



PUBLIC HEALTH
HEALTH LICENSING OFFICE

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Health
Authority

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January 17, 2019

To: Respiratory Therapy &
Polysomnography Interested Parties

From: Samie Patnode, Policy Analyst

Subject: Proposed Administrative Rules, Chapter 331

Proposed rules for the Respiratory Therapist and Polysomnographic Technologist Licensing Board were filed with the Secretary of State's Office for publication in the February 2019 Oregon Bulletin. You are invited to review the proposed rules and provide written comments from, Friday, February 1 through February 28, 2019 at 5 pm. Administrative rules are scheduled to become permanent and effective on March 15, 2019.

The purpose of the rulemaking is to align language under OAR 331-715-0010 License Issuance and Renewal with OAR 331-720-0010 and 331-720-0015 Continuing Education for each licensing group. The amendment would remove the terminology "biannual" continuing education from the renewal process to bring in line with the annual continuing education requirement.

Please submit all comments to Samie Patnode at:

E-mail – samie.patnode@state.or.us

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For complete information including draft proposed rules please visit the board Web site at:

<https://www.oregon.gov/OHA/PH/HLO/Pages/Board-RTPT-Laws-Rules.aspx>

For alternative formats please contact Samantha Patnode at (503) 373-1917 or

Samie.patnode@state.or.us

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 331
OREGON HEALTH AUTHORITY
HEALTH LICENSING OFFICE

FILED
01/17/2019 9:18 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Align continuing education requirements to meet annual renewal cycle.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/28/2019 5:00 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.

CONTACT: Anne Thompson
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1430 Tandem Ave. NE Suite 180
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Filed By:
Anne Thompson
Rules Coordinator

NEED FOR THE RULE(S):

To align language under OAR 331-715-0010 License Issuance and Renewal with 331-720-0010 and 331-720-0015 Continuing Education for each licensing group. The amendment would remove the terminology "biannual" continuing education from renewal process to bring in line with the annual continuing education requirements.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Oregon Revised Statutes 676.630 to 676.660 and Oregon Administrative Rule Chapter 331 Division 715

FISCAL AND ECONOMIC IMPACT:

None expected.

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).

The rule changes do not appear to economically affect state agencies, units of local government and the public. The rule changes do not appear to economically affect small businesses.

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

Since the rule change is administrative small businesses were not involved in the development of this rule.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The change was mostly administrative.

AMEND: 331-715-0010

RULE SUMMARY: Align renewal and continuing education requirements.

CHANGES TO RULE:

331-715-0010

License Issuance and Renewal ¶¶

(1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license, and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.¶¶

(2) License renewal under this rule is valid for one year.¶¶

(3) LICENSE RENEWAL: To avoid delinquency penalties, license renewal must be made prior to the license entering inactive status. The licensee must submit the following:¶¶

(a) Renewal application form;¶¶

(b) Payment of required renewal fee pursuant to OAR 331-705-0060;¶¶

(c) Attestation of having obtained required ~~biannual~~ continuing education under OAR 331-720-0010 or 331-720-0015, on a form prescribed by the Agency, whether license is current or inactive; and¶¶

(d) Attest to having provided the required information to the Oregon Health Authority pursuant to ORS 676.410;¶¶

(e) Pay fee established by Oregon Health Authority pursuant to ORS 676.410; and¶¶

(f) Information, on a form prescribed by the Agency, permitting the Agency to perform a state criminal background check pursuant to OAR 331-030-0004;¶¶

(4) INACTIVE LICENSE RENEWAL: A license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the licensee must submit the following:¶¶

(a) Renewal application form;¶¶

(b) Payment of delinquency and license fees pursuant to OAR 331-705-0060;¶¶

(c) Attestation of having obtained required ~~biannual~~ continuing education under OAR 331-720-0010 or 331-720-0015, on a form prescribed by the Agency, whether license is current or inactive;¶¶

(d) Attest to having provided the required information to the Oregon Health Authority pursuant to ORS 676.410;¶¶

(e) Pay fee established by Oregon Health Authority pursuant to ORS 676.410; and¶¶

(f) Information, on a form prescribed by the Agency, permitting the Agency to perform a state criminal background check pursuant to OAR 331-030-0004;¶¶

(5) EXPIRED LICENSE: A license that has been inactive for more than three years is expired and the licensee must reapply for licensure and meet the requirements listed in OAR 331-710-0010 or 331-710-0050.

Statutory/Other Authority: ORS 688.830, ORS 676.615, ORS 676.586

Statutes/Other Implemented: ORS 688.830, ORS 676.586