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# TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

## BP 14-2025

CHAPTER 855

**BOARD OF PHARMACY**

**FILED**

09/17/2025 3:24 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Board Delegated Limited Authority; Board excluded vaccine protocols

EFFECTIVE DATE: 09/17/2025 THROUGH 03/15/2026

AGENCY APPROVED DATE: 09/17/2025

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Filed By:
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NEED FOR THE RULE(S):

Proposes temporarily amending the rule by adding "except for vaccine protocols excluded by the Board" clarifying with the authority of the Board to adopt vaccine protocols as provided for in statute.

JUSTIFICATION OF TEMPORARY FILING:

Clarification on the authority of Board staff and the Board's statutory authority regarding adoption of vaccine protocols is needed to ensure the Boards ability to adopt vaccine protocols in their entirety as necessary and if this rule is not amended it may result in compromised patient access and care, posing a significant risk to public health by leaving individuals vulnerable to preventable diseases and potentially overwhelming other healthcare providers.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Advisory Committee on Immunization Practices (ACIP) https://www.cdc.gov/acip/index.html

AMEND: 855-102-0130

RULE TITLE: Amendment of Vaccine Protocol Rules to Adopt ACIP Recommendations

RULE SUMMARY: Proposes temporarily amending current rule by adding language that allows the Board to continue to delegate to the Board President the limited authority to amend the Board's vaccine protocols, except for vaccine protocols excluded by the Board.

RULE TEXT:

Pursuant to ORS 689.645(5), the board delegates to the Board President the limited authority to amend the board's vaccine protocols in OAR 855-115-0345 to adopt recommendations issued by the Advisory Committee on Immunization Practices (ACIP) adopted by the Centers for Disease Control and Prevention (CDC) except for vaccine protocols excluded by the Board. The Board President may further delegate this authority to board staff. ORS 689.649 does not apply to rule amendments made pursuant to the delegation of authority in this rule because those amendments are required and the board's only course of action.

STATUTORY/OTHER AUTHORITY: ORS 689.205, ORS 689.645

STATUTES/OTHER IMPLEMENTED: ORS 689.205, ORS 689.645