

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

FILED
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ARCHIVES DIVISION
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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

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

Hearing Date	Time	Location	Hearings Officer
10-24-17	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 858-030-0005

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 & 675.115

RULE SUMMARY

The proposed amendment increases licensure-related fees for psychologist and psychologist associate licensees and applicants.
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.

10-24-2017 5:00 p.m.
Last Day (m/d/yyyy) and Time for public comment

LaRee' Felton
Rules Coordinator Name

laree.felton@state.or.us
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.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
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Board of Psychologist Examiners
Agency and Division

858
Administrative Rules Chapter Number

Licensing fee increases.

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 858-030-0005.

Statutory Authority:

ORS 675.010 - 675.150

Other Authority:

Statutes Implemented:

ORS 675.110 & 675.115

Need for the Rule(s):

The Board proposed legislation during the 2017 session (HB 2329) that would have aligned the Board with other regulatory boards by allowing it to impose disciplinary costs to respondents. The rationale was to address increasing attorney general expenditures. The Board projected that HB 2329 would result in \$63,373 in reduced expenditures during the 2017-19 biennium. However, there was some opposition to this bill, and it died in session. Then, subsequent to the Legislature's approval of the Board's 2017-19 budget, the Board received from the Department of Justice a new flat rate agreement for legal services for the biennium in an amount \$48,815 greater than the legislatively approved budget figure. The Board is solely supported through "other funds," which come from licensing-related fees. The proposed licensing fee changes are necessary to increase revenues to support this additional expenditure for the Board's operations during 2017-19. The Board also notes that the delinquent, application, and limited permit fees have not increased since 2000. The jurisprudence exam fee last increased in 2009, and with the exception of the temporary reduction during 2015-2016, renewal fees have not increased since 2010.

Documents Relied Upon, and where they are available:

OAR Chapter 858, Division 30, and ORS Chapter 675 are available on the OBPE website at Oregon.gov/obpe/Pages/laws_rules.aspx.

Fiscal and Economic Impact:

Licensing fees will increase as follows: biennial active status license renewal will increase from \$750 to \$780; biennial semi-active status license renewal will increase from \$375 to \$390; biennial inactive status license renewal will increase from \$100 to \$105; the delinquency fee for late renewals will increase from \$200 to \$210; the application fee (for licensure) will increase from \$300 to \$325; the jurisprudence examination fee will increase from \$150 to \$155; and the limited permit fee will increase from \$100 to \$120.

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 no projected fiscal impact.

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 necessary, straightforward, and has limited fiscal impact.

10-24-2017 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

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2007

OBPE Proposed Rule Amendment:
Licensing Fee Increase, to be effective January 1, 2018

Summary of Fee Changes:

	Current Fee	Increase by	% Increase	New Fee	Year Last Increased
Biennial License Renewal					
Active Status	\$750	\$30	4.0%	\$780	2010 (from \$510)
Semi-Active Status	\$375	\$15	4.0%	\$390	2010 Established
Inactive Status	\$100	\$5	5.0%	\$105	2010 (from \$50)
Delinquent Fee	\$200	\$10	5.0%	\$210	2000 (from \$25)
Application	\$300	\$25	8.3%	\$325	2000 (from \$100)
Jurisprudence Exam	\$150	\$5	3.3%	\$155	2009 (from \$75)
Limited Permit	\$100	\$20	20.0%	\$120	2000 (from \$80)

Proposed Rule Text:

BOARD OF PSYCHOLOGIST EXAMINERS
DIVISION 30
FEES

858-030-0005

Application, Examination and Licensing Fees

(1) Application: ~~\$300~~ \$325

(2) Jurisprudence Examination: ~~\$150~~ \$155

(3) License Fees

(a) The license renewal fee for an active psychologist and psychologist associate shall be calculated on an annual amount of ~~\$375~~ \$390 and paid on a biennial amount of ~~\$750~~ \$780. ~~Effective for renewals due January 1, 2015 through December 31, 2016, the active license fee shall be temporarily reduced for licensees who renew by the stated due date to an annual amount of \$127.50 and paid on a biennial amount of \$255.~~

(b) The license renewal fee for a semi-active psychologist and psychologist associate shall be calculated on an annual amount of ~~\$187.50~~ \$195 and paid on a biennial amount of ~~\$375~~ \$390. ~~Effective for renewals due January 1, 2015 through December 31, 2016, the semi-active license fee shall be temporarily reduced for licensees who renew by the stated due date to an annual amount of \$63.75 and paid on a biennial amount of \$127.50.~~

(c) The license renewal fee for an inactive psychologist and psychologist associate shall be calculated on an annual amount of ~~\$50~~ \$52.50 and paid on a biennial amount of ~~\$100~~ \$105.

~~Effective for renewals due January 1, 2015 through December 31, 2016, the inactive license fee shall be temporarily reduced for licensees who renew by the stated due date to an annual amount of \$17 and paid on a biennial amount of \$34.~~

~~(d) Effective for the renewal periods beginning January 1, 2010, the Board will phase in the implementation of a two-year~~ shall renew licenses on a biennial birth month renewal schedule.

(e) The Board shall impose a delinquency fee of ~~\$200~~ \$210 for licenses renewed within thirty days after the stated due date.

(f) The Board shall have discretion to waive the delinquency fee in documented hardship cases.

(4) Limited Permit: ~~\$100~~ \$120

(5) Miscellaneous Fees. Most materials and information are available through the Board website at www.oregon.gov/obpe or may be purchased in accordance with ORS 192.440(2).

(a) Certified verification of licensure: \$5

(b) Certified transfer of application information: \$20

(c) Student loan deferment letter: \$5

(d) Duplicating request: \$2.50 for the first five copies; \$.25 for each copy thereafter

(e) Laws and administrative rules: \$5

(f) Electronic file of mailing labels: \$35

(g) Application packet, including laws and administrative rules: \$10

(h) Duplicate wall display certificate of licensure: \$12

(i) Certified duplicate license: \$10

(j) Cumulative disciplinary report: \$7.50

Stat. Auth.: ORS 675.110 & 675.115

Stats. Implemented: ORS 675.110 & 675.115

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 7, f. 10-21-74, ef. 11-11-74; PE 9, f. 2-3-75, ef. 2-25-75; PE 1-1978, f. & ef. 9-5-78; PE 1-1979, f. & ef. 9-5-79; PE 2-1980, f. & ef. 9-23-80; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1983, f. & ef. 11-1-83; PE 2-1989, f. & cert. ef. 5-24-89; PE 3-1992, f. & cert. ef. 7-14-92; PE 2-1993(Temp), f. & cert. ef. 3-18-93; PE 4-1993, f. & cert. ef. 7-19-93; Renumbered from 858-010-0060; PE 5-1993, f. & cert. ef. 10-6-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-1999(Temp), f. & cert. ef. 3-2-99 thru 7-1-99; BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2000, f. 9-7-00, cert. ef. 10-15-00; BPE 2-2001(Temp), f. 8-31-01, cert. ef. 10-12-01 thru 2-27-02; BPE 3-2001(Temp), f. & cert. ef. 10-12-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2009(Temp), f. 9-29-09, cert. ef. 10-1-09 thru 12-31-09; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 3-2013, f. & cert. ef. 9-30-13; BPE 5-2014, f. & cert. ef. 11-17-14; BPE 4-2015, f. & cert. ef. 9-30-15