



NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 851

BOARD OF NURSING

FILED: 07/08/2026 3:06 PM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Division 2 - Updated Workforce Data Fees - Corrected Filing

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 08/21/2026 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:

Brandy Ritter

971-334-4216

brandy.ritter@osbn.oregon.gov

17938 SW Upper Boones Ferry Rd

Portland, OR 97224

Filed By:

Brandy Ritter

Rules Coordinator

NEED FOR THE RULE(S):

Oregon's Health Care Workforce Reporting Database was created in 2009 as part of HB 2009 and codified under ORS 676.410. Oregon Health Authority and Oregon's Health Professional Regulatory Boards coordinate data collection upon license renewal of licensed healthcare professionals in the state. The Oregon Health Care Workforce Reporting Program (HWRP) within OHA is responsible for maintaining this database, performing data analysis, and reporting on the state of licensed health care professions in Oregon.

(Corrected entry due to Administrative Filing Error.)

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OHA rule authority documents for rule 409-026-0130. <https://www.oregon.gov/oha/HPA/Pages/Rulemaking.aspx>

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

All rulemaking work done by OHA for their fee:

The information collected and analyzed by HWRP includes a variety of demographic data elements that provide awareness into who may be impacted by changes to the fees associated with health profession license renewal in Oregon.

Based on analysis of the existing licensed health profession workforce, as published in The Diversity of Oregon's Licensed Health Care Workforce, 2024, there are several segments of the workforce that may experience disproportionate impact from this change. For example, there are several profession groups that have higher or lower levels of race/ethnicity representation than the general Oregon population. Chiropractic Assistants, Certified Nursing Assistants, and Clinical Social Work Associates all have higher representation of Latino/a/x professionals than the general population. Respondents who identified as American Indian are represented at a lower rate across the licensed health profession workforce (1.7%) than in Oregon (2.8%). However, there is not a universal trend across professions for race/ethnicity.

The licensed health profession workforce does have significantly higher representation from those identifying as female than the Oregon population. While there is measurable difference between the Oregon population and some of the professional populations in this program, there is minimal total impact on the Oregon population or any specific group.

Additionally, because of the minimal financial impact per person in this rule change, the impact on any group is expected to be minimal. Licensed professions with relatively lower income levels will be more impacted by this change as a proportion of their income. Because some demographic groups, such as women and people of color, are more likely to work in lower wage professions, they are likely to be relatively more impacted by this rule change.

This rule has been identified as Tier 3 per the tribal consultation policy, so no Dear Tribal Leader Letter was sent and no consultation meeting with tribal partners was held. OHA plans to engage the populations that are impacted by the rules to raise awareness of the proposed changes and allow them to provide feedback and suggestions through partnership with professional organizations that directly work with and represent the impacted workforce. OHA will issue a public invitation to submit testimony in the public comment period. OHA will respond to public testimony or RAC feedback that identifies equity impacts not foreseen to date by outreach to partner agencies and professional associations to plan mitigation strategies and to address any significant negative equity impacts.

FISCAL AND ECONOMIC IMPACT:

None. OSBN transfers all fee money collected to OHA quarterly.

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).

All rulemaking work done by OHA for their fee:

(1) Current staff at OHA will implement the changes including updates to contracts and invoicing as part of routine services. Health profession regulatory boards will similarly implement the change as part of existing fee collection. No change to staff or payroll in state agencies is anticipated as a result of this rule change. Current license holders renewing a health profession license in Oregon will pay \$2 per year more for renewing their license.

(2) No small businesses should be directly impacted by this rule change. Indirect impacts to small businesses who employ licensed healthcare providers will be minimal (\$2 per provider per year, paid by the provider).

(a) None.

(b) There should be no additional reporting, recordkeeping or administrative activities associated with this rule change.

(c) There should be no additional administrative cost associated with this rule change.

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

All rulemaking work done by OHA for their fee: Small businesses were not involved in the development of this rule.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

851-002-0010, 851-002-0040

AMEND: 851-002-0010

RULE SUMMARY: OHA is updating rule 409-026-0130 to amend the maximum fees to be paid by individuals applying to renew a license with a health care workforce regulatory board. ORS 676.410 specifies that these fees are reasonably calculated to reimburse program expenses for the Health Care Workforce Reporting Database. Program revenue has not fully covered expenses since 2021 and the gap between expenses and revenue continues to widen. OHA proposes to increase the fee from \$2 per license year to \$4 per license year to allow enough revenue to cover program costs for database.

CHANGES TO RULE:

851-002-0010

Registered Nurse and Licensed Practical Nurse Schedule of Fees ¶¶

(1) RN License Renewal - \$245.¶¶

(2) LPN License Renewal - \$180.¶¶

(3) Delinquent Fee - \$100.¶¶

(4) Surcharge to Support the Workforce Data Analysis Fund at Renewal - \$48.¶¶

(5) Surcharge to Support the Oregon Nursing Advancement Fund for Licensure by Examination, Licensure by Endorsement, and Renewal applications - \$9.¶¶

(6) RN License by Endorsement - \$295.¶¶

(7) LPN License by Endorsement - \$230.¶¶

(8) RN License by Examination - \$260.¶¶

(9) LPN License by Examination - \$195.¶¶

(10) Written Verification of License - \$12.¶¶

(11) Limited Licenses for Educational Experience:¶¶

(a) International Graduate Nursing Students - \$65.¶¶

(b) Extension of International Graduate Nursing Students - \$25.¶¶

(c) International RN in Short-Term Educational Experience - \$35.¶¶

(d) International Exchange Students - \$25.¶¶

(e) U.S. RNs in Distance Learning - \$15.¶¶

(f) Extension of Distance Learning - \$15.¶¶

(12) Reexamination for Licensure - \$25.¶¶

(13) RN License Reinstatement - \$260.¶¶

(14) LPN License Reinstatement - \$195.¶¶

(15) Nurse Emeritus License - \$50. ¶¶

(16) Temporary License for Active Armed Forces Military Spouse or Domestic Partner - \$50.

Statutory/Other Authority: ORS 678.150, ORS 678.410

Statutes/Other Implemented: ORS 678.410

AMEND: 851-002-0040

RULE SUMMARY: OHA is updating rule 409-026-0130 to amend the maximum fees to be paid by individuals applying to renew a license with a health care workforce regulatory board. ORS 676.410 specifies that these fees are reasonably calculated to reimburse program expenses for the Health Care Workforce Reporting Database. Program revenue has not fully covered expenses since 2021 and the gap between expenses and revenue continues to widen. OHA proposes to increase the fee from \$2 per license year to \$4 per license year to allow enough revenue to cover program costs for database.

CHANGES TO RULE:

851-002-0040

Nursing Assistant Schedule of Fees ¶¶

- (1) Certification by Examination (inclusive of examination fees) - \$106. ¶¶
- (2) Certification by Endorsement - \$60. ¶¶
- (3) Re-Examination - Manual Skills - \$45. ¶¶
- (4) Re-Examination - Written - \$25. ¶¶
- (5) Oral Administration of Written Examination (non-ADA) - \$35. ¶¶
- (6) Written Verification of Certification - \$10. ¶¶
- (7) Renewal - \$60. ¶¶
- (8) Reinstatement - \$60. ¶¶
- (9) Surcharge to Support the Workforce Data Analysis Fund at Renewal - \$48. ¶¶
- (10) Certification for RN or LPN - \$60. ¶¶
- (11) Temporary Certificate for Active Armed Forces Military Spouse or Domestic Partner - \$50. ¶¶
- (12) Delinquent Fee - \$5.

Statutory/Other Authority: ORS 678.150, ORS 678.410

Statutes/Other Implemented: ORS 678.410