

1 DIVISION 25

2 CERTIFIED **OREGON** PHARMACY TECHNICIANS AND PHARMACY
3 TECHNICIANS

4 855-025-0001

5 **Purpose and Scope** ~~Transition from Registration of Technician to Licensure of Technician~~

6 **The purpose of the Pharmacy Technician license is to provide an opportunity for a person**
7 **to obtain competency in the role of Pharmacy Technician. It will allow a person to have**
8 **time to take and pass a national pharmacy technician certification examination required to**
9 **be eligible for licensure as a Certified Oregon Pharmacy Technician; and facilitate the**
10 **initial license of a nationally certified Pharmacy Technician seeking licensure in Oregon.**

11 ~~(1) Effective June 28, 2005, pharmacy technicians ceased to be registered and became licensed.~~
12 ~~As part of licensure, pharmacy technicians are now subject to disciplinary action by the Board~~
13 ~~and subject to specialized education and training requirements established by the Board. This~~
14 ~~rule provides a framework for the transition from registration to licensure.~~

15 ~~(2) The existing Board file containing information on each registered pharmacy technician or~~
16 ~~applicant for registration as a pharmacy technician remains in effect when the registration~~
17 ~~program transitions to a licensure program. Pharmacy technicians and applicants need not~~
18 ~~resubmit application material or other information to the Board because of the transition to~~
19 ~~licensure unless the Board specifically requests resubmission. Complaints, investigations,~~
20 ~~renewal information, criminal history information and registration history information remain in~~
21 ~~effect and carry over into the licensing history for each pharmacy technician or applicant.~~

22 Stat. Auth.: 689.205

23 Stats. Implemented: 689.225

24
25 855-025-0005

26 **Qualifications** **Eligibility for** Licensure as a Pharmacy Technician or Certified **Oregon**
27 Pharmacy Technician

28 ~~(1) Effective August 1, 2006, **T**o qualify for licensure as a **Pharmacy Technician or e**Certified~~
29 ~~**Oregon p**Pharmacy **t**Technician, an applicant must demonstrate that the applicant is ~~or will be~~ at~~
30 ~~least 18 years of age and holds ~~or will hold~~ a high school diploma or GED. **at the time the Board**~~
31 ~~issues the license.~~

32 **(2) Section one does not apply to persons under the age of 18 licensed by the Board as a**
33 **Pharmacy Technician prior to January 1, 2015.**

34

35 **(3) An applicant for licensure as a Pharmacy Technician or Certified Oregon Pharmacy**
36 **Technician must complete an application for licensure, provide the Board with a valid e-**
37 **mail address, and a fingerprint card or other documentation required to conduct a**
38 **criminal background check.**

39 (2) **(4)** No person whose license to practice as a pharmacist has been denied, revoked, suspended
40 or restricted by the **any healthcare professional regulatory** Board may be licensed as a
41 ~~p~~**Pharmacy t**Technician or ~~e~~**Certified Oregon p**~~P~~**armacy t**Technician unless the Board
42 determines that licensure will pose no danger to patients or to the public interest.

43 Stat. Auth.: ORS 689.205
44 Stats. Implemented: ORS 689.155
45
46 **855-025-0010**

47 **Renewal of Licensure as a Pharmacy Technician Requires Certification**

48 (1) The purpose of this rule is to ensure that all pharmacy technicians in Oregon become certified
49 pharmacy technicians by passing a certification examination accepted by the Board. This rule
50 requires all current pharmacy technicians to become certified by October 1, 2008, and gives all
51 new pharmacy technicians until October 1, 2008, one year after initial licensure, or prior to the
52 pharmacy technician's 19th birthday, whichever is later, to obtain certification.

53 **(1) The license of a Pharmacy Technician expires one year from the date upon which it is**
54 **issued.**

55 **(2) The Pharmacy Technician license is not renewable except by petition to the Board.**

56 (2) The license of a pharmacy technician expires one year from the date upon which it is issued
57 and may be renewed only if:

58 (a) The applicant has become certified by taking and passing one of the examinations described
59 in section three or

60 (b) The applicant is less than 18 years of age.

61 (3) For any pharmacy technician license that expires on or after September 30, 2008, an
62 applicant to renew a pharmacy technician license must demonstrate that the applicant for renewal
63 has taken and passed the national pharmacy technician certification examination given by either:

64 **(3) An individual may reapply for a Pharmacy Technician license if his or her previous**
65 **license is lapsed for a period greater than five years or by petition to the Board.**

66 (4) The license of a certified pharmacy technician expires on September 30 of each year and
67 must be renewed annually.

68 ~~(5) Notwithstanding any other provision of these rules, a pharmacy technician who is less than~~
69 ~~18 years of age need not take and pass a certified pharmacy technician examination.~~

70 ~~(6) Applicants for licensure or renewal of licensure as a pharmacy technician must submit to a~~
71 ~~criminal background check.~~

72 Stat. Auth.: ORS 689.205
73 Stats. Implemented: ORS 689.155

74 **855-025-0012**

75 **Licensure as a Certified Oregon Pharmacy Technician**

76 **(1) To obtain a Certified Oregon Pharmacy Technician license, the applicant must**
77 **demonstrate that the applicant has taken and passed a national pharmacy technician**
78 **certification examination offered by:**

79 **(a) The Pharmacy Technician Certification Board (PTCB); or**

80 **(b) The National Healthcareer Association (NHA).**

81 **(2) The license of a Certified Oregon Pharmacy Technician expires September 30 annually.**

82 **Stat. Auth.: ORS 689.205**

83 **Stats. Implemented: ORS 689.155**

84

85 **855-025-0015**

86 **Renewal of Licensure as a Certified Oregon Pharmacy Technician**

87 (1) Licensed ~~p~~**P**armacy ~~t~~**T**echnicians who have taken and passed a **national pharmacy**
88 **technician** certification examination listed in OAR 855-025-001**2(1)(a)-(b)**~~0(3)~~ may use the title
89 “~~e~~**C**ertified **Oregon** ~~p~~**P**armacy ~~t~~**T**echnician,” are referred to in these rules as a “~~e~~**C**ertified
90 **Oregon** ~~p~~**P**armacy ~~t~~**T**echnician,” and are licensed as a “~~e~~**C**ertified **Oregon** ~~p~~**P**armacy
91 ~~t~~**T**echnician.”

92 (2) An applicant for renewal of a ~~e~~**C**ertified **Oregon** ~~p~~**P**armacy ~~t~~**T**echnician license must:

93 ~~(a) Maintain certification by one of the organizations listed in OAR 855-025-0010(3) and~~

94 **(a) Pay the license fee prescribed in OAR 855-110.**

95 (b) During each **the** period from September 1 through August 31 **of each license renewal cycle,**
96 **each Certified Oregon Pharmacy Technician must satisfactorily complete and report a**
97 **minimum of 10 continuing pharmacy education hours, which must include:** at least one hour
98 of pharmacy law appropriate to the applicant’s work setting and functions.

99 **(A) One hour of continuing pharmacy education in pharmacy law;**

100 **(B) One hour of continuing pharmacy education in patient safety and error prevention;**
101 **and**

102 **(C) Eight other hours of continuing pharmacy education hours or Board approved and**
103 **documented onsite training.**

104 **(D)** (e) Submit **Be subject** to an **annual** criminal background check.

105 (3) The Board may randomly select and audit applications for renewal to verify completion of
106 the continuing education **documented onsite training** reported on the application for renewal.
107 Certified **Oregon** **p**Pharmacy **t**Technicians whose applications for renewal are selected for audit
108 must provide documentation of completion of the continuing **pharmacy** education reported.

109 **(4) Effective January 1, 2015, national certification is not required to renew a license as a**
110 **Certified Oregon Pharmacy Technician.**

111 **(5) A Certified Oregon Pharmacy Technician who fails to renew his or her license by the**
112 **expiration date and whose license has been lapsed less than 180 days may renew his or her**
113 **license as follows:**

114 **(a) Pay the license fee as prescribed in OAR 855-110.**

115 **(b) Pay a delinquent fee.**

116 Stat. Auth.: ORS 689.205

117 Stats. Implemented: ORS 689.155

118

119 **855-025-0020**

120 **Recordkeeping Responsibilities of Pharmacy Technicians and Certified Oregon Pharmacy**
121 **Technicians**

122 (1) Failure to answer completely, accurately and honestly, all questions on the application form
123 for licensure or renewal of licensure is grounds for discipline.

124 (2) Failure to disclose any arrest for a felony or misdemeanor, or any indictment for a felony may
125 result in denial of the application.

126 (3) A **p**Pharmacy **t**Technician or **e**Certified **Oregon** **p**Pharmacy **t**Technician must report to the
127 Board within 10 days if they:

128 (a) Are convicted of a misdemeanor or a felony; or

129 (b) If they are arrested for a felony.

130 (4) A **pPharmacy tTechnician** or **eCertified Oregon pPharmacy tTechnician** who has reasonable
131 cause to believe that another licensee (of the Board or any other Health Professional Regulatory
132 Board) has engaged in prohibited or unprofessional conduct as these terms are defined in OAR
133 855-006-0005, must report that conduct to the board responsible for the licensee who is believed
134 to have engaged in the conduct. The reporting **pPharmacy tTechnician** or **eCertified Oregon**
135 **pPharmacy tTechnician** shall report the conduct without undue delay, but in no event later than
136 10 working days after the reporting **pPharmacy tTechnician** or **eCertified Oregon pPharmacy**
137 **tTechnician** learns of the conduct unless federal laws relating to confidentiality or the protection
138 of health information prohibit disclosure.

139 (5) A **pPharmacy tTechnician** or **eCertified Oregon pPharmacy tTechnician** who reports to a
140 board in good faith as required by section (4) of this rule is immune from civil liability for
141 making the report.

142 (6) A **pPharmacy tTechnician** or **eCertified Oregon pPharmacy tTechnician** who has reasonable
143 grounds to believe that prescription drugs or records have been lost or stolen, or any violation of
144 these rules has occurred, must notify the Board within 10 days.

145 (7) A **pPharmacy tTechnician** or **eCertified Oregon pPharmacy tTechnician** must notify the
146 Board in writing, within 15 days, of any change in **email address**, employment location or
147 residence address except that a technician who is employed at more than one pharmacy need
148 only report the name and address of the pharmacy at which the technician normally works the
149 most hours.

150 (8) A **eCertified Oregon pPharmacy tTechnician** must obtain certificates of completion that
151 show the date and number of hours earned to document continuing education credit earned and
152 must keep the certificates of completion for three years from the date of the program.

153 Stat. Auth.: ORS 689.205

154 Stats. Implemented: ORS 689.155, ~~Ch. 536-OL-2009-689.455~~

155

156 **855-025-0025**

157 **Use of Pharmacy Technicians and Certified Oregon Pharmacy Technicians**

158 (1) A pharmacist or pharmacy may use **pPharmacy tTechnicians** or **eCertified Oregon**
159 **pPharmacy tTechnicians** only as authorized by the rules of the Board.

160 (2) **pPharmacy tTechnicians** or **eCertified Oregon pPharmacy tTechnicians** must be supervised
161 by a pharmacist.

162 (3) Pharmacists, **pPharmacist iInterns**, **pPharmacy tTechnicians** and **eCertified Oregon**
163 **pPharmacy tTechnicians** must be clearly identified as such to the public.

164 (4) Work performed by **pPharmacy tTechnicians** and **eCertified Oregon pPharmacy**
165 **tTechnicians** assisting the **pPharmacist** to prepare medications must be verified by a **pPharmacist**

166 prior to release for patient use. Verification must be documented, available and consistent with
167 the standard of practice.

168 (5) The pharmacist-in-charge must prepare and maintain in the pharmacy written procedures that
169 describe the tasks performed by pPharmacy tTechnicians or eCertified Oregon pPharmacy
170 tTechnicians, and the methods of verification and documentation of work performed by
171 pPharmacy tTechnicians or eCertified Oregon pPharmacy tTechnicians pharmacy technicians.
172 Written procedures must be available for inspection by the Board or its representatives. The
173 pharmacist-in-charge must review written procedures annually and document that review on the
174 annual pharmacist-in-charge inspection sheet.

175 (6) Training:

176 (a) The pharmacist-in charge must outline, and each pPharmacy tTechnician or eCertified
177 Oregon pPharmacy tTechnician must complete initial training that includes on-the-job and
178 related education commensurate with the tasks that the pPharmacy tTechnician or eCertified
179 Oregon pPharmacy tTechnician will perform, prior to the performance of those tasks.

180 (b) The pharmacist-in-charge must ensure the continuing competency of pPharmacy
181 tTechnicians or eCertified Oregon pPharmacy tTechnicians.

182 (c) The pharmacist-in-charge must document initial training of each pPharmacy tTechnician or
183 eCertified Oregon pPharmacy tTechnician and make that documentation available to the Board
184 or its representatives upon request.

185 (7) Upon written request, the Board may waive any of the requirements of this rule upon a
186 showing that a waiver will further public health or safety or the health or safety of a patient or
187 other person. A waiver granted under this section is effective only when issued by the Board in
188 writing.

189 Stat. Auth.: ORS 689.205

190 Stats. Implemented: ORS 689.155

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192

193 **855-025-0030**

194 **Confidentiality**

195 (1) No licensee of the Board who obtains any patient information shall disclose that information
196 to a third-party without the consent of the patient except as provided in section two of this rule.

197 (2) A licensee may disclose patient information:

198 (a) To the Board;

199 (b) To a practitioner, pPharmacist, pPharmacy tTechnician, or eCertified Oregon pPharmacy
200 tTechnician, if disclosure is authorized by a pPharmacist who reasonably believes that disclosure
201 is necessary to protect the patient's health or well-being; or

202 (c) To a third-party when disclosure is authorized or required by law; or

203 (d) As permitted pursuant to federal and state patient confidentiality laws.

204 Stat. Auth.: ORS 689.205

205 Stats. Implemented: ORS 689.155

206

207 **855-025-0035**

208 **Pharmacy and Pharmacist Responsibility for Supervising Pharmacy Technicians and**
209 **Certified Pharmacy Technicians**

210 (1) The supervising pharmacist and the pharmacist-in-charge are responsible for the actions of
211 pPharmacy tTechnicians or eCertified Oregon pPharmacy tTechnicians. The use of pPharmacy
212 tTechnicians or eCertified Oregon pPharmacy tTechnicians to perform tasks not included in
213 written procedures maintained by the pharmacy constitutes unprofessional conduct on the part of
214 the supervising pharmacist and the pharmacist-in-charge.

215 (2) The pharmacy must maintain on file and post the current license of each pPharmacy
216 tTechnician or eCertified Oregon pPharmacy tTechnician.

217 (3) Before allowing any person to work as a pPharmacy tTechnician or eCertified Oregon
218 pPharmacy tTechnician, the pharmacy and pharmacist shall verify that the person is currently
219 licensed as a pPharmacy tTechnician or eCertified Oregon pPharmacy tTechnician.

220 (4) Prior to performing the duties of a pPharmacy tTechnician or eCertified Oregon pPharmacy
221 tTechnician, a person must provide to the pPharmacist or pharmacist-in-charge a copy of the
222 person's current pPharmacy tTechnician license or a current eCertified Oregon pPharmacy
223 tTechnician license.

224 Stat. Auth.: ORS 689.205

225 Stats. Implemented: ORS 689.155

226

227 **855-025-0040**

228 **Certified Oregon Pharmacy Technician and Pharmacy Technician Tasks and Guidelines**

229 (1) Non-licensed pharmacy personnel may enter non-prescription information into a computer
230 record system and may perform clerical duties such as filing prescriptions, delivery,
231 housekeeping, and general record keeping, but the responsibility for the accuracy of the non-
232 licensed pharmacy personnel's work lies with the pharmacist.

- 233 (2) Only persons licensed with the Board as a p**P**harmacy t**T**echnician or e**C**ertified **Oregon**
234 p**P**harmacy t**T**echnician, acting in compliance with all applicable statutes and rules and under
235 the supervision of a pharmacist, may assist in the practice of pharmacy by the following:
- 236 (a) Packing, pouring or placing in a container for dispensing, sale, distribution, transfer
237 possession of, any drug, medicine, poison, or chemical which, under the laws of the United
238 States or the State of Oregon, may be sold or dispensed only on the prescription of a practitioner
239 authorized by law to prescribe drugs, medicines, poisons, or chemicals.
- 240 (b) Reconstituting prescription medications. The supervising pharmacist must verify the
241 accuracy in all instances.
- 242 (c) Affixing required labels upon any container of drugs, medicines, poisons, or chemicals sold
243 or dispensed upon prescription of a practitioner authorized by law to prescribe those drugs,
244 medicines, poisons, or chemicals.
- 245 (d) Entering information into the pharmacy computer. The p**P**harmacy t**T**echnician or e**C**ertified
246 **Oregon** p**P**harmacy t**T**echnician shall not make any decisions that require the exercise of
247 judgment and that could affect patient care. The supervising pharmacist must verify prescription
248 information entered into the computer and is responsible for all aspects of the data and data
249 entry.
- 250 (e) Initiating or accepting oral or electronic refill authorization from a practitioner or
251 practitioner's agent, provided that nothing about the prescription is changed, and record the
252 medical practitioner's name and medical practitioner's agent's name, if any;
- 253 (f) Prepackaging and labeling of multi-dose and unit-dose packages of medication. The
254 pharmacist must establish the procedures, including selection of containers, labels and lot
255 numbers, and must verify the accuracy of the finished task.
- 256 (g) Picking doses for unit dose cart fill for a hospital or for a nursing home patient. The
257 pharmacist must verify the accuracy of the finished task.
- 258 (h) Checking nursing units in a hospital or nursing home for nonjudgmental tasks such as
259 sanitation and out of date medication. Any problems or concerns shall be documented and
260 initialed by a pharmacist.
- 261 (i) Recording patient or medication information in computer systems for later verification by the
262 pharmacist.
- 263 (j) Bulk Compounding. Solutions for small-volume injectables, sterile irrigating solutions,
264 products prepared in relatively large volume for internal or external use by patients, and reagents
265 or other products for the pharmacy or other departments of a hospital. The supervising
266 pharmacist must verify the accuracy in all instances.
- 267 (k) Preparation of parenteral products as follows:

268 (A) Performing functions involving reconstitution of single or multiple dosage units that are to
269 be administered to a given patient as a unit. The supervising pharmacist must verify the accuracy
270 in all instances.

271 (B) Performing functions involving the addition of one manufacturer's single dose or multiple
272 unit doses of the same product to another manufacturer's prepared unit to be administered to a
273 patient. The supervising pharmacist must verify the accuracy in all instances.

274 (l) Performing related activities approved in writing by the Board.

275 (3) In order to protect the public, safety, health and welfare, pPharmacy tTechnicians or
276 eCertified Oregon pPharmacy tTechnicians shall not:

277 (a) Communicate or accept by oral communication a new or transferred prescription of any
278 nature;

279 (b) Receive or transfer a prescription to another pharmacy without the prior verification of a
280 pharmacist.

281 (c) Provide a prescription or medication to a patient without a pharmacist's verification of the
282 accuracy of the dispensed medication;

283 (d) Counsel a patient on medications or perform a drug utilization review;

284 (e) Perform any task that requires the professional judgment of a pPharmacist; or

285 (f) Engage in the practice of pharmacy as defined in ORS 689.015.

286 Stat. Auth.: ORS 689.205

287 Stats. Implemented: ORS 689.155

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289

290 **855-025-0050**

291 **Grounds for Discipline of Pharmacy Technicians and Certified Oregon Pharmacy**
292 **Technicians**

293 The State Board of Pharmacy may refuse to issue or renew; or may suspend, revoke, or restrict
294 the license of a pPharmacy tTechnician or eCertified Oregon pPharmacy tTechnician; or may
295 impose a civil penalty upon a pPharmacy tTechnician or eCertified Oregon pPharmacy
296 tTechnician upon the following grounds including but not limited to:

297 (1) Unprofessional conduct as defined in OAR 855-006-0005;

298 (2) Repeated or gross negligence in performing the duties of a pPharmacy tTechnician or
299 eCertified Oregon pPharmacy tTechnician;

- 300 (3) Impairment, which means an inability to assist in the practice of pharmacy with reasonable
 301 competence and safety due to the habitual or excessive use of drugs or alcohol, other chemical
 302 dependency or a mental health condition;
- 303 (4) Being found guilty by the Board of a violation of the pharmacy or drug laws of this state or
 304 rules pertaining thereto or of statutes, rules or regulations of any other state or of the federal
 305 government;
- 306 (5) Being found guilty by a court of competent jurisdiction of a felony as defined by the laws of
 307 this state;
- 308 (6) Being found guilty by a court of competent jurisdiction of a violation of the pharmacy or
 309 drug laws of this state or rules pertaining thereto or of statutes, rules or regulations of any other
 310 state or of the federal government;
- 311 (7) Fraud or intentional misrepresentation in securing or attempting to secure the issuance or
 312 renewal of a ~~p~~Pharmacy ~~t~~Technician or ~~e~~Certified **Oregon** ~~p~~Pharmacy ~~t~~Technician license;
- 313 (8) Allowing an individual to engage in the duties of a ~~p~~Pharmacist, ~~p~~Pharmacy ~~t~~Technician or
 314 ~~e~~Certified **Oregon** ~~p~~Pharmacy ~~t~~Technician without a license or to use falsely the title of
 315 ~~p~~Pharmacist, ~~p~~Pharmacy ~~t~~Technician or ~~e~~Certified **Oregon** ~~p~~Pharmacy ~~t~~Technician;
- 316 (9) Being found by the Board to be in violation of any violation of any of the provisions of ORS
 317 435.010 to 435.130, 453.025, 453.045, 475.035 to 475.190, 475.805 to 475.995 or 689.005 to
 318 689.995 or the rules adopted pursuant thereto;
- 319 (10) Failure to appropriately perform the duties of a ~~p~~Pharmacy ~~t~~Technician or ~~e~~Certified
 320 **Oregon** ~~p~~Pharmacy ~~t~~Technician as outlined in OAR 855-025-0040 while assisting a pharmacist
 321 in the practice of pharmacy as defined in ORS 689.005;
- 322 (11) Any act or practice relating to performing the duties of a ~~p~~Pharmacy ~~t~~Technician or
 323 ~~e~~Certified **Oregon** ~~p~~Pharmacy ~~t~~Technician which is prohibited by state or federal law or
 324 regulation; or
- 325 (12) Any conduct or practice by a ~~p~~Pharmacy ~~t~~Technician, ~~e~~Certified **Oregon** ~~p~~Pharmacy
 326 ~~t~~Technician or pharmacy that the Board determines is contrary to the accepted standards of
 327 practice.

328 Stat. Auth.: ORS 689.205
 329 Stats. Implemented: ORS 689.151, Ch. 756-OL-2009 **689.405**
 330
 331 **855-025-0060**

332 **Petition for Reinstatement of a Certified **Oregon** Pharmacy Technician License**

333 **(1) A Certified Oregon Pharmacy Technician who fails to renew their license by the**
334 **deadline and whose license has been lapsed more than 180 days may reinstate their license**
335 **as follows:**

336 **(a) Complete a new application for licensure and provide the Board with a valid e-mail**
337 **address; and**

338 **(b) Pay the license fee as prescribed in OAR 855-110.**

339 **(2) A Certified Oregon Pharmacy Technician whose license has been lapsed greater than**
340 **four years must:**

341 **(a) Complete an application for licensure, provide the Board with a valid e-mail address,**
342 **and a fingerprint card or other documentation required to conduct a criminal background**
343 **check;**

344 **(b) Pay the license fee as prescribed in OAR 855-110; and**

345 **(c) Re-take and pass a national pharmacy technician certification examination offered by:**

346 **(A) The Pharmacy Technician Certification Board (PTCB); or**

347 **(B) National Healthcareer Association (NHA).**

348 ~~(1) A certified pharmacy technician's license that has been revoked, suspended or restricted will~~
349 ~~be reinstated only if the Board finds, upon a presentation made by the petitioner, that there is a~~
350 ~~reasonable assurance that the public interest will be protected if relicensure occurs.~~

351 ~~(2) A presentation must consist of a showing by the petitioner of changed circumstances from~~
352 ~~those surrounding the revocation, suspension or restriction of license. The presentation must~~
353 ~~include:~~

354 ~~(a) A showing that the petitioner has engaged in treatment, programs, or other endeavors or~~
355 ~~activities since the suspension, revocation or restriction of license which has caused the~~
356 ~~rehabilitation of the petitioner to the extent that the public's interest would be protected if~~
357 ~~relicensure should be granted.~~

358 ~~(b) Medical, psychological, sociological or other physical, mental or moral appraisals,~~
359 ~~evaluations or recommendations relating to the petitioner to aid the Board in its determination~~
360 ~~whether the petitioner has been rehabilitated to the extent that the public's interest would be~~
361 ~~protected if relicensure should be granted.~~

362 ~~(3) Petitions to the Board for reinstatement of licensure after suspension, revocation or restriction~~
363 ~~must be in writing and must contain:~~

364 ~~(a) A written statement of those changed circumstances which the petitioner believes warrant the~~
365 ~~Board's finding that there is a reasonable assurance that the public interest will be protected if~~
366 ~~relicensure occurs. Such statement must include a recitation of the treatment, programs, or other~~
367 ~~endeavors or activities undertaken by the petitioner, more particularly referred to subsection~~
368 ~~(2)(a) of this rule.~~

369 ~~(b) A summarization of the medical, psychological, sociological or other physical, mental, or~~
370 ~~moral appraisals or recommendations which the petitioner intends to present to the Board~~
371 ~~pursuant to subsection (2)(b) of this rule.~~

372 ~~(4) If, after opportunity is afforded the petitioner to show otherwise, the Board determines that a~~
373 ~~petition fails to comply with section (3) of this rule, or has not been made within a reasonable~~
374 ~~interval from the suspension, revocation, or restriction of license or from a previous petition, the~~
375 ~~Board will dismiss the petition without further investigation and hearing before the Board.~~

376 ~~(5) Petitions which comply with section (3) of this rule will be scheduled for presentation of~~
377 ~~proof before the Board, and the petitioner will be notified of the time and place.~~

378 ~~(6) The completion of any treatment, program or activity which the Board may recommend does~~
379 ~~not establish a right to reinstatement. The Board must, in each and every case, make a finding~~
380 ~~based upon the presentation of the petitioner that there is a reasonable assurance that the public~~
381 ~~interest will be protected if relicensure occurs.~~

382 Stat. Auth.: ORS 689.205

383 Stats. Implemented: ORS 689.155