

## **NOTICE OF PROPOSED RULEMAKING**

CHAPTER 811

BOARD OF CHIROPRACTIC EXAMINERS

FILING CAPTION: Updating license and certificate posting requirements

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/11/2021 AT 5:00 PM

HEARING(S):

DATE: 05/12/2021

TIME: 8:30 AM - 3:30 PM

OFFICER: Mackenzie Purnell

ADDRESS: TBD

Zoom and Telephone

Open to public

All, OR 97301

SPECIAL INSTRUCTIONS:

Zoom and Telephone access will be posted on public agenda on agency website

NEED FOR THE RULE(S):

Updating to reflect changes in posting requirement of license and certificate renewal

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OAR Ch. 811, [www.oregon.gov/obce](http://www.oregon.gov/obce)

FISCAL AND ECONOMIC IMPACT:

No direct fiscal impact

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).

No cost associated for compliance.

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

5 of our board members who will be reviewing and voting on this rule are licensed chiropractic physicians and some either own or work for small businesses.

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

Updating current practice

CONTACT:

Mackenzie Purnell

503-373-1573

Mackenzie.g.purnell@oregon.gov

530 Center St NE

Suite 620

Salem, OR 97301

AMEND: 811-010-0086

RULE TITLE: Annual Registration

RULE SUMMARY:

RULE TEXT:

The license period for chiropractic physicians in Oregon is a period equal to 12 months, expiring on the last day of the licensee's birth date month. Licensees must comply with ORS 684.090, 684.092, and 684.094 as it applies to their license status.

(1) At least 30 days prior to the renewal due date, the Board shall provide, by mail or electronic mail to the address on record, a notice of the requirements of ORS 684.090 and ORS 684.092.

(2) As part of the annual registration, all licensees must complete the required health care workforce data survey and pay the fee established by the Oregon Health Authority pursuant to ORS 676.410.

(3) Active licensees must pay to the Board the annual registration fee and meet the requirements of ORS 684.092 during the 12 months prior to the expiration of the Certificate of Registration.

(4) Licensees may apply for a senior active license, if the licensee meets and provides proof of the following requirements:

(a) Is 60 years of age or older; and

(b) Has held an active chiropractic license for at least 25 years.

(5) Senior active licensees shall fulfill the requirements of ORS 684.092 except that continuing chiropractic education shall not be less than 6 hours per year.

(6) Active licensees may apply for an inactive license, if the licensee is not engaged in the practice of chiropractic in Oregon.

(7) Inactive licensees do not have to fulfill the requirements of ORS 684.092.

(8) Inactive licensees who want to reinstate their active license during the same license year shall pay the full active annual registration fee and provide proof of compliance with ORS 684.092.

(9) Inactive licensees who apply for reinstatement after five or more years after the date of transfer to inactive license, or who cannot demonstrate to the satisfaction of the Board they have been in active practice during the preceding five years, may be required to establish their competency in the practice of chiropractic by:

(a) Receiving a passing grade on all or part of an examination required by the Board; or

(b) Submitting a license verification showing proof of active chiropractic practice and any disciplinary actions from all state boards where licensure is maintained; or

(c) Petition the Board to show proof licensee has been actively involved in a health profession in another capacity for a minimum of at least one year of the last five.

(10) A license that is not renewed on time may not be renewed except:

(a) Upon written application and payment to the Board of the fee for the license category plus a delinquent fee for each week or portion thereof, not to exceed \$500.

(b) Upon compliance with or exemption from the requirements of ORS 684.092.

(11) All licensees shall submit to a criminal background check during renewal at an interval to be determined by the Board.

(a) Licensees will not be required to submit to a new criminal background check, if one has been submitted to the Board in the last six years, unless under Board investigation, or for some other Board-determined purpose. Licensee shall provide a complete set of fingerprints or LiveScan Transmittal Verification form, and the criminal background check results obtained from any state or local law enforcement agency, or from any other agency approved by the Board. Licensees shall use forms or methods prescribed by the Board.

(b) Licensees must pay to the Board the current actual cost of conducting the state and federal background check.

(c) The criminal background check fee will be in addition to the renewal fee and payable by the licensee.

(12) Licensees are not required to display a current annual Certificate of Registration.

**Statutory/Other Authority:** ORS 684

**Statutes/Other Implemented:** ORS 684.090 & 684.092