

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

Board of Pharmacy	855
Agency and Division	Administrative Rules Chapter Number
Karen MacLean	(971) 673-0001
Rules Coordinator	Telephone
Board of Pharmacy, 800 NE Oregon St., # 150, Portland, OR 97232	
Address	

RULE CAPTION

Implements temporary revenue surplus reduction pursuant to ORS 291.055(3) for certain licensure fees.

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

RULEMAKING ACTION

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

ADOPT:

AMEND:

855-110-0005, 855-110-0007, 855-110-0010

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 689.205, 475.095, 291.055

Other Authority:

2013 HB 5036

Statutes Implemented:

ORS 689.135, 431.972, 689.774

RULE SUMMARY

These proposed rules implement revenue surplus reductions pursuant to ORS 291.055(3) for certain licensing fees as approved in the Board's 2013-15 Legislatively Approved Budget. The following fees are included: Pharmacist, Reciprocity, County Health Clinics, Family Planning Clinics, Hospital Drug Rooms, Correctional Facilities, Prophylactic/Contraceptive Outlets, Retail and Institutional Drug Outlets, Home Dialysis Drug Outlets and all Controlled Substance registration fees. Copies of the full text of these rules can be obtained on the Board's website at www.pharmacy.state.or.us, or by calling the Board office (971) 673-0001.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association 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 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.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative

08-30-2013 4:30 p.m.	Karen MacLean	Karen.S.MacLean@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

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*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 923-2003

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking accompanies this form

Board of Pharmacy
Agency and Division

855
Administrative Rules Chapter Number

Implements temporary revenue surplus reduction pursuant to ORS 291.055(3) for certain licensure fees.

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

In the Matter of:

Revenue surplus fee reductions pursuant to ORS 291.055(3) for certain licensing fees.

Statutory Authority:

ORS 689.205, 475.095, 291.055

Other Authority:

2013 HB 5036

Statutes Implemented:

ORS 689.135, 431.972, 689.774

Need for the Rule(s):

The Board's 2013-15 Legislatively Adopted Budget, effective July 1, 2013 includes implementing fee reductions pursuant to ORS 291.055(3). The following fees are being proposed for reduction: Pharmacists, Reciprocity, County Health Clinics, Family Planning Clinics, Hospital Drug Rooms, Correctional Facilities, Prophylactic/Contraceptive Outlets, Retail and Institutional Drug Outlets, Home Dialysis Drug Outlets and all Controlled Substance registration fees.

Documents Relied Upon, and where they are available:

2013 House Bill 5036, Legislature's website: <http://www.leg.state.or.us/13reg/measpdf/hb5000.dir/hb5036.en.pdf>

Fiscal and Economic Impact:

The following applicants/licenses will have a fee reduction: Pharmacists, Pharmacists applying for Reciprocity, County Health Clinics, Family Planning Clinics, Hospital Drug Rooms, Correctional Facilities, Pharmacists, Prophylactic/Contraceptive Outlets, Retail and Institutional Drug Outlets, Home Dialysis Drug Outlets and all Outlets that have a Controlled Substance Registration.

Statement of Cost of Compliance:

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

Fee reductions will apply to both state and local government agencies as well as the public who have the following licenses: Pharmacists, Pharmacists applying for Reciprocity, County Health Clinics, Family Planning Clinics, Hospital Drug Rooms, Correctional Facilities, Pharmacists, Prophylactic/Contraceptive Outlets, Retail and Institutional Drug Outlets, Home Dialysis Drug Outlets and all Outlets that have a Controlled Substance Registration. As a result they will have a fee savings and the agency will have a decrease in revenue.

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:

It is unknown how many small businesses will be affected by this rule.

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

There may be a small administrative activity for applicable licensees to change or make note of the new fee.

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

None.

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

None.

Administrative Rule Advisory Committee consulted?:

No

If not, why?:

Fee reduction pursuant to ORS 291.055(3) authorized by 2013-15 Legislature.

FILED

7-9-13 11:52 AM
ARCHIVES DIVISION
SECRETARY OF STATE

08-30-2013 4:30 p.m.

Karen MacLean

Karen.S.MacLean@state.or.us

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

Printed Name

Email Address