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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 847
OREGON MEDICAL BOARD

FILED

01/13/2025 9:47 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Adds Emeritus status licensee may not receive indirect compensation.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/24/2025 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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Filed By:
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NEED FOR THE RULE(S)

The proposed rule is needed to clarify and add that an Emeritus status licensee may not receive indirect monetary compensation for their practice in Oregon. The Emeritus status license is for licensees that are volunteering their practice only. Emeritus status licensees may change to Active status if they are receiving indirect compensation.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS 677, https://www.oregonlegislature.gov/bills_laws/ors/ors677.html

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

The proposed rule clarifies an Emeritus status licensee may not receive indirect monetary compensation for their practice in Oregon. The proposed rule will not impact racial equity.

FISCAL AND ECONOMIC IMPACT:

The proposed rule amendment has no fiscal and economic impact. The rule amendment clarifies an Emeritus status licensee who already cannot receive direct monetary compensation for their practice under the license status, would also not be able to receive indirect monetary compensation.

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).

(1) The rule amendment will have no economic impact on state agencies, units of local government, or the public. The

OMB licensees under this status should already be volunteering their practice. Emeritus status licensees may change to Active status if they are receiving indirect compensation. (2) The rule amendment applies to individual licensees of the Oregon Medical Board; small businesses are not eligible for a Board license. (b) The rulemaking imposes no additional mandatory reporting, recordkeeping or other administrative requirements on small businesses. (c) The rulemaking imposes no additional requirements regarding equipment, supplies, labor or administration.

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

Members of the Board who were consulted in the development of the rule represent small businesses. The rule was reviewed by the Administrative Affairs Committee of the Board on December 11, 2024, as well as the full Board at its quarterly meeting on January 9, 2025.

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

The rule was reviewed by the Administrative Affairs Committee of the Board on December 11, 2024, as well as the full Board at its quarterly meeting on January 9, 2025. Board members represent the interests of persons and communities likely to be affected by a proposed rule. Overall, board members are licensees of the Oregon Medical Board or public members who represent Oregon patients.

AMEND: 847-008-0030

RULE SUMMARY: The proposed rule adds that an emeritus status licensee may not receive indirect monetary compensation for their practice in Oregon.

CHANGES TO RULE:

847-008-0030

Emeritus Registration ¶

(1) A licensee who has retired from active practice, but does only volunteer, non-remunerative practice and receives no direct or indirect monetary compensation, may register and pay an annual emeritus registration fee.¶

(2) The licensee with emeritus status who wishes to practice under a different license status must submit the reactivation application and fee and satisfactorily complete the reactivation process before beginning practice in Oregon.

Statutory/Other Authority: ORS 677.265

Statutes/Other Implemented: ORS 677.172, 677.175, 677.265