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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 875
VETERINARY MEDICAL EXAMINING BOARD

FILED: 11/17/2026 11:48 AM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Establishes rules for unlicensed individuals performing pregnancy verification in cattle under ORS 686.040

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/21/2026 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.

CONTACT:
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Filed By:
Peter Burns
Rules Coordinator

HEARING(S)
Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/16/2026
TIME: 12:00 PM - 1:00 PM
OFFICER: Pete Burns

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 971-673-0224
SPECIAL INSTRUCTIONS:
On website and email staff for details

NEED FOR THE RULE(S):

Senate Bill 1539 amended ORS 686.040 to permit unlicensed individuals to perform pregnancy verification in cattle under limited circumstances established by rule of the Oregon Veterinary Medical Examining Board. The statute directs the Board to establish conditions for the exemption while preserving the limited nature of the activity and recognizing individuals who were already performing pregnancy verification before adoption of the rule. The proposed rule is

necessary to implement SB 1539 by establishing clear standards, competency requirements, and limitations for the authorized activity.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

SB-1539 Packet with Recommendations Nov 2026- With Board Language Changes: OVMEB Records, available from the Oregon Veterinary Medical Examining Board, 800 NE Oregon Street, Suite 407, Portland, Oregon 97232, and on the Board's website or by request: ovmeb.info@ovmeb.oregon.gov
Senate Bill 1539 (2025 Legislative Session).
ORS 686.040.

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

The Board anticipates the proposed rule will have a neutral to positive effect on racial equity in Oregon. The rule establishes uniform statewide standards and competency requirements for individuals who perform pregnancy verification in cattle under the statutory exemption created by SB 1539. The rule does not create barriers based on race, ethnicity, or protected status and is intended to improve access to agricultural services, particularly in rural and underserved areas. The Board is not aware of impacts that would create or perpetuate racial inequities.

FISCAL AND ECONOMIC IMPACT:

The proposed rule is expected to have minimal fiscal impact on the Oregon Veterinary Medical Examining Board and can be implemented within existing agency resources. The rule may improve access to pregnancy verification services in rural and underserved areas, providing operational benefits to cattle producers and helping address workforce and service-access challenges. Any impact on veterinary practices is expected to be limited because the rule supplements available services in areas experiencing access shortages and does not authorize broader veterinary practice.

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).

State agencies:
The Oregon Veterinary Medical Examining Board may incur minimal administrative costs associated with implementation and enforcement of the rule, which are expected to be absorbed within existing resources.

Units of local government:
No significant fiscal impact is anticipated.

Members of the public:
Persons seeking to perform pregnancy verification under ORS 686.040 may incur training-related costs. Cattle producers may experience economic benefits from improved access to pregnancy verification services, particularly in rural areas.

Small businesses potentially affected include cattle ranches, livestock producers, agricultural service providers, and veterinary practices serving cattle producers in Oregon. The Board does not have sufficient data to estimate the exact number of affected small businesses.

Expected reporting, record keeping and administrative activities and cost required to comply.
The rule requires individuals relying on the exemption to maintain evidence of completion of required training or evidence of prior training and experience under the grandfather provision. Administrative and record keeping activities are expected to be minimal.

Cost of professional services, equipment, supplies, labor and increased administration required to comply.
Individuals seeking to qualify under the new training pathway may incur costs associated with educational programs and related travel or participation expenses. Persons utilizing ultrasound equipment may incur equipment-related expenses. The Board expects these costs to vary depending on training provider, training method, equipment used, and existing experience. Administrative costs are expected to be minimal. The rule does not require licensure, certification, or ongoing reporting.

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

The Board convened a Rules Advisory Committee (RAC) to assist in development of the proposed rule. Throughout the rulemaking process, RAC members reviewed draft language and emphasized maintaining a narrow exemption, avoiding creation of licensure or certification requirements, ensuring minimum competency standards, preserving recognition of experienced practitioners, and maintaining access to affordable training opportunities throughout Oregon. The RAC conducted multiple reviews and completed a final line-by-line review before recommending draft language to the Board.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

ADOPT: 875-010-0110

RULE SUMMARY: The Oregon Veterinary Medical Examining Board proposes to adopt a new rule implementing Senate Bill 1539 and ORS 686.040, which authorizes unlicensed individuals to perform pregnancy verification in cattle under limited circumstances. The proposed rule defines the scope of permitted pregnancy verification activities and establishes minimum competency and training requirements for individuals using transrectal palpation, ultrasound, or validated biological testing methods. The rule requires completion of a Board-accepted educational program consisting of at least eight hours of theory instruction and practical skills training, including a minimum of 50 supervised palpations. The proposed rule also establishes competency standards for ultrasound and biological testing methods and recognizes individuals who were performing pregnancy verification prior to the rule's effective date by allowing them to continue operating under a grandfather provision based on prior training and experience. The rule is intended to implement statutory requirements, promote competency, and improve access to pregnancy verification services while maintaining appropriate limitations on the practice of veterinary medicine.

CHANGES TO RULE:

875-010-0110
Unlicensed Pregnancy Verification in Cattle: Permitted Circumstances, Training, and Documentation
(1) "Pregnancy verification" for this rule means diagnosing pregnancy in cattle using transrectal palpation, ultrasonography, or validated blood, milk, or other biological testing methods. Pregnancy verification is strictly limited to determining pregnancy status and does not include diagnosis of any other condition, treatment, medication administration, fetal sex determination, reproductive assessment beyond pregnancy status, or any other veterinary intervention. ¶
(2) Minimum Competency and Training Requirements: To qualify for the exemption authorized under ORS 686.040, an unlicensed individual must have evidence of completion of the training requirements established by this rule through a Board-accepted educational program.¶
(a) Minimum Theory Instruction: The educational program must include a minimum of 8 hours of theory instruction delivered through lecture, online modules, supervised discussion, or a combination thereof. The theory instruction must address all of the following¶

(A) Bovine reproductive anatomy and palpation landmarks;¶
(B) Estrous cycle fundamentals;¶
(C) Fetal development milestones and normal gestational progression;¶
(D) Principles of palpation and safety for both the animal and operator;¶
(E) Fundamentals of ultrasound technology as related to pregnancy determination;¶
(F) Use and interpretation of validated blood, milk, or other biological pregnancy tests.¶
(b) Minimum Practical Skills: The educational program must include training sufficient to provide competency in the following practical skills¶
(A) A minimum of 50 supervised palpations distributed across non-pregnant cattle and cattle in varying stages of gestation, including early, mid, and late pregnancy;¶
(B) Hands-on exposure to non-pregnant cattle for comparison purposes;¶
(C) Supervised practice with real-time evaluation and feedback;¶
(D) Appropriate ultrasound exposure sufficient to differentiate pregnant and non-pregnant cattle when ultrasound is utilized;¶
(E) Safe rectal entry techniques and proper arm and hand positioning;¶
(F) Identification of the uterus, cervix, and ovaries;¶
(G) Accurate determination of pregnancy status.¶
(c) Biological Testing Competency: An individual utilizing validated and generally accepted blood, milk, and other biological testing methods for pregnancy verification must receive training that includes:¶
(A) Use of validated and generally accepted blood, milk, and other biological tests;¶
(B) Interpretation of test results and recognition of limitations;¶
(C) Circumstances in which biological testing may supplement palpation or ultrasound; and¶
(D) Documentation of results, including inconclusive or invalid samples.¶
(d) Ultrasound Competency: An individual utilizing ultrasound for pregnancy verification must receive training that includes¶
(A) Basic machine operation, safety procedures, and probe orientation;¶
(B) Recognition of open vs pregnant uterine patterns;¶
(C) Basic fetal aging only to the extent necessary to determine pregnancy verification; and¶
(D) Avoidance of diagnostic claims beyond pregnancy verification.¶
(3) Recognition of Prior Training and Experience: An individual who was performing pregnancy verification in cattle prior to the effective date of this rule may continue to perform pregnancy verification pursuant to ORS 686.040, so long as such an individual is acting within the scope of their prior training. The specific training requirements in subsection (2) of this rule do not apply to an individual who has evidence of prior training and experience in pregnancy verification of cattle. The Board recognizes that individuals performing pregnancy verification prior to the effective date of this rule have obtained competency through prior education, employment, apprenticeship, mentorship, or on-the-job experience.
Statutory/Other Authority: ORS 686.210, ORS 686.220, ORS 686
Statutes/Other Implemented: SB-1539 (2026)