license is subject to all other statutes and rules regarding applications and licensure, including fees.
- (4) Regarding any modification of the initial licensing processes related to fingerprint background checks, an initial license may be issued prior to review of the fingerprint background check results only if:
 - (a) The applicant has submitted fingerprints as part of the initial application process for a full background check;
 - (b) The applicant has never been convicted of any crime; and
 - (c) Board staff runs a LEDS check before issuing the license.
- (5) If an initial license is issued pursuant to subsection (4) of this rule and after review of the fingerprint background check results it is determined that the applicant has been convicted of any crime or provided inaccurate attestations or declarations to questions on the initial licensure application, licensee may be disciplined, up to revocation of licensure and including issuance of civil penalties.
- (6) Failure to comply with any modified licensure procedure established pursuant to subsection (1) of this rule will may result in an application being processed based on established licensure processes.

STATUTORY/OTHER AUTHORITY: ORS 688.555, ORS 688.455, ORS 688.557

STATUTES/OTHER IMPLEMENTED: ORS 688.455, ORS 688.557, ORS 688.520(8)