



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 848
OREGON BOARD OF PHYSICAL THERAPY

FILED

05/28/2025 3:27 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: ADOPTING RULES FOR AUTHORIZATION TO PRACTICE UNDER THE FEDERAL
SERVICEMEMBERS CIVIL RELIEF ACT

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/11/2025 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.

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Filed By:
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HEARING(S)

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

DATE: 07/11/2025

TIME: 11:00 AM - 12:00 PM

OFFICER: Michelle Sigmund-Gaines

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 253-215-8782

SPECIAL INSTRUCTIONS:

Hearing via Zoom

NEED FOR THE RULE(S)

50 USC §4025a was amended in December 2024 relating to the Federal Servicemembers Relief Act (SCRA) and professional licensure portability. This rule clarifies and codifies the application process for practice in Oregon under the SCRA.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Federal law, board meeting materials; located at the Board office.

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

This rule does not have a direct impact on racial equity in this state as the rule only applies to the implementation of this specific Federal law, and only applies to servicemembers or their spouses who are being re-stationed in Oregon and who hold a qualifying license in another state to practice physical therapy and wish to practice physical therapy in Oregon while stationed here.

FISCAL AND ECONOMIC IMPACT:

None.

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.

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

The rule is only applicable to specific individuals. and has no direct bearing on facilities or small businesses. Some of the board's licensees own or work for small businesses, and notice of the rulemaking and opportunity for input was provided to all current licensees.

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

Since this rule is merely implementing Federal requirements, a rule advisory committee was not deemed necessary.

ADOPT: 848-010-0028

RULE SUMMARY: RULES FOR AUTHORIZATION TO PRACTICE UNDER THE FEDERAL SERVICEMEMBERS CIVIL RELIEF ACT

CHANGES TO RULE:

848-010-0028

Servicemember, Spouse or Domestic Partner SCRA Practice Permit

(1) For the purposes of this rule, the following terms are defined:¶

(a) "Domestic partner" means a domestic partner of a servicemember stationed and establishing residence in Oregon.¶

(b) "Servicemember" means a member of the Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard; the commissioned corps of the National Oceanic and Atmospheric Administration; and the commissioned corps of the Public Health Service who is the subject of a military transfer to Oregon and who will reside in Oregon.¶

(c) "Spouse" means a spouse of a servicemember stationed in and establishing residence in Oregon.¶

(d) "State" includes all US States, the District of Columbia, Virgin Islands and Puerto Rico.¶

(2) This section does not apply to any servicemember or spouse or domestic partner of a servicemember if that individual holds an active license in another State that is a member of the Physical Therapy Compact. ¶

(3) To qualify to practice in Oregon under this rule, a servicemember, spouse, or domestic partner must:¶

(a) Hold an active license to practice as a physical therapist or physical therapist assistant in good standing in another State;¶

(b) Have not had a license revoked or had discipline imposed by any State licensing authority;¶

(c) Have no investigations relating to unprofessional conduct pending in any State licensing authority; and¶

(d) Have not voluntarily surrendered a license while under investigation for unprofessional conduct in any State.¶

(e) Does not hold an active license as described in section (2).¶

(4) A servicemember, spouse, or domestic partner who meets the requirements in section (3) may apply for a permit to practice under this rule in Oregon by submitting the following to the Oregon Board of Physical Therapy:¶

(a) The Board's application form in the manner prescribed by the Board and the applicable fees in OAR 848-005-0020;¶

(b) For a spouse or domestic partner a marriage certificate or satisfactory evidence of a domestic partnership, which includes the name of the applicant and the name of the servicemember;¶

(c) Proof of military orders for military service in Oregon; ¶

(d) Proof of intent to establish residency in the state; and¶

(e) An affidavit affirming, under the penalty of law:¶

(A) The applicant is the person described and identified in the application;¶

(B) All statements made in the application are true, correct, and complete;¶

(C) The applicant has read and understands the licensure requirements and scope of practice in Oregon;¶

(D) The applicant meets and will comply with Oregon laws governing the practice of physical therapy; ¶

(E) The applicant is in good standing in all States in which the applicant holds or has held a license; and¶

(F) The applicant must maintain their qualifying active license in the other State for the duration of their orders, including renewal of that license, if applicable.¶

(f) If requested by the Board, license verifications from all states or territories in which the applicant is currently or previously licensed to practice and evidence that the applicant is in good standing and not subject to any disciplinary action or pending investigations in that state or territory; and¶

(g) Submit fingerprints for the purpose of a criminal records background check. ¶

(5) The Board will review and act on the information submitted in accordance with rules adopted by the Oregon Board of Physical Therapy. In addition, for any application submitted under this rule, the Board may:¶

(a) Review and investigate the applicant to determine whether the applicant meets the requirements of the rules, including but not limited to confirming the veracity of submitted documentation or requesting additional documentation.¶

(b) Deny an application if the applicant fails to meet the minimum requirements for licensure or if the Board is unable to authenticate submitted documents.¶

(6) A person authorized to practice under this rule must practice in accordance with ORS 688 and any rules adopted by the Oregon Board of Physical Therapy.¶

(7) The Board will monitor applicable systems for the duration of the permit to ensure the individual remains in good standing with any state or territory in which the licensee maintains an active license.¶

(8) A person authorized to practice under this rule must disclose to the Board any subsequent disciplinary action or investigation opened against any physical therapy license in any state where they hold an active license, or any subsequent voluntary surrender of active license.¶

(9) A permit issued under this rule is valid for the duration of the military orders and will expire based on the date of the military orders as long as the qualifying license is maintained active and in good standing. A person authorized to practice under this rule is responsible for providing the Board the military orders ending military service in Oregon.¶

(10) The Board may investigate and take disciplinary action as described in OAR chapter 688 against a person authorized to practice under this rule for any reason that it may take disciplinary action against a licensee in ORS 688 and OAR chapter 848.¶

(11) A person authorized to practice under this rule desiring to continue practice in Oregon beyond the duration of the military orders, must apply as a new applicant by submitting the license application form and fee, meeting all current licensing requirements, and satisfactorily completing the application process.¶

(12) A person qualified for authorization to practice under this rule is not required to apply under this rule and may apply for any other applicable form of licensure for which they qualify, including the temporary permit for military spouse under OAR 848-010-0027.

Statutory/Other Authority: ORS 688.160

Statutes/Other Implemented: 50 USC §4025a; ORS 688.140; ORS 676.303(3)