



**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 339  
**OCCUPATIONAL THERAPY LICENSING BOARD**

**FILED**

12/03/2025 1:50 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

**FILING CAPTION:** Establishes fee for the pre-determination process of whether any criminal conviction will prevent licensure.

**LAST DAY AND TIME TO OFFER COMMENT TO AGENCY:** 01/30/2026 12:00 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:** Nancy Schuberg  
971-673-0198  
nancy.schuberg@otlb.oregon.gov

800 NE Oregon St. Suite 407  
Portland, OR 97232

**Filed By:**  
Nancy Schuberg  
Rules Coordinator

**NEED FOR THE RULE(S)**

Establishes a \$100 fee to offset a portion of the costs of staff time and attorney fees associated with the pre-determination process.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE**

SB 1552, board meeting materials; located in the board office.

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

The rule does not have a direct impact on racial equity in Oregon. The intent of the determination process is that all persons seeking occupational licensure in Oregon can make an informed decision prior to enrolling in the educational program required by that profession.

**FISCAL AND ECONOMIC IMPACT:**

There is no anticipated fiscal or economic impact as a result of the rule. For persons utilizing the determination process, there would be a fee, however there would also be a cost avoidance fiscal benefit if they subsequently chose not to enroll in the educational program.

**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).

There is no anticipated impact to other state agencies or local governments as a result of this rule. The rule does not

apply to small businesses nor does it create general compliance requirements. The fee is charged for an optional process for individual parties and has no requirements beyond the petition itself.

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

The rule is only applicable to specific individuals and has no direct bearing on facilities or small businesses.

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

A rule advisory was deemed unnecessary as the rule notice is sent to all licensees, interested parties, and the state association for comment. The notice is also posted on the board website.

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AMEND: 339-005-0000

RULE SUMMARY: The rule amendment adds the fee for the criminal conviction determination process.

CHANGES TO RULE:

339-005-0000

Fees ¶¶

- Fees are non refundable. Two year licenses shall be issued to all licensees in even-numbered years at the fee schedule listed below. On a case-by-case basis the Board may approve the issuance of a one-year license.¶
- (1) The fee for an initial Oregon or out of state occupational therapy license by endorsement is \$160. The Board may also assess the actual cost of conducting a background check, including fingerprinting.¶
  - (2) The two-year renewal fee issued for the occupational therapy license is \$240. The Board may also assess the actual cost to the Board of conducting workforce demographics surveys.¶
  - (3) The fee for an initial Oregon or out of state occupational therapy assistant license is \$130. The Board may also assess the actual cost of conducting a background check, including fingerprinting.¶
  - (4) The two-year renewal fee for the occupational therapy assistant license is \$160. The board may also assess the actual cost to the Board of conducting workforce demographics surveys.¶
  - (5) The fee for a limited permit is \$25 and may not be renewed.¶
  - (6) The fee for a temporary Oregon occupational therapist license for military spouses and domestic partners is \$99.¶
  - (7) The fee for a temporary Oregon occupational therapy assistant license for military spouses and domestic partners is \$99.¶
  - (8) The fee for an occupational therapist or occupational therapy assistant verification of Oregon licensure is \$25.¶
  - (9) The fee for an occupational therapist and/or occupational therapy assistant electronic mailing list is \$100.¶
  - (10) The fee for the criminal conviction determination process is \$100.

Statutory/Other Authority: ORS 675.320(6)

Statutes/Other Implemented: ORS 675.320(6)