



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

BMI 6-2020
CHAPTER 337
BOARD OF MEDICAL IMAGING

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Compliance with the Governor's Executive Orders during a Governor declared emergency

EFFECTIVE DATE: 07/25/2020 THROUGH 01/20/2021

AGENCY APPROVED DATE: 07/24/2020

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NEED FOR THE RULE(S):

At the request of the Governor's office.

JUSTIFICATION OF TEMPORARY FILING:

This temporary rule is being adopted at the request of the Governor to aid in the compliance of Executive Orders that help to keep Oregonians safe during a declared emergency.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Governor request to agencies on the Governor's website.

ADOPT: 337-030-0003

RULE TITLE: Compliance with Governor's Executive Orders

RULE SUMMARY: Provides expanded compliance with regards to the Governor's orders during a Governor Declared emergency.

RULE TEXT:

- (1) During a Governor declared emergency, unprofessional conduct includes failing to comply with any applicable provision of a Governor's Executive Order or any provision of this rule.
- (2) Failing to comply as described in subsection (1) includes, but is not limited to:
 - (a) Operating a business required by an Executive Order to be closed;
 - (b) Providing services at a business required by an Executive Order to be closed;
 - (c) Failing to comply with the requirements of Oregon Health Authority (Authority) guidance implementing an Executive Order, including but not limited to:
 - (A) Failing to screen clients in accordance with OHA guidance prior to providing services;
 - (B) Failing to limit the number of individuals inside the premises or implement other protocols necessary to maintain physical distancing of six (6) feet;
 - (C) Failing to implement OHA guidance on mask and face covering for businesses; and

(D) Failing to clean and disinfect in accordance with OHA guidance.

(d) Failing to comply with any requirements of Board guidance implementing an Executive Order.

(3) No disciplinary action or penalty action shall be taken under this rule if the Executive Order alleged to have been violated is not in effect at the time of the alleged violation.

(4) Penalties for violating this rule include civil penalties. Any such penalties shall be imposed in accordance with ORS Ch. 183.

STATUTORY/OTHER AUTHORITY: ORS 688.555

STATUTES/OTHER IMPLEMENTED: