

NOTICE OF PROPOSED RULEMAKING

CHAPTER 850

OREGON BOARD OF NATUROPATHIC MEDICINE

FILING CAPTION: Repeal mask mandate imposed during the state or emergency

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/22/2025 1:00 PM

NEED FOR THE RULE(S):

mask mandate no longer applicable during the state or emergency

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Board meeting minutes Board website

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

No affect

FISCAL AND ECONOMIC IMPACT:

No impact

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

No costs

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Not involved

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT? Board member discussion at a public meeting

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REPEAL: 850-010-0301

RULE TITLE: Mask, Face Covering, Face Shield Requirements

RULE SUMMARY: Mask Mandate during the state of emergency, required all licensed Naturopathic Physicians in the State of Oregon to mask.

RULE TEXT:

(1) On or about March 8, 2020, Governor Kate Brown a declared a state of emergency under ORS 401.165 et seq due to the public health threat posed by the novel infectious coronavirus (COVID – 19), which has been extended several times and is still in effect as of the date this rule was enacted. This rule supplements and does not supersede any obligations and mandates under the Governor’s EO orders and guidance issued by the Oregon Health Authority under the EO orders. This rule does not relieve licensees of any obligation and mandates under the Governor’s EO orders and guidance issued by the Oregon Health Authority.

(2) Effective immediately, for the duration of the state of emergency, all licensed Naturopathic Physicians in the State of Oregon must:

(a) Require all individuals to wear masks, face coverings or face shields upon entry and at all times while in an indoor health care setting / indoor spaces.

(b) Wear and require all persons providing patient care to wear masks, face coverings or face shields at all times while providing patient care in an indoor health care setting / indoor space.

(c) Wear and require all employees, contractors, volunteers, to wear masks, face coverings or face shields at all times, including but not limited to; treatment rooms, hallways, bathrooms, elevators, lobbies, break rooms, and other common spaces.

(d) Use and require all persons providing patient care to engage in proper hand sanitization and appropriately disinfect treatment room surfaces and equipment that comes into contact with patients.

(3) Licensed Naturopathic Physicians are not required by the Board to wear masks, face coverings, or face shields, nor are required by the Board to enforce requirements on others to wear masks, face coverings, or face shields, as follows:

(a) While eating or drinking

(b) For children under five (5)

(c) During treatment / activity that makes wearing a mask, face shield or face covering not feasible, such as examining the nose and/or throat.

(d) In a private office, not open to the public, and six feet of physical distance can be maintained at all times.

(e) For individuals who have a medical condition that makes it hard to breathe or a disability that prevents the individual from wearing a mask, face shield or face covering can request an

accommodation from the business or indoor space operator to enable full and equal access to services and facilities open to the public.

(4) Failure to abide by the requirements of this rule may result in disciplinary action by the Board.

(5) Definitions

(a) Indoor health care settings / indoor spaces may be publicly owned or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not and may include, but are not limited to, building lobbies or common spaces, hallways, elevators, bathrooms, treatment rooms, or meeting rooms

(b) Mask means medical grade mask.

(c) Facial covering means a cloth, paper or disposable face covering that covers the nose and the mouth.

(d) Facial shield means a clear plastic shield that covers the forehead, extends below the chin, and wraps around the sides of the face or eye protection.

STATUTORY/OTHER AUTHORITY: 685.125

STATUTES/OTHER IMPLEMENTED: 685.125

