

OFFICE OF THE SECRETARY OF STATE

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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 852  
BOARD OF OPTOMETRY

**FILED**

06/27/2024 8:52 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Board stipend change to reflect updated state rates.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/23/2024 2:00 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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Filed By:  
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NEED FOR THE RULE(S)

To update the Board's stipend rates to reflect the current state rates.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Stipend rates, DAS website.

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

These rates are paid for all Board members

FISCAL AND ECONOMIC IMPACT:

Small impact due to the fee increase.

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).*

This will increase the Board's budget due to the cost increase. As a semi-independent agency, all of our costs are paid by licensee fees and penalties.

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

The Board is comprised of 4 licensed OD's and a public member.

AMEND: 852-005-0015

RULE SUMMARY: Update Board rules to reflect the new stipend rate and to increase the pay for CE course review from 10% of hours approved to 50%.

CHANGES TO RULE:

852-005-0015

Board Member Compensation ¶¶

(1) Board members of the Oregon Board of Optometry are authorized by law to receive compensation for time spent in performance of their official duties. Compensation rates are: ~~\$155.66~~ per day when attending a full day Board meeting or ~~\$19.38~~20.75 per hour for attending a special meeting. Board members will be paid ~~\$19.38~~20.75 per hour when performing any other approved board business. Board work must be pre-approved by the Board Chair or Executive Director to be eligible for compensation. Board members reviewing continuing education are compensated at a rate of ~~\$19.38~~20.75 per hour for ~~45~~50% of the total number of CE hours reviewed. This compensation amount is in addition to any eligible reimbursement of travel expenses. These rates will be paid retroactively from 10/1/2023 to the rule effective date.¶¶

(2) Board members and employees of the Board are authorized to receive actual and necessary travel or other expenses incurred in the performance of their official duties as determined by the Board. Mileage reimbursement is at the rate established by the Internal Revenue Service for privately owned vehicles.¶¶

(3) No Board member is required to accept compensation or reimbursement of travel or other expenses while performing official duties as a Board member.

Statutory/Other Authority: ORS 292, 182

Statutes/Other Implemented: ORS 182.466(3), 2009 OL Ch. 535 (HB 2058)