

NOTICE OF PROPOSED RULEMAKING

CHAPTER 811

BOARD OF CHIROPRACTIC EXAMINERS

FILING CAPTION: Updating background check fee to reflect increase by OSP

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/17/2021 AT 8:35 AM

HEARING(S):

DATE: 11/17/2021

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 background check fee to reflect increase by OSP.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OAR Ch. 811, 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).

License applicants and renewing licensees will be affected by the increase indicated by Oregon State Police.

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?

The rule is needing to be changed to align with the increase in fee set by the Oregon State Police. A Rules Advisory Committee would have no input on that change.

CONTACT:

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AMEND: 811-010-0008

RULE TITLE: Fees

RULE SUMMARY:

RULE TEXT:

All fees paid under these rules are non-refundable and are not prorated.

(1) The following fees apply to chiropractic physician applicants and licensees:

(a) Initial application and examination fee: \$100;

(b) Initial application and examination fee for reciprocity candidates: \$100;

(c) Initial license fee: \$150;

(d) Active annual registration fee: \$425;

(e) Senior active annual registration: \$315;

(f) Inactive annual registration: \$225; and

(g) Delinquent fee for late renewal during the 30 days immediately following the renewal date: \$125 per week, not to exceed \$500.

(2) The following fees apply to chiropractic assistant applicants and certificate holders:

(a) Initial application for certification fee: \$30;

(b) Initial certification: \$50;

(c) Annual renewal: \$75;

(d) Delinquent fee for late renewal during the 30 day grace period immediately following the renewal date: \$25; and

(e) Delinquent fee for late renewal after the 30 day grace period: \$50.

(3) The criminal background check fee applies to applicants, chiropractic physicians and assistants: \$~~46~~1.25.

(4) The Oregon Health Authority's Healthcare Workforce Survey fee applies to both chiropractic physicians and chiropractic assistants: \$2.

(5) If issued, the following fees apply to civil penalty citations:

(a) Failing to maintain current email, business and mailing addresses with the Board: \$50;

(b) Failing to pay any fines or fees owed to the Board: \$50 per month of non-payment, not to exceed \$500 total;

(c) Failing to comply with continuing education requirements:

(A) Chiropractic physicians: \$250 plus \$50 per credit hour not completed, or proof provided;

(B) Chiropractic assistant: \$12.50 per credit not completed, not to exceed \$75;

(d) Failing to attend the Introduction to the Board meeting when required by the Board: \$250;

(e) Failing to notify the Board within 10 days that licensee is convicted of a misdemeanor or felony, or arrested for a felony crime: \$125 per week, not to exceed \$500;

(f) Failing to release patient records upon written request within 30 days: \$250;

(g) Failing to provide notice when leaving, selling, or retiring from the chiropractic office where the chiropractic physician has provided chiropractic services no later than 30 days prior to the last date the chiropractic physician worked at that location: \$500.

Statutory/Other Authority: ORS 684

Statutes/Other Implemented: ORS 684.155