



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 847
OREGON MEDICAL BOARD

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FILING CAPTION: Limited License, Visiting Provider

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CONTACT: Elizabeth Ross
503-673-2700
elizabeth.ross@omb.oregon.gov

1500 SW 1st Ave, Suite 620
Portland, OR 97201

Filed By:
Elizabeth Ross
Rules Coordinator

AMEND: 847-010-0066

REPEAL: Temporary 847-010-0066 from OMB 6-2022

RULE TITLE: Limited License, Visiting Provider

NOTICE FILED DATE: 04/12/2022

RULE SUMMARY: The rule amendments provide visiting providers a limited license and adds physician assistants to the rule. After a declared emergency, the rule will support access to health care by providing a 90-day limited license to out of state physicians and physician assistants who held emergency authorizations. The rule makes permanent the March 10, 2022, temporary rule.

RULE TEXT:

(1) The Board recognizes that physicians and physician assistants with a particular specialty, skill, or interest are occasionally needed to fill a narrow teaching, clinical, or legal role for a brief period of time upon short notice. In fulfillment of the Board's mission to protect the health, safety, and wellbeing of Oregon patients while promoting access to quality care, the Board may grant limited licenses for visiting physicians and physician assistants for a specified time and purpose.

(2) A Limited License, Visiting Provider is available for the following limited purposes:

(a) To obtain or provide training unrelated to enrollment in a postgraduate training program for a period up to 30 days per year in a hospital, ambulatory surgical center, or accredited office-based surgery facility per OAR 847-017-0010.

(b) To provide health care services without compensation at a community nonprofit organization for a period up to five consecutive days per year.

(c) To review medical records, perform physical or mental examinations, and offer an opinion on a person's diagnosis or treatment as an expert witness in an Oregon civil or criminal case for a period up to 30 days per year.

(A) A provider approved under this subsection must report any clinical or secondary findings to the patient's primary care provider or specialist.

(B) A provider approved under this subsection may not prescribe, administer, or dispense medications and may not order laboratory or imaging studies.

(d) To provide care during the 90 consecutive days immediately following the end of an emergency declared by the Governor of Oregon.

- (3) To qualify for Limited License, Visiting Provider, a physician or physician assistant must:
- (a) Be currently licensed in good standing in every state or country in which they hold a license to practice a health care profession;
 - (b) Have an actively licensed Oregon physician in good standing without disciplinary action who will supervise the visiting provider's practice of medicine in Oregon unless otherwise approved for the purpose described in subsection (2)(d) of this rule;
 - (c) Be asked to practice medicine in Oregon for one of the limited purposes provided in section (2) of this rule; and
 - (d) If qualifying for the purpose described in subsection (2)(d) of this rule, hold an active temporary authorization under OAR 847-010-0068(1), which was issued during the Governor-declared emergency.
- (4) To apply for Limited License, Visiting Provider for the purposes described in subsections (2)(a)-(c) of this rule, the physician or physician assistant must:
- (a) Submit an application at least two weeks before the requested date for starting practice in Oregon, and
 - (b) Ensure that the following documents are sent directly from the source to the Board:
 - (A) Documentation that the applicant's medical license is current and in good standing in every state or country where the provider holds a license to practice a health care profession; and
 - (B) A letter from the requesting hospital administrator or administrator of the accredited facility and a letter from the hospital chief of staff, hospital department chairperson or member of the governing body of the accredited facility; or a letter from the community nonprofit organization; or a letter from the Oregon licensed physician supervising the visiting provider. The letter(s) must contain the following information:
 - (i) Dates of Oregon practice of the visiting provider;
 - (ii) Description of the medical services;
 - (iii) Name of the responsible Oregon-licensed physician who will supervise; and
 - (iv) If the visiting provider application is requested under subsection (1)(a) of this rule, documentation that the requesting hospital, ambulatory surgical center, or accredited facility has approved privileges for the visiting provider.
- (5) For the purpose described in subsection (2)(d) of this rule, a Limited License, Visiting Provider will be granted automatically to those physicians and physician assistants who hold an active temporary authorization under OAR 847-010-0068(1) upon termination of the Governor-declared emergency.
- (6) A provider licensed under this rule has the same duties and responsibilities and is subject to the same Oregon laws and rules, including grounds for disciplinary action, penalties, and sanctions, as any other Oregon-licensed physician or physician assistant.
- (7) A provider licensed under this rule must inform patients and/or all parties involved in the criminal or civil case that the physician or physician assistant holds a limited license restricted by time and purpose.
- (8) The physician or physician assistant who requests additional time or who requests to practice beyond the limitations of this rule in Oregon must apply for and obtain a license to practice in the State of Oregon.

STATUTORY/OTHER AUTHORITY: ORS 677.265

STATUTES/OTHER IMPLEMENTED: ORS 677.060, 677.085, 677.132, 677.190, 677.265