



**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**PH 62-2020**  
CHAPTER 333  
OREGON HEALTH AUTHORITY  
PUBLIC HEALTH DIVISION

**FILED**  
09/11/2020 6:02 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Setting a Reduced Temporary Fee for Emergency Initial Provisional License

EFFECTIVE DATE: 09/11/2020 THROUGH 10/02/2020

AGENCY APPROVED DATE: 09/11/2020

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Filed By:  
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**NEED FOR THE RULE(S):**

This rule is intended to provide relief from the economic cost and expedite the processing of emergency initial provisional licenses issued under OAR 333-265-0058 during the response to the wildfires burning in Oregon, as described in the Governor's Executive Order No. 20-35. The Authority expects an increased need for licensed EMS workers that may not be available from Oregon's current licensees. There may be additional patients who will require emergency or non-emergency care and/or transport and EMS providers themselves may be unavailable to provide assistance due to their personal response to the wildfire. In addition, resources may already be strained due to the coronavirus pandemic. This temporary rule will reduce the economic cost for available EMS providers licensed or certified by another state or providers with current certification or provisional certification by the National Registry of EMTs and allow the Authority to more quickly and efficiently process the applications.

**JUSTIFICATION OF TEMPORARY FILING:**

- (1) The Authority expects an increased need for licensed EMS providers that may not be available from Oregon's current licensees. The Authority finds that failure to act promptly will result in serious prejudice to the public interest; the Authority; and patients who need emergency or non-emergency care and transport; and EMS providers who may experience an overload and workforce insufficiency due to strains from the wildfire response (both professionally and personally) and from strains already felt from the state's response to Coronavirus Disease 2019.
- (2) Patients needing emergency or non-emergency care may have to wait longer times for assistance, potentially resulting in negative health outcomes. EMS providers may be overworked resulting in a potential for sub-standard care for patients. Due to the potential for wide-spread illness from COVID-19 and the potential for the EMS providers to personally respond (including evacuation) from the wildfires, the workforce insufficiency may be exacerbated by current conditions.
- (3) Failing to adopt this rule may impose a barrier for additional licensed EMS providers to work in Oregon. In addition, the proposed rule streamlines the licensing process for both the applicant and the Authority, allowing for faster licensing of providers.
- (4) This temporary rule will reduce the economic cost for available EMS providers licensed or certified by another state or providers with current certification or provisional certification by the National Registry of EMTs and allow the

Authority to more quickly and efficiently process the applications.

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DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Governor Executive Order 20-35: [https://www.oregon.gov/gov/Documents/executive\\_orders/eo\\_20-35.pdf](https://www.oregon.gov/gov/Documents/executive_orders/eo_20-35.pdf)

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ADOPT: 333-265-3000

RULE TITLE: Fees for Emergency Initial Provisional License

RULE SUMMARY: This rule is intended to provide relief from the economic cost and expedite the processing of emergency initial provisional licenses issued under OAR 333-265-0058 during the response to the wildfires burning in Oregon, as described in the Governor's Executive Order No. 20-35. The Authority expects an increased need for licensed EMS workers that may not be available from Oregon's current licensees. This temporary rule will reduce the economic cost for available EMS providers licensed or certified by another state or providers with current certification or provisional certification by the National Registry of EMTs and allow the Authority to more quickly and efficiently process the applications.

OAR 333-265-3000 is a new temporary rule that sets the fee to \$0 for initial provisional license applications received on or after September 11, 2020 until October 2, 2020, unless repealed earlier by OHA. Fees otherwise established in OAR Chapter 333, Division 265 continue to apply.

RULE TEXT:

(1) This rule is intended to provide relief from the economic cost and expedite the processing of emergency initial provisional licenses issued under OAR 333-265-0058 during the response to the wildfires burning in Oregon, as described in the Governor's Executive Order No. 20-35.

(2) For applications for an emergency initial provisional license submitted on or after September 11, 2020:

(a) OAR 333-265-0058(2)(a)(D) is waived and does not apply; and

(b) the Applicant shall submit a fee of \$0 to OHA.

(3) This rule does not affect any other fees in OAR Chapter 333, Division 265.

(4) This rule is effective until October 2, 2020 unless repealed earlier by OHA.

STATUTORY/OTHER AUTHORITY: ORS 413.042, ORS 431A.005, ORS 431A.010, ORS 431A.015, ORS 433.441, ORS 682.017, ORS 682.017, ORS 682.204 – 682.265

STATUTES/OTHER IMPLEMENTED: ORS 682.204, 682.208, 682.216