

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

Department of Human Services, Public Health Division	Chapter 333
Agency and Division	Administrative Rules Chapter Number
Sally Peters	800 NE Oregon St., Suite 930, Portland OR 97232
Rules Coordinator	Address
	971-673-0561
	Telephone

**RULE CAPTION**

Certificate of Need Program to Impose Civil Penalties for Violations

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

March 26, 2009	1:00 p.m.	800 NE Oregon St., Room 918, Portland OR 97232	Jana Fussell
Hearing Date	Time	Location	Hearings Officer

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:** 333-565-0010

**AMEND:**

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 431.120(6), ORS 431.262 & ORS 442.315

Other Auth.:

Stats. Implemented: ORS 431.120(6), ORS 431.262 & ORS 442.315

**RULE SUMMARY**

In accordance with ORS 431.262, the Department of Human Services, Public Health Division, is proposing to adopt Oregon Administrative Rule 333-565-0010, which will allow the Certificate of Need Program to impose civil penalties upon any person who violates ORS 442.315 through 442.347, any rule promulgated thereunder, or any order issued by the Division under this authority, including the violation of any condition set forth in an order granting a certificate of need.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

March 30, 2009, 5:00 p.m.

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

	Sally Peters, Public Health Division Rules Coordinator	
Signature	Printed name	Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005