

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 852
BOARD OF OPTOMETRY

FILED

02/13/2024 3:06 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Update Board rules to require complete addresses of record.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/21/2024 2:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S)

Clarify that licensees must submit complete addresses of record.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Rules in the Board's office

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

These rules apply to all licensees

FISCAL AND ECONOMIC IMPACT:

Minimal

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).

This potentially affects the Board's active and inactive licensees. If they fail to report their complete mailing address, the Board can assess a late reporting fee.

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

The Board is comprised of 4 licensed OD's who represent the profession in Oregon.

AMEND: 852-050-0018

RULE SUMMARY: Clarifies that active and inactive status licensees must provide the Board with a complete mailing address.

CHANGES TO RULE:

852-050-0018

Official Address, Email Address and Telephone Number of Record ¶¶

(1) Each actively licensed optometric physician must notify the Board in writing of the licensee's primary practice location, which is recorded by the Board as the official address of record. All correspondence from the Board will be sent to the official address of record unless the licensee requests in writing that an alternate complete mailing address be used. Active licensees who do not have a primary practice location may provide the Board with a mailing address.¶¶

(2) Each inactive licensee must notify the Board in writing of a complete mailing address.¶¶

(3) Post office boxes are not acceptable as a mailing address unless a street address is included with it and it is able to receive certified mail and return receipts.¶¶

(4) Each licensee (active or inactive) must provide a telephone number of record to the Board, which by default is disclosable to the public. Upon written request, the Board will hold the telephone number of record of a licensee confidential if it is a personal number not associated with a business.¶¶

(5) Failure to notify the Board in writing of a change in the licensee's official address or telephone phone number of record may subject the licensee to disciplinary action and a fee as listed in OAR 852-010-0080.¶¶

(6) Licensees are requested to submit an official email address for Board communications. Active status licensees are required to have an email address of record to access the online licensing system. Licensees have the ability to opt out of email communications with the agency and continue to receive written information via U.S. mail.

Statutory/Other Authority: ORS 683, 182

Statutes/Other Implemented: ORS 683.070, 683.100, 683.120, 683.270, 182.466