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I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on 10/03/2014 by the
Oregon Medical Board 847

Agency and Division Administrative Rules Chapter Number
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To become effective Upon filing. Rulemaking Notice was published in the August 2014 Oregon Bulletin.

RULE CAPTION

Demonstration of clinical competency through ongoing maintenance of certification

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

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

847-020-0182, 847-020-0183, 847-080-0021

REPEAL:

RENUMBER:

AMEND AND RENUMBER:

Statutory Authority:

ORS 677.265

Other Authority:

Statutes Implemented:

ORS 677.100, 677.132, 677.190, 677.265, 677.825, 677.830

RULE SUMMARY

The rule amendments clarify when an applicant may be required to demonstrate clinical competency by passing the SPEX, COMVEX or podiatry competency exam. The rule amendments also allow applicants with ongoing maintenance of certification the ability to request a SPEX, COMVEX or podiatry competency exam waiver. The rule amendments also reorganize the subsections, streamline the language, and contain general grammar and housekeeping changes.

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OREGON ADMINISTRATIVE RULES

CHAPTER 847, DIVISIONS 020, 080 – OREGON MEDICAL BOARD

FINAL REVIEW – OCTOBER 2014

The rule amendments clarify when an applicant may be required to demonstrate clinical competency by passing the SPEX, COMVEX or podiatry competency exam. The rule amendments also allow applicants with ongoing maintenance of certification the ability to request a SPEX, COMVEX or podiatry competency exam waiver.

The rule amendments also reorganize the subsections, streamline the language, and contain general grammar and housekeeping changes.

847-020-0182

SPEX or COMVEX Requirements

(1) If an applicant for licensure or reactivation has not [~~had sufficient~~] **completed** postgraduate training **within the past 10 years** or **been certified or recertified by a** specialty board [~~certification or recertification~~] within the past 10 years, the applicant may be required to demonstrate clinical competency by passing the Special Purpose Examination (SPEX) or Comprehensive Osteopathic Medical Variable-Purpose Examination (COMVEX).

(2) The SPEX/COMVEX requirement may be waived if the applicant has done one or more of the following:

(a) Received a current appointment as Professor or Associate Professor at the Oregon Health and Science University or the Western University of Health Sciences College of Osteopathic Medicine of the Pacific; [~~or~~]

(b) Completed at least 50 hours of Board-approved continuing medical education each year for the past three years; **or**

(c) Can demonstrate ongoing participation in maintenance of certification with a specialty board as defined in 847-020-0100.

(3) The applicant who fails the SPEX or COMVEX three times, whether in Oregon or other states, must successfully complete one year of an accredited residency or an accredited or Board-approved clinical fellowship before retaking the SPEX or COMVEX.

(4) The applicant may be granted a Limited License, SPEX/COMVEX according to 847-010-0064.

(5) All rules, regulations and statutory requirements pertaining to the medical school graduate remain in full effect.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.100, 677.132, 677.190 & 677.265

847-020-0183

Re-Entry to Practice — SPEX or COMVEX Examination, Re-Entry Plan

If an applicant has ceased the practice of medicine for a period of 12 or more consecutive months immediately preceding the application for licensure or reactivation, the applicant may be required to demonstrate clinical competency.

(1) The applicant who has ceased the practice of medicine for a period of 12 or more consecutive months may be required to pass the Special Purpose Examination (SPEX) or Comprehensive Osteopathic Medical Variable-Purpose Examination (COMVEX). This requirement may be waived if the applicant has done one or more of the following:

(a) The applicant has received a current appointment as Professor or Associate Professor at the Oregon Health and Science University or the Western University of Health Sciences College of Osteopathic Medicine of the Pacific; [ø]

(b) The applicant can demonstrate ongoing participation in maintenance of certification with a specialty board as defined in 847-020-0100; or

[ø] **(c)** Subsequent to ceasing practice, the applicant has:

- (A) Completed one year of an accredited residency, or
- (B) Completed one year of an accredited or Board-approved clinical fellowship, or
- (C) Been certified or recertified by a specialty board as defined in 847-020-0100, or
- (D) Obtained continuing medical education to the Board's satisfaction.

(2) The applicant who has ceased the practice of medicine for a period of 24 or more consecutive months may be required to complete a re-entry plan to the satisfaction of the Board. The re-entry plan must be reviewed and approved through a Consent Agreement prior to the applicant beginning the re-entry plan. Depending on the amount of time out-of-practice, the applicant may be required to do one or more of the following:

- (a) Pass the SPEX/COMVEX examination;
- (b) Practice for a specified period of time under a mentor/supervising physician who will provide periodic reports to the Board;
- (c) Obtain certification or re-certification, **or participate in maintenance of certification, with** [ø] a specialty board as defined in 847-020-0100;
- (d) Complete a re-entry program as determined appropriate by the Board;
- (e) Complete one year of accredited postgraduate or clinical fellowship training, which must be pre-approved by the Board's Medical Director;

(f) Complete at least 50 hours of Board-approved continuing medical education each year for the past three years.

(3) The applicant who fails the SPEX or COMVEX examination three times, whether in Oregon or other states, must successfully complete one year of an accredited residency or an accredited or Board-approved clinical fellowship before retaking the SPEX or COMVEX examination.

(4) The applicant may be granted a Limited License, SPEX/COMVEX according to 847-010-0064.

(5) All of the rules, regulations and statutory requirements pertaining to the medical school graduate remain in full effect.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.100, 677.190 & 677.265

847-080-0021

Competency Examination and Re-Entry to Practice

(1) The applicant who has not [~~had sufficient~~] **completed** postgraduate training **within the past 10 years** or **been certified or recertified** [~~certification or recertification~~] with the ABPM or the ABPS within the past 10 years may be required to pass a competency examination in podiatry. The competency examination may be waived if the applicant **can demonstrate ongoing participation in maintenance of certification with the ABPM or ABPS, or has** completed at least 50 hours of Board-approved continuing education each year for the past three years.

(2) The applicant who has ceased practice for a period of 12 or more consecutive months immediately preceding an application for licensure or reactivation may be required to pass a competency examination in podiatry. The competency examination may be waived if **the**

applicant can demonstrate ongoing participation in maintenance of certification with the ABPM or ABPS, or subsequent to ceasing practice, the applicant has:

- (a) Passed the licensing examination administered by the NBPME, or
- (b) Been certified or recertified by the [~~American Board of Podiatric Medicine (ABPM)~~] **ABPM** or [~~the American Board of Podiatric Surgery (ABPS)~~] **ABPS**, or
- (c) Completed a Board-approved one-year residency or clinical fellowship, or
- (d) Obtained continuing medical education to the Board's satisfaction.

(3) The applicant who has ceased the practice of medicine for a period of 24 or more consecutive months may be required to complete a re-entry plan to the satisfaction of the Board. The re-entry plan must be reviewed and approved through a Consent Agreement prior to the applicant beginning the re-entry plan. Depending on the amount of time out of practice, the applicant may be required to do one or more of the following:

- (a) Pass the licensing examination;
- (b) Practice for a specified period of time under a mentor/supervising podiatric physician who will provide periodic reports to the Board;
- (c) Obtain certification or re-certification, **or participate in maintenance of certification, with** [~~by a~~] the ABPM or the ABPS;
- (d) Complete a re-entry program as determined appropriate by the Board;
- (e) Complete one year of an accredited postgraduate or clinical fellowship training, which must be pre-approved by the Board's Medical Director;
- (f) Complete at least 50 hours of Board-approved continuing medical education each year for the past three years.

(4) Licensure shall not be granted until all requirements of OAR chapter 847, division 80, are completed satisfactorily.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.825 & 677.830