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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 858
MENTAL HEALTH REGULATORY AGENCY
OREGON BOARD OF PSYCHOLOGY

FILED

05/20/2022 10:33 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Adding Oregon Health Authority's Health Care Interpreter Registry requirements.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/22/2022 5:00 PM

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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group 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 the 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.

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NEED FOR THE RULE(S)

As a result of House Bill 2359 (2021), the Board is mandated by Oregon Revised Statute 413.559(5) to adopt rules to carry out the requirements of ORS 413.559, which becomes operative on July 1, 2022.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

OAR Chapter 858 and ORS Chapter 675 are available on the OBOP website at <https://www.oregon.gov/Psychology/Pages/LawsRules.aspx>. Information about House Bill (HB) 2359 is available on the Oregon State Legislature website at <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB2359>.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

This rule is unlikely to impact racial equity in the state. It only implements a law that is already adopted by the Oregon State Legislature.

FISCAL AND ECONOMIC IMPACT:

None. This rule does not add any additional requirements beyond those already specified in House Bill 2359.

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).

None.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

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

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The proposal is required by law to be implemented and does not result in any fiscal impact. The Board did not determine that an additional committee beyond the nine-member Board and its staff was necessary to develop the rule amendment.

ADOPT: 858-010-0300

RULE SUMMARY: This rule adds a requirement for licensees, residents, and individuals granted a limited permit or temporary practice authorization to comply with the provisions of ORS 413.559 and OAR 333-002-0250 related to working with health care interpreters. This requires specified providers to work with health care interpreters from the OHA registry, give personal protective equipment at no cost to interpreters, and maintain specified records.

CHANGES TO RULE:

858-010-0300

Registered Health Care Interpreters

Licensees, residents, and individuals granted a limited permit or temporary practice authorization must comply with the provisions of ORS 413.559 and OAR 333-002-0250 related to working with health care interpreters.

Statutory/Other Authority: ORS 413.559

Statutes/Other Implemented: ORS 413.559