

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

FILED
4-15-16 11:59 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Health Licensing Office
Agency and Division
Samantha Patnode
Rules Coordinator
Health Licensing Office, 700 Summer St. NE, Suite 320, Salem, OR 97301-1287
Address

331
Administrative Rules Chapter Number
(503) 373-1917
Telephone

RULE CAPTION

Require practitioners complete an OHA survey in accordance with 2015 Legislation SB 230.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
5-20-16	10:00 a.m.	Health Licensing Office 700 Summer Street NE Suite 320	Samie Patnode

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

331-715-0010

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 676.615, Chapter 380, 2015 Law, ORS 815

Other Authority:

Statutes Implemented:

ORS 676.615, Chapter 380, 2015 Law, ORS 815

RULE SUMMARY

During the 2015 Legislative Session SB 230 was enacted adding respiratory therapists and polysomnographic technologists to the list of health care professionals who must provide certain demographic and practice information prescribed by Oregon Health Authority (OHA) in order to renew their license.

SB 230 specifies the type of information that may be collected including but not limited to demographics, education, training, employment information and specialty practice information. This information is collected through an online survey which is sent directly to OHA. Currently other health care professionals, including licensed dietitians, who are required to provide this information pay a \$2 annually which is collected at time of renewal.

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.

05-28-2016 5:00 p.m. Samantha Patnode samie.patnode@state.or.us
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address
for public comment

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Health Licensing Office
Agency and Division

331
Administrative Rules Chapter Number

Require practitioners complete an OHA survey in accordance with 2015 Legislation SB 230.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Chapter 380, 2015 Law

Statutory Authority:

ORS 676.615, Chapter 380, 2015 Law, ORS 815

Other Authority:

Statutes Implemented:

ORS 676.615, Chapter 380, 2015 Law, ORS 815

Need for the Rule(s):

To align administrative rules for respiratory therapists and polysomnographic technologists with current laws.

Documents Relied Upon, and where they are available:

2015 Oregon Law, Chapter 380,

All documents are available at the Health Licensing Office, 700 Summer Street NE, Suite 320, Salem, OR 97301-1287. To obtain information or copies of information please contact Samantha Patnode, Policy Analyst, at 503-373-1917, during normal business hours Monday through Friday between 7:30am to 4:30pm. Email: samie.patnode@state.or.us

Fiscal and Economic Impact:

There will be minimal fiscal or economic impact.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There will be minimal fiscal impact on state agencies, units of local government and the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Small business will not be impacted by this proposed change.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

There is minimal cost for reporting, record keeping and other administrative activities required for compliance.

c. Equipment, supplies, labor and increased administration required for compliance:

There is no cost for supplies, labor and increased administration.

How were small businesses involved in the development of this rule?

Small business receive notices of board meetings where the proposed rules have been reviewed.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

This change is required by law.

05-28-2016 5:00 p.m.

Samantha Patnode

samie.patnode@state.or.us

Last Day (m/d/yyyy) and Time
for public comment

Printed Name

Email Address

DIVISION 715

RESPIRATORY THERAPIST AND POLYSOMNOGRAPHIC TECHNOLOGISTS LICENSING BOARD LICENSURE; RENEWAL

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

~~(d)~~ **(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

~~(d)~~ **(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.

(6) A licensee failing to meet continuing education requirements listed under OAR 331-720-0010 or 331-720-0015 is considered to have an expired license and must reapply and meet requirements pursuant to OAR 331-710-0010 or 331-710-0050.

Stat. Auth.: ORS 676.605, 676.615 & 688.830

Stats. Implemented: ORS 676.605, 676.615 & 688.830

Hist.: HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98; HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98; HDLP 2-1998, f. & cert. ef. 6-15-98; HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04; HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05; HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05; HLA 7-2010, f. & cert. ef. 11-1-10; HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12