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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 848
OREGON BOARD OF PHYSICAL THERAPY

FILED
05/26/2021 12:08 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Raising Fees for Initial and Renewal Application; Removing Fee for Duplicate License.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/14/2021 5:00 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: Michelle Sigmund-Gaines 800 NE OREGON STREET, SUITE 407 Filed By:
971-673-0203 PORTLAND, OR 97232 Michelle Sigmund-Gaines
OBPT.Exec@oregon.gov Rules Coordinator

HEARING(S)

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

DATE: 06/21/2021

TIME: 8:00 AM - 9:00 AM

OFFICER: Michelle Sigmund-Gaines

ADDRESS: Virtual Public Hearing

800 NE OREGON STREET, SUITE 407

PORTLAND, OR 97232

SPECIAL INSTRUCTIONS:

Attendees may register to attend the
virtual hearing here:

<https://www.oregon.gov/pt/Pages/Laws.aspx>

NEED FOR THE RULE(S):

The Board has not raised fees since 2004, and reduced renewal fees in 2016. The Board has also not been accessing all pass-through costs currently in rule. The Board has been holding fees stable in spite of increasing expenses since 2004 in order to utilize excess reserves prior to considering any additional fees. The Board has been projecting the need for a fee increase in the 2021-2025 timeframe since the development of the 2017-2019 budget. Without the fee increases, which will impact initial applicants as of August 2021 and renewal applicants in 2022, the Board would face a revenue shortfall in the 2023-2025 biennium.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Budget documents, board meeting minutes and other materials; located at Board office. Budget documents also published on the Board's website.

FISCAL AND ECONOMIC IMPACT:

This action will raise fees for initial and renewal applicants. Initial applicants would pay an additional fee upon licensure. Renewal applicants would pay additional fee upon their biannual renewal date, which next occurs effective April 1st, 2022. The rulemaking also eliminates a \$25 fee for a duplicate license as the Board now offers this via self-service at no cost per duplicate printed.

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).

The increase applies to existing fees for applicants and licensees of the Board only. The applicant fee is being raised \$27, the 2-year PT renewal by \$30 and the 2-year PTA renewal by \$20. No additional reporting or administrative requirements are created by this action.

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

The fees relate to individual license fees and not facility fees; however, some licensees work for or own small businesses. Notice of proposed rulemaking was discussed in public sessions of the Board and notice sent to all license holders.

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

Notice and request for input was made to all licensees and interested parties.

AMEND: 848-005-0020

RULE SUMMARY: Modifies fees for application and renewal of license.

CHANGES TO RULE:

848-005-0020

Board Fees and Refunds ¶¶

(1) The following fees shall be paid to the Board:¶¶

- (a) Physical Therapist or Physical Therapist Assistant Examination Application Fee of ~~\$150~~87.00, plus the actual cost to the Board of conducting a nationwide background ~~check~~verification.¶¶
- (b) Physical Therapist or Physical Therapist Assistant Endorsement Application Fee of ~~\$150~~87.00, plus the actual cost to the Board of conducting a nationwide background ~~check~~verification.¶¶
- (c) Physical Therapist or Physical Therapist Assistant Military Spouse Temporary Permit Application Fee of \$99.¶¶
- (d) Physical Therapist License Renewal Fee of ~~\$172~~00.00, plus the actual cost to the Board of conducting a workforce demographics survey as required by ORS 676.410(6) as well as nationwide background verification.¶¶
- (e) Physical Therapist Assistant License Renewal Fee of ~~\$143~~00.00, plus the actual cost to the Board of conducting a workforce demographics survey as required by ORS 676.410(6) as well as nationwide background verification.¶¶
- (f) Lapsed License Renewal Fee of \$50.00 for renewal applications postmarked or received by the Board after March 31st of an even numbered year.¶¶
- (g) On-line renewal and application convenience fee not to exceed the actual processing costs of an on-line electronic transaction.¶¶
- (h) Physical Therapist or Physical Therapist Assistant Compact Privilege Fee of \$50.00.¶¶
- (i) Physical Therapist or Physical Therapist Assistant Temporary Permits Fee of \$50.00.¶¶
- (j) ~~Duplicate License Fee of \$25.00.¶¶~~
- (k) Physical Therapist or Physical Therapist Assistant Verification of Oregon Licensure or Verification of

Application Status Letters/Forms Fee of \$25.00.¶

(~~k~~) Non-Sufficient Funds (NSF) Check Fee of \$25.00.¶

(~~m~~) Miscellaneous Fees:¶

(A) Physical Therapist and/or Physical Therapist Assistant electronic mailing list fee of \$100.00.¶

(B) Photocopying administrative fee of \$25.00, plus ten cents (\$0.10) per copy.¶

(2) Board refunds of overpayments in any amount of \$25.00 or less will be held by the Board unless the payor requests a refund in writing.

Statutory/Other Authority: ORS 182.466(4)

Statutes/Other Implemented: ORS 182.466(4), 688.070(1)(2), 688.080, 688.100, 688.110