

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
10-7-15 4:32 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Board of Psychologist Examiners

Agency and Division

858

Administrative Rules Chapter Number

LaRee' Felton

Rules Coordinator

(503) 373-1196

Telephone

Board of Psychologist Examiners, 3218 Pringle Rd. SE, Suite 130, Salem, OR 97302

Address

**RULE CAPTION**

Notice of proposed rule procedures, good cause application extension, and reapplication after revocation.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

**ADOPT:**

**AMEND:**

OAR 858-010-0007 and 858-010-0020.

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 675.010 - 675.150

**Other Authority:**

**Statutes Implemented:**

ORS 675.110

**RULE SUMMARY**

The proposed rulemaking requires the Board of Psychologist Examiners (Board) to no longer mail a copy of continuing education-related rulemaking notices to the State Board of Higher Education (which no longer exists), but instead to mail notice to the State Higher Education Coordinating Commission. It also removes language already specified in ORS 183.360. The Board proposes that it will not review a subsequent application for licensure for at least two years after a license revocation or surrender under investigation, and clarifies that an applicant's active application period may be extended for good cause.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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.

01-06-2016 5:00 p.m.

LaRee' Felton

laree.felton@state.or.us

Last Day (m/d/yyyy) and Time  
for public comment

Rules Coordinator Name

Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Notice of proposed rule procedures, good cause application extension, and reapplication after revocation.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)  
In the Matter of:

The amendment of OAR 858-010-0007 & 858-010-0020.

**Statutory Authority:**

ORS 675.010 - 675.150

**Other Authority:**

**Statutes Implemented:**

ORS 675.110

**Need for the Rule(s):**

The Board determined that the proposed amendments are needed to clarify notice of proposed rule procedures and licensure application process. The current rule requires the Board to provide notice to an agency which no longer exists. The State Higher Education Coordinating Commission should receive notice because it may take interest in changes to the continuing education rules. The Board also found that, consistent with other health-related licensing agencies, it should be specified in rule the minimum amount of time that must pass before a person may reapply for a license after their license has been revoked or surrendered under investigation. This establishes a clear, uniform standard.

**Documents Relied Upon, and where they are available:**

OAR Chapter 858, Division 10, and ORS Chapter 675, available on the OBPE website at [Oregon.gov/obpe/Pages/laws\\_rules.aspx](http://Oregon.gov/obpe/Pages/laws_rules.aspx).

**Fiscal and Economic Impact:**

None.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

Changes have minimal or no fiscal impact. Any additional workload resulting from enforcement will be absorbed by current staff.

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

None.

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

None.

**c. Equipment, supplies, labor and increased administration required for compliance:**

None.

**How were small businesses involved in the development of this rule?**

Small businesses were not directly involved; however members of the Board who developed these amendments represent small businesses.

**Administrative Rule Advisory Committee consulted?:No**

**If not, why?:**

This amendment is uncomplicated in nature, and has no projected fiscal impact on stakeholders.

01-06-2016 5:00 p.m.	LaRee' Felton	laree.felton@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address