

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

FILED
2-10-16 1:23 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Board of Psychologist Examiners
Agency and Division
LaRee' Felton
Rules Coordinator
Board of Psychologist Examiners, 3218 Pringle Rd. SE, Suite 130, Salem, OR 97302
Address

858
Administrative Rules Chapter Number
(503) 373-1196
Telephone

RULE CAPTION

Application for licensure; consequence for failure to disclose arrest or conviction.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
5-2-16	10:00 a.m.	3218 Pringle Road SE; Salem, OR 97302	LaRee Felton

RULEMAKING ACTION

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

ADOPT:

AMEND:

OAR 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 675.070

RULE SUMMARY

The proposed amendment requires that applications for licensure not make omissions or false, misleading or deceptive statements on any Board application form, establishes a minimum \$200 civil penalty for failure to disclose an arrest or conviction, and prohibits an application from being approved until Board ordered conditions are met.

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.

05-02-2016 5:00 p.m. LaRee' Felton laree.felton@state.or.us
Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address
for public comment

*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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858
Administrative Rules Chapter Number

Application for licensure; consequence for failure to disclose arrest or conviction.

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 858-010-0020.

Statutory Authority:

ORS 675.010 - 675.150

Other Authority:

Statutes Implemented:

ORS 675.070

Need for the Rule(s):

Recently, the Board has seen an increasing number of licensure applicants who fail to disclose prior arrests and convictions. The Board determined that this proposed rule will promote an understanding of the importance of answering truthfully on an application and consistency in the Board's enforcement practices.

Documents Relied Upon, and where they are available:

OAR Chapter 858, Division 10, and ORS Chapter 675 are available on the OBPE website at Oregon.gov/obpe/Pages/laws_rules.aspx.

Fiscal and Economic Impact:

Applicants who fail to disclose an arrest or conviction must pay a civil penalty of at least \$200 per violation.

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 fiscal impact. Additional workload resulting from implementation will be absorbed by current Board 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?:

These amendments are uncomplicated and have minimal fiscal impact.

05-02-2016 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