OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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PERMANENT ADMINISTRATIVE ORDER

SLI 2-2024

CHAPTER 816

OREGON HEALTH AUTHORITY

HEALTH LICENSING OFFICE, STATE BOARD OF SIGN LANGUAGE INTERPRETERS

FILED

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RULES:

816-005-0000, 816-005-0010, 816-005-0020, 816-005-0030, 816-015-0000, 816-025-0000, 816-025-0020, 816-025-0030, 816-025-0040, 816-025-0050, 816-025-0060, 816-025-0070, 816-025-0080, 816-025-0090, 816-025-0100, 816-025-0110, 816-045-0000, 816-065-0000, 816-085-0000

ADOPT: 816-005-0000 RULE TITLE: Definitions

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Definitions for sign language interpreters.

RULE TEXT:

The following abbreviations apply to OAR Chapter 816, Divisions 005 to 085:

- (1) "ASL" means American Sign Language.
- (2) "Board" means the State Board of Sign Language Interpreters.
- (3) "Educational setting" means a public agency or school district as those terms are defined in OAR 581-015-2000.
- (4) "EIPA" means the Educational Interpreting Performance Assessment.
- (5) "HLO" means the Health Licensing Office.
- (6) "NAD" means the National Association of the Deaf.
- (7) "ODE" means Oregon Department of Education.
- (8) "RID" means Registry of Interpreters for the Deaf.
- (9) "SLI" means "sign language interpreter" as that term is defined in ORS 676.750.
- (10) "SLI generalist license" means a "sign language interpreter license" corresponding to ORS 676.756.
- (11) "Supervisor" means advisor, coach, instructor, mentor, or trainer.
- (12) "TBEI" means Texas Board for Evaluation of Interpreters.

STATUTORY/OTHER AUTHORITY: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.765, ORS 676.768, ORS 676.783, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS

RULE TITLE: Election of Chairperson and Vice Chairperson

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Requirements for electing chairperson and vice-chairperson of the State Board of Sign Language Interpreters.

RULE TEXT:

The chairperson and vice chairperson must be elected annually. Elections must be held during the last Board meeting of the year or if canceled, the next scheduled meeting. Terms of office run from January 1 to December 31.

STATUTORY/OTHER AUTHORITY: ORS 676.780, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.780

RULE TITLE: Vacancies in Office

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Process for filling chairperson and vice chairperson vacancies when they are unavailable.

RULE TEXT:

If the chairperson or vice chairperson is unable to complete the Officer's respective term, then the Board must elect another chairperson or vice chairperson.

STATUTORY/OTHER AUTHORITY: ORS 676.780, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.780

RULE TITLE: Duties of Officers and Board Procedures

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Duties of the chairperson and vice chairperson.

RULE TEXT:

- (1) Except for the provision listed in subsection (2) of this rule, the chairperson must preside at all meetings. The chairperson shall confer with the Office on matters that come up between meeting dates and matters that need to be placed on the agenda for Board meetings. The chairperson may order or reorder the agenda.
- (2) The vice chairperson will preside at the meeting or the portion of the meeting when the chairperson is absent.
- (3) Board decisions will be made by a vote of the Board, preceded by a motion and second to the motion.

STATUTORY/OTHER AUTHORITY: ORS 676.780, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.780

RULE TITLE: Emergency Care and Exceptions

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Exemptions for licensing requirements.

RULE TEXT:

- (1) Nothing in these rules is meant to prevent an Emergency Medical Services provider from providing prehospital care, as that term is defined in ORS 682.025, to an individual who communicates in signed language.
- (2) Nothing in these rules is meant to delay assistance or care in emergency situations involving imminent or immediate harm and during which a licensee is not available.
- (3) Nothing in these rules is meant to conflict with or supersede federal law.
- (4) Sign language interpretation services may be provided by a person who is a qualified interpreter under ORS 45.288, or a court interpreter certified under ORS 45.291 providing SLI services for the purpose of a proceeding in the Supreme Court, Court of Appeals, Oregon Tax Court, or a circuit court.

STATUTORY/OTHER AUTHORITY: ORS 676.771, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.771, ORS 676.783

RULE TITLE: SLI Supervisory License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Description of a SLI supervisory license.

RULE TEXT:

- (1) A SLI supervisory license holder:
- (a) May provide SLI services.
- (b) May supervise SLI provisional license holders.
- (c) May provide SLI services in an educational setting.
- (d) May not provide SLI services in a medical setting unless the person holds a license under ORS 676.765 and OAR 816-025-0060.
- (e) May not provide SLI services in a legal setting unless the person holds a license under ORS 676.768 and OAR 816-025-0080.
- (2) A SLI supervisory license is current for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (3) A SLI supervisory license may be renewed.
- (4) The issuance or the licensee's holding of a SLI supervisory license does not supersede, replace, or negate the need for the licensee to comply with other laws requiring licensure or registration or competent SLI services.

STATUTORY/OTHER AUTHORITY: ORS 676.753, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.759, ORS 676.762, ORS 676.768, ORS 676.783, ORS 676.765

RULE TITLE: SLI Generalist License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Description of a SLI generalist license.

RULE TEXT:

- (1) A SLI generalist license holder:
- (a) May provide SLI services.
- (b) May supervise SLI provisional license holders until July 1, 2030.
- (c) May provide SLI services in an educational setting.
- (d) May not provide SLI services in a medical setting unless the person holds a license under ORS 676.765 and OAR 816-025-0060.
- (e) May not provide SLI services in a legal setting unless the person holds a license under ORS 676.768 and OAR 816-025-0080.
- (2) A SLI generalist license is current for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (3) A SLI generalist license may be renewed twice.
- (4) The issuance or the licensee's holding of a SLI generalist license does not supersede, replace, or negate the need for the licensee to comply with other laws requiring licensure or registration or competent SLI services.

STATUTORY/OTHER AUTHORITY: ORS 676.750, ORS 676.756, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.765, ORS 676.768, ORS 676.783

RULE TITLE: Application Requirements for SLI Generalist License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Application requirements for SLI generalist license.

RULE TEXT:

An individual applying for a SLI generalist license must:

- (1) Meet the requirements of OAR 331, Division 30.
- (2) Submit a completed application form prescribed by HLO, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees pursuant to OAR 816-085-0000.
- (3) Submit proof of being at least 18 years of age; documentation to prove age may include identification listed under OAR 331-030-0000.
- (4) Submit proof of being in compliance with the 2005 NAD-RID Code of Professional Conduct listed under OAR 816-065-0000. For purposes of this rule, an attestation is sufficient proof of being in compliance.
- (5) Submit proof of one of the following from (a) or (b):
- (a) Holding one of the following credentials:
- (A) RID Certified Deaf Interpreter Certification.
- (B) RID National Interpreting Certification.
- (C) RID National Interpreting Certification: Advanced.
- (D) RID National Interpreting Certification: Master.
- (E) RID Certificate of Interpretation.
- (F) RID Certificate of Transliteration.
- (G) RID Comprehensive Skills Certificate.
- (H) RID Master Comprehensive Skills Certificate.
- (I) RID Interpretation Certificate.
- (J) RID Transliteration Certificate.
- (K) NAD III Level Certification.
- (L) NAD IV Level Certification.
- (M) NAD V Level Certification.
- (N) TBEI Advanced Certificate.
- (O) TBEI Master Certificate.
- (P) TBEI Trilingual Advanced Certificate.
- (Q) TBEI Trilingual Master Certificate.
- (R) TBEI Level IV Certificate.
- (S) TBEI Level V Certificate.
- (T) TBEI Level III Intermediary Certificate.
- (U) TBEI Level IV Intermediary Certificate.
- (V) TBEI Level V Intermediary Certificate.
- (b) Having achieved one of the following examination or assessment scores:
- (A) EIPA Level PSE 4.0 or above.
- (B) EIPA Level ASL 4.0 or above.

STATUTORY/OTHER AUTHORITY: ORS 676.756, ORS 676.783, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.756, ORS 676.783

RULE TITLE: SLI Educational License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Description of a SLI educational license.

RULE TEXT:

- (1) A SLI educational license holder may only provide services in an educational setting.
- (2) A SLI educational license is current for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (3) A SLI educational license may be renewed five times.
- (4) The issuance or the licensee's holding of an SLI educational license does not supersede, replace, or negate the need for the licensee to comply with other laws requiring licensure or registration or competent SLI services.

STATUTORY/OTHER AUTHORITY: ORS 676.762, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.762, ORS 676.783

RULE TITLE: Application Requirements for SLI Educational License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Application requirements for an SLI educational license.

RULE TEXT:

An individual applying for an SLI educational license must:

- (1) Meet the requirements of OAR 331, Division 30.
- (2) Submit a completed application form prescribed by HLO, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees pursuant to OAR 816-085-0000.
- (3) Submit proof of being at least 18 years of age; documentation to prove age may include identification listed under OAR 331-030-0000.
- (4) Submit proof of being in compliance with the 2005 NAD-RID Code of Professional Conduct listed under OAR 816-065-0000. For purposes of this rule, an attestation is sufficient proof of being in compliance.
- (5) Submit proof of meeting the minimum standard requirements established by the ODE in OAR 581-015-2035. If OAR 581-015-2035 establishes an educational sign language interpreter license as the minimum standard, then this requirement is met if HLO finds that the applicant qualifies for licensure under this rule.
- (6) Submit proof of meeting the following minimum standards:
- (a) Achieving a passing score of 3.5 or above on the EIPA Performance Test or holding RID National Interpreting Certification, RID Certificate of Interpretation, or RID Certificate of Transliteration; and
- (b) Holding a bachelor's or associate degree from an Interpreter Education Program or in a related educational field; or achieving a passing score on the EIPA written test.

STATUTORY/OTHER AUTHORITY: ORS 676.762, ORS 676.783, ORS 676.786 STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.762, ORS 676.783

RULE TITLE: SLI Medical License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Description of a SLI medical license.

RULE TEXT:

- (1) A SLI medical license holder may provide SLI services in a medical setting.
- (2) Only a person holding a SLI medical license under this rule may provide SLI services in a medical setting.
- (3) A SLI medical license is current for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (4) A SLI medical license may be renewed.
- (5) The issuance or the licensee's holding of a SLI medical license does not supersede, replace, or negate the need for the licensee to comply with other laws requiring licensure or registration or competent SLI services.

STATUTORY/OTHER AUTHORITY: ORS 676.765, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.765, ORS 676.783

RULE TITLE: Application Requirements for SLI Medical License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Application requirements for an SLI medical license.

RULE TEXT:

An individual applying for a SLI medical license must:

- (1) Meet the requirements of OAR 331, Division 30.
- (2) Submit a completed application form prescribed by HLO, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees.
- (3) Hold an active SLI supervisory license under ORS 676.753 and OAR 816-025-0000 or an active SLI generalist license under ORS 676.756 and OAR 816-025-0020, both with no current disciplinary action.
- (4) Provide proof of one of the following from (a), (b) or (c):
- (a) Having received 40 hours of education related to medical interpreting. For purposes of this rule, an attestation is sufficient proof.
- (b) Being a qualified or certified SLI under the Health Care Interpreter Program.
- (c) Having achieved a passing score with a minimum proficiency level of 4 or advanced on the American Sign Language Proficiency Interview or the Sign Language Proficiency Interview.

STATUTORY/OTHER AUTHORITY: ORS 676.765, ORS 676.783, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.765, ORS 676.783

RULE TITLE: SLI Legal License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Description of a SLI legal license.

RULE TEXT:

- (1) A SLI legal license holder may provide SLI services in a legal setting.
- (2) Only a person holding a SLI legal license under this rule may provide SLI services in a legal setting.
- (3) A SLI legal license is current for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (4) A SLI legal license may be renewed.
- (5) The issuance or the licensee's holding of a SLI legal license does not supersede, replace, or negate the need for the licensee to comply with other laws requiring licensure or registration or competent SLI services.
- (6) A legal setting does not include proceedings in federal courts.

STATUTORY/OTHER AUTHORITY: ORS 676.768, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.768, ORS 676.783

RULE TITLE: Application Requirements for SLI Legal License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Application requirements for an SLI legal license.

RULE TEXT:

An individual applying for a SLI legal license must:

- (1) Meet the requirements of OAR 331, Division 30.
- (2) Submit a completed application form prescribed by HLO, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees pursuant to OAR 816-085-0000.
- (3) Hold an active SLI supervisory license under ORS 676.753 and OAR 816-025-0000 or a SLI generalist license under ORS 676.756 and OAR 816-025-0020, both with no current disciplinary action.
- (4) Attest to having completed 40 hours of education on legal interpreting or attest to holding one of the following credentials:
- (a) Qualified interpreter under ORS 45.288.
- (b) Court interpreter certified under ORS 45.291.
- (c) RID Specialist Certification: Legal.
- (d) RID Conditional Legal Interpreting Permit-Relay.
- (e) Board for Evaluation of Interpreters Court Interpreter Certificate.

STATUTORY/OTHER AUTHORITY: ORS 676.768, ORS 676.783, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.768, ORS 676.783

RULE TITLE: SLI Provisional License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Description of a SLI provisional license.

RULE TEXT:

- (1) A SLI provisional license holder:
- (a) May only provide SLI services under the supervision of a person holding an active SLI supervisory license or an active SLI generalist license.
- (b) May be supervised onsite or remotely.
- (c) May be supervised directly or indirectly.
- (d) May have more than one supervisor.
- (e) May not supervise any other person providing SLI services.
- (f) May not provide SLI services in a medical or legal setting.
- (g) May not provide SLI services in an educational setting unless the person holds a license under ORS 676.762 and OAR 816-025-0040.
- (2) A SLI provisional license is current for one year and becomes inactive on the last day of the month one year from the date of issuance.
- (3) A SLI provisional license may be renewed up to five times.
- (4) The issuance or the licensee's holding of a SLI provisional license does not supersede, replace, or negate the need for the licensee to comply with other laws requiring licensure or registration or competent SLI services.
- (5) If an applicant has not received a passing score on one of the EIPA examinations listed in OAR 816-025-0110(5), and receives a license, then the person must disclose the information to each client.

STATUTORY/OTHER AUTHORITY: ORS 676.759, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.783

RULE TITLE: Application Requirements SLI for Provisional License

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Application requirements for an SLI provisional license.

RULE TEXT:

An individual applying for a SLI provisional license must:

- (1) Meet the requirements of OAR 331, Division 30.
- (2) Submit a completed application form prescribed by HLO, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees pursuant to OAR 816-085-0000.
- (3) Submit proof of being at least 18 years of age; documentation to prove age may include identification listed under OAR 331-030-0000.
- (4) Submit proof of being in compliance with the 2005 NAD-RID Code of Professional Conduct listed under OAR 816-065-0000. For purposes of this rule, an attestation is sufficient proof of being in compliance.
- (5) Submit proof of one of the following from (a) or (b):
- (a) Holding one of the following credentials:
- (A) TBEI Basic Certificate.
- (B) TBEI Level III Certificate.
- (C) TBEI Level II Certificate.
- (D) NAD Level III Certification.
- (b) Having achieved one of the following examination or assessment scores:
- (A) EIPA PSE or ASL 3.5 or above.
- (B) American Sign Language Performance Interview 4 or above.
- (C) Sign Language Proficiency Interview score of Advanced or above.
- (D) Center for the Assessment of Sign Language Interpretation Generalist Knowledge Exam passing score.
- (6) Attest that the individual will only provide SLI services under the supervision of a person holding an active SLI supervisory license or an active SLI generalist license.
- (7) Provide supervisor information, including, but not limited to, name and license number, on a form prescribed by the Office.

STATUTORY/OTHER AUTHORITY: ORS 676.759, ORS 676.783, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.783

RULE TITLE: License Issuance and Renewal Requirements

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Requirements for license issuance and renewal.

RULE TEXT:

- (1) A licensee is subject to the provisions of OAR Chapter 331, Division 30 regarding the renewal of an authorization, and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate authorization.
- (2) Authorizations issued under these rules are valid for one year.
- (3) LICENSE RENEWAL: To avoid delinquency fees, license renewal must be made prior to the authorization entering inactive status. To renew, the license holder must submit:
- (a) Renewal application form; and
- (b) Payment of required renewal fee pursuant to OAR 816-085-0000.
- (4) INACTIVE LICENSE RENEWAL: A license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the licensee must submit the following:
- (a) Renewal application form; and
- (b) Payment of delinquency and license fees pursuant to OAR 816-085-0000.
- (5) EXPIRED LICENSE: A license that has been inactive for more than three years is expired, and the licensee must reapply for licensure and meet the requirements for the applicable license:
- (a) SLI supervisory license application requirements listed in OAR 816-025-0010.
- (b) SLI generalist license application requirements listed in OAR 816-025-0030.
- (c) SLI educational license application requirements listed in OAR 816-025-0050.
- (d) SLI medical license application requirements listed in OAR 816-025-0070.
- (e) SLI legal license application requirements listed in OAR 816-025-0090.
- (f) SLI provisional license application requirements listed in OAR 816-025-0110.
- (6) For the purpose of subsections (1) through (5) of this rule, "license" refers to all license types: SLI supervisory, SLI generalist, SLI educational, SLI medical, SLI legal, and SLI provisional.
- (7) A SLI generalist license may be renewed twice.
- (8) A SLI provisional license may be renewed up to five times.
- (9) A SLI educational license may be renewed up to five times.

STATUTORY/OTHER AUTHORITY: ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.768, ORS 676.783, ORS 676.765, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.768, ORS 676.783, ORS 676.765

RULE TITLE: Approved Code of Professional Conduct

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Approved code of conduct.

RULE TEXT:

- (1) The Board approves the 2005 NAD-RID Code of Professional Conduct as its professional practice standards code.
- (2) The 2005 NAD-RID Code of Professional Conduct is available on the RID website or is available for review at the HLO.

STATUTORY/OTHER AUTHORITY: ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.783

STATUTES/OTHER IMPLEMENTED: ORS 676.750, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.783

RULE TITLE: Fees

NOTICE FILED DATE: 03/28/2024

RULE SUMMARY: Fees for SLI applicants and licensees.

RULE TEXT:

- (1) An applicant or license holder is subject to the provisions of OAR 331-010-0010 and OAR 331-010-0020 regarding the payment of fees, penalties, and charges.
- (2) Fees established by the Office pursuant to ORS 676.576 are:
- (a) Application fee:
- (A) SLI supervisory license: \$150.
- (B) SLI generalist license: \$100.
- (C) SLI educational license: \$100.
- (D) SLI medical license: \$50.
- (E) SLI legal license: \$50.
- (F) SLI provisional license: \$75.
- (b) Original issuance and renewal fee:
- (A) SLI supervisory license: \$200.
- (B) SLI generalist license: \$150.
- (C) SLI educational license: \$150.
- (D) SLI medical license: \$50.
- (E) SLI legal license: \$50.
- (F) SLI provisional license: \$100.
- (c) Other administrative fees:
- (A) Delinquency fee: \$40 for each year the license is inactive for up to three years.
- (B) Replacement of license, including name change: \$25.
- (C) Duplicate license document: \$25 per copy, with a maximum of three.
- (D) Affidavit of licensure or credential: \$50.
- (E) An additional \$25 administrative processing fee will be assessed if a non-sufficient funds or non-negotiable instrument is received for payment of fees, penalties, and charges. Refer to OAR 331-010-0010.
- (3) As of June 8, 2024, an individual applying for or renewing a SLI educational license may be granted a discount if the individual meets all application or renewal requirements for an SLI educational license listed under OAR 816-025-0040 and OAR 816-025-0050. The discounted fees are listed below and may be granted through July 1, 2025:
- (a) SLI educational license application fee: \$75.
- (b) SLI educational original license fee: \$100.
- (c) SLI educational renewal license fee: \$100.

STATUTORY/OTHER AUTHORITY: ORS 676.572, ORS 676.576, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.765, ORS 676.768, ORS 676.786

STATUTES/OTHER IMPLEMENTED: ORS 676.572, ORS 676.576, ORS 676.753, ORS 676.756, ORS 676.759, ORS 676.762, ORS 676.765, ORS 676.768