

NOTICE OF PROPOSED RULEMAKING

CHAPTER 811

BOARD OF CHIROPRACTIC EXAMINERS

FILING CAPTION: Implementing minor consent rule to be consistent with other health professional regulatory boards.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 3/31/2022 AT 8:35 AM

HEARING(S):

DATE: 3/31/2022

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):

Implementing minor consent rule to be consistent with other health professional regulatory boards.

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).

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?

Implementing minor consent rule. Does not require further review.

CONTACT:

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AMEND: 811-015-0011

RULE TITLE: Minor Consent Rule

RULE SUMMARY:

RULE TEXT:

- (1) Treatment to minor patients without consent of a parent or guardian can occur in the following circumstances:
 - (a) A minor, 15 years of age or older, may give consent to treatment and diagnosis by a chiropractic physician licensed under ORS chapter 684.
 - (b) A minor, 15 years of age or older, may give consent to treatment as supervised and diagnosed by a chiropractic physician and provided by a certified chiropractic assistant. The certified chiropractic assistant is limited to the scope of practice as stated in OAR 811-010-0110.
- (2) It may be considered unprofessional conduct if a chiropractic physician or certified chiropractic assistant treats a minor without following the applicable rule and Oregon laws.

Statutory/Other Authority: ORS 684.155

Statutes/Other Implemented: ORS 684.092