



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 848
OREGON BOARD OF PHYSICAL THERAPY

FILED

01/31/2023 2:48 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amending rule to reflect the current version of PT Compact Commission rules.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/15/2023 4:00 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.

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NEED FOR THE RULE(S)

This amendment clarifies the Board has adopted the most current version of the PT Compact Commission rules.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

PTCC Commission Rulemaking material, board meeting materials and minutes. Available at the Board office.

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

There is not a direct impact as the rule amendment only relates to the adoption of the PT Compact Commission rules. The Compact itself allows for licensees in good standing from other Compact states to work in Oregon under a Compact Privilege, which helps support availability of broader workforce.

FISCAL AND ECONOMIC IMPACT:

None. There is no fiscal or economic impact as a direct result of the rule amendment.

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).

None; there is no cost of compliance as a result of the rule amendment.

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

The Board licenses individuals; many of our licensees are small business owners, and rulemaking information is sent to

all licensees, allowing input in the public rulemaking process.

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

A rule advisory committee was not used given that this is only a minor amendment to existing rule to reference the current PTCC rules.

AMEND: 848-055-0001

RULE SUMMARY: This rule adopts by rule the PT Compact Commission rules with exemptions, pursuant to statutory and constitutional requirements. Rule amended to reflect the most current version of PTCC rules.

CHANGES TO RULE:

848-055-0001

Compact Commission Rules

(1) Pursuant to ORS 688.240 Section 9.A.2, the Oregon Board of Physical Therapy hereby adopts as rule the Physical Therapy Compact Commission Rules as adopted by the Commission effective October 2024~~12~~2, with the following additions:^{¶¶}

(a) These rules are adopted only to the extent that the Compact Commission Rules are consistent with Oregon and Federal law, as determined by the Board.^{¶¶}

(b) Pursuant to Article XI, 7 of the Oregon Constitution and per ORS 688.240, any monetary liabilities incurred as a result of arbitration or litigation are subject to the limitations in Oregon law.^{¶¶}

(c) The Oregon Physical Therapist Licensing Board will comply with Commission Rule 6.1(C) to the extent that the Board determines that compliance is within the requirements and limitations of law.^{¶¶}

(2) The full text of the ~~October 2021~~ Commission Rules will be made available for review on the Oregon PT Board website at www.oregon.gov/pt.

Statutory/Other Authority: ORS 688.160(6)(c), ORS 688.240

Statutes/Other Implemented: ORS 688.240