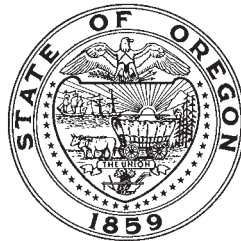


OREGON BULLETIN

Supplements the 2014 *Oregon Administrative Rules Compilation*

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KATE BROWN
Secretary of State
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INFORMATION ABOUT ADMINISTRATIVE RULES

General Information

The Administrative Rules Unit, Archives Division, Secretary of State publishes the Oregon *Administrative Rules Compilation* and the online *Oregon Bulletin*. The *Oregon Administrative Rules Compilation* is an annual print publication containing complete text of Oregon Administrative Rules (OARs) filed through November 15 of the previous year. The *Oregon Bulletin* is a monthly online supplement that contains rule text adopted or amended after publication of the print Compilation, as well as Notices of Proposed Rulemaking and Rulemaking Hearing. The Bulletin also includes certain non-OAR items when they are submitted, such as Executive Orders of the Governor, Opinions of the Attorney General and Department of Environmental Quality cleanup notices.

Background on Oregon Administrative Rules

ORS 183.310(9) defines “rule” as “any agency directive, standard, regulation or statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of any agency.” Agencies may adopt, amend, repeal or renumber rules, permanently or temporarily (up to 180 days), using the procedures outlined in the *Oregon Attorney General’s Administrative Law Manual*. The Administrative Rules Unit assists agencies with the notification, filing and publication requirements of the administrative rulemaking process.

OAR Citations

Every Administrative Rule uses the same numbering sequence of a three-digit chapter number followed by a three-digit division number and a four-digit rule number (000-000-0000). For example, Oregon Administrative Rules, chapter 166, division 500, rule 0020 is cited as OAR 166-500-0020.

Understanding an Administrative Rule’s “History”

State agencies operate in an environment of ever-changing laws, public concerns and legislative mandates which necessitate ongoing rulemaking. To track changes to individual rules and organize the original rule documents for permanent retention, the Administrative Rules Unit maintains history lines for each rule, located at the end of the rule text. OAR histories contain the rule’s statutory authority, statutes implemented and dates of each authorized modification to the rule text. Changes are listed chronologically in abbreviated form, with the most recent change listed last. In the history line “OSA 4-1993, f. & cert. ef. 11-10-93,” for example, “OSA” is short for Oregon State Archives; “4-1993” indicates this was 4th administrative rule filing by the Archives in 1993; “f. & cert. ef. 11-10-93” means the rule was filed and certified effective on November 10, 1993.

Locating Current Versions of Administrative Rules

The online version of the OAR Compilation is updated on the first of each month to include all rule actions filed with the Administrative Rules Unit by the 15th of the previous month. The annual printed OAR Compilation volumes contain text for all rules filed through

November 15 of the previous year. Administrative Rules created or changed after publication in the print Compilation will appear in a subsequent edition of the online Bulletin. These are listed by rule number in the Bulletin’s OAR Revision Cumulative Index, which is updated monthly. The listings specify each rule’s effective date, rule-making action, and the issue of the Bulletin that contains the full text of the adopted or amended rule.

Locating Administrative Rule Publications

Printed volumes of the Compilation are deposited in Oregon’s Public Documents Depository Libraries listed in OAR 543-070-0000. Complete sets and individual volumes of the printed OAR Compilation may be ordered from the Administrative Rules Unit, Archives Division, 800 Summer Street NE, Salem, Oregon 97301, (503) 373-0701.

Filing Administrative Rules and Notices

All hearing and rulemaking notices, and permanent and temporary rules, are filed through the Administrative Rules Unit’s online filing system. To expedite the rulemaking process, agencies are encouraged to file a Notice of Proposed Rulemaking Hearing specifying hearing date, time and location, and to submit their filings early in the submission period. All notices and rules must be filed by the 15th of the month to be included in the next month’s Bulletin and OAR Compilation postings. Filings must contain the date stamp from the deadline day or earlier to be published the following month.

Administrative Rules Coordinators and Delegation of Signing Authority

Each agency that engages in rulemaking must appoint a rules coordinator and file an Appointment of Agency Rules Coordinator form with the Administrative Rules Unit. Agencies that delegate rule-making authority to an officer or employee within the agency must also file a Delegation of Rulemaking Authority form. It is the agency’s responsibility to monitor the rulemaking authority of selected employees and keep the forms updated. The Administrative Rules Unit does not verify agency signatures as part of the rulemaking process.

Publication Authority

The Oregon Bulletin is published pursuant to ORS 183.360(3). Copies of the original Administrative Orders may be obtained from the Archives Division, 800 Summer Street, Salem, Oregon, 97310; (503) 373-0701. The Archives Division charges for such copies.

The official copy of an Oregon Administrative Rule is contained in the Administrative Order filed at the Archives Division. Any discrepancies with the published version are satisfied in favor of the Administrative Order.

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TABLE OF CONTENTS

| | <i>Page</i> |
|---|-------------|
| Information About Administrative Rules | 2 |
| Table of Contents | 3 |
| Executive Orders | 4 |
| Other Notices | 5 |
| Notices of Proposed Rulemaking Hearings/Notices | |
| The citations and statements required by ORS 183.335(2)(b)(A)–(D) have been filed with and are available from the Secretary of State. | |
| Board of Geologist Examiners, Chapter 809 | 6 |
| Board of Licensed Professional Counselors and Therapists, Chapter 833 | 6 |
| Board of Licensed Social Workers, Chapter 877 | 6, 7 |
| Bureau of Labor and Industries, Chapter 839 | 7 |
| Citizens’ Initiative Review Commission, Chapter 710 | 7 |
| Construction Contractors Board, Chapter 812 | 7, 8 |
| Department of Agriculture, Chapter 603 | 8 |
| Department of Consumer and Business Services, Workers’ Compensation Division, Chapter 436 | 8 |
| Department of Energy, Chapter 330 | 8, 9 |
| Department of Environmental Quality, Chapter 340 | 9, 10 |
| Department of Human Services, Aging and People with Disabilities and Developmental Disabilities, Chapter 411 | 10 |
| Child Welfare Programs, Chapter 413 | 10, 11 |
| Department of Public Safety Standards and Training, Chapter 259 | 11 |
| Department of State Lands, Chapter 141 | 11, 12 |
| Department of Transportation, Driver and Motor Vehicle Services Division, Chapter 735 | 12 |
| Highway Division, Chapter 734 | 12, 13 |
| Health Licensing Office, Chapter 331 | 13 |
| Landscape Architect Board, Chapter 804 | 13, 14 |
| Mortuary and Cemetery Board, Chapter 830 | 14 |
| Oregon Criminal Justice Commission, Chapter 213 | 14 |
| Oregon Department of Education, Chapter 581 | 14 |
| Oregon Department of Education, Early Learning Division, Chapter 414 | 14, 15 |
| Oregon Health Authority, Chapter 943 | 15 |
| Oregon Health Authority, Division of Medical Assistance Programs, Chapter 410 | 15 |
| Oregon Youth Authority, Chapter 416 | 15, 16 |
| Public Utility Commission, Chapter 860 | 16 |
| Water Resources Department, Chapter 690 | 16 |
| Administrative Rules | |
| The citations and statements required by ORS 183.335(2)(b)(A)–(D) have been filed with and are available from the Secretary of State. | |
| Board of Chiropractic Examiners, Chapter 811 | 17–19 |
| Board of Geologist Examiners, Chapter 809 | 19 |
| Board of Licensed Professional Counselors and Therapists, Chapter 833 | 19, 20 |
| Board of Parole and Post-Prison Supervision, Chapter 255 | 20 |
| Bureau of Labor and Industries, Chapter 839 | 20, 21 |
| Department of Agriculture, Chapter 603 | 22–25 |
| Department of Consumer and Business Services, Building Codes Division, Chapter 918 | 25 |
| Division of Finance and Corporate Securities, Chapter 441 | 25–27 |
| Department of Corrections, Chapter 291 | 27–29 |
| Department of Environmental Quality, Chapter 340 | 29, 30 |
| Department of Fish and Wildlife, Chapter 635 | 30–44 |
| Department of Geology and Mineral Industries, Chapter 632 | 44, 45 |
| Department of Human Services, Aging and People with Disabilities and Developmental Disabilities, Chapter 411 | 45–78 |
| Self-Sufficiency Programs, Chapter 461 | 78, 79 |
| Department of Public Safety Standards and Training, Chapter 259 | 79 |
| Department of Transportation, Driver and Motor Vehicle Services Division, Chapter 735 | 79–82 |
| Highway Division, Chapter 734 | 82, 83 |
| Employment Relations Board, Chapter 115 | 83–89 |
| Health Licensing Office, Chapter 331 | 89 |
| Oregon Department of Education, Chapter 581 | 89–116 |
| Oregon Health Authority, Chapter 943 | 116–120 |
| Oregon Health Authority, Division of Medical Assistance Programs, Chapter 410 | 120 |
| Oregon Liquor Control Commission, Chapter 845 | 120–123 |
| Oregon Wine Board, Chapter 619 | 123 |
| Oregon Youth Authority, Chapter 416 | 123 |
| Public Utility Commission, Board of Maritime Pilots, Chapter 856 | 123 |
| Secretary of State, Elections Division, Chapter 165 | 123, 124 |
| OAR Revision Cumulative Index | 125–192 |

EXECUTIVE ORDERS

EXECUTIVE ORDER NO. 14 - 12

DETERMINATION OF A STATE OF DROUGHT EMERGENCY IN BAKER COUNTY DUE TO DROUGHT AND LOW WATER CONDITIONS.

At the request of Baker County by declaration of local disaster dated July 30, 2014, based on recommendations of the Drought Council and Water Availability Committee, and pursuant to ORS 401.165 and ORS 536.740, I find the continuing dry conditions, low snowpack, and lack of precipitation have caused natural and economic disaster conditions in Baker County.

Projected forecasts are not expected to alleviate the severe drought conditions and the drought is having significant economic impact on Baker County's agricultural, livestock, natural resources, and fire-fighting capabilities.

The dry conditions present hardships for these communities: crops and agricultural and recreation investments are at risk; animals and plants that rely on Oregon's surface water supplies are threatened; and the risk of wildfires across the state is greatly increased. Current conditions are being monitored and analyzed by state agencies including the Department of Agriculture, the Department of Water Resources, and Oregon Office of Emergency Management.

A timely response to the severe drought conditions is vital to the safety of persons and property and economic security of the citizens and businesses of Baker County; I am therefore declaring a state of drought emergency in Baker County and directing the following activities;

IT IS HEREBY DIRECTED AND ORDERED:

I. The Oregon Department of Agriculture is directed to coordinate and provide assistance in seeking federal resources available to mitigate conditions and affect agricultural recovery in Baker County.

II. The Department of Water Resources is directed to coordinate and provide assistance and regulation for Baker County as it determines is necessary in accordance with ORS 536.700 to 536.780.

III. The Office of Emergency Management is directed to coordinate and assist as needed with assessment and mitigation activities to address current and projected conditions in Baker County.

IV. All other departments are directed to coordinate with the above agencies and to provide appropriate state resources as determined essential to assist affected political subdivisions in Baker County.

V. This Executive Order expires on December 31, 2014.

Done at Salem, Oregon this 3rd day of September, 2014.

/s/ John A. Kitzhaber
John A. Kitzhaber, M.D.
GOVERNOR

ATTEST

/s/ Kate Brown
Kate Brown
SECRETARY OF STATE

EXECUTIVE ORDER NO. 14 - 13

INVOCATION OF EMERGENCY CONFLAGRATION ACT FOR THE 36 PIT FIRE IN CLACKAMAS COUNTY

Pursuant to my authority as Governor of the State of Oregon, I find that:

The fire known as the 36 Pit Fire is burning in Clackamas County.

The resources necessary for protecting life and property from the 36 Pit Fire is beyond local capabilities. Assistance with life, safety, and structural fire protection was requested by Larry Goff, Clackamas County Fire Defense Board Chief. The State Fire Marshal concurs with that request.

In accordance with ORS 476.510 through 476.610, I have determined that a threat to life, safety, and property exists due to a fire known as the 36 Pit Fire in Clackamas County and the threat exceeds the firefighting capabilities of local firefighting personnel and equipment. Accordingly, I have invoked the Emergency Conflagration Act.

These findings were made at 5:15 p.m. on September 15, 2014, and I now confirm them with this Executive Order.

IT IS HEREBY DIRECTED AND ORDERED:

1. The Oregon State Police and the Office of State Fire Marshal shall mobilize fire resources statewide and coordinate with all appropriate Fire Defense Chiefs for the use of personnel and equipment in accordance with the Emergency Conflagration Act to suppress and contain this fire. Resources responding to 36 Pit Fire, burning near Estacada may be redistributed by the State Fire Marshal.

2. This emergency is declared only for the 36 Pit Fire threatening structures in Clackamas County and the city of Estacada.

These findings were made by verbal proclamation on September 15, 2014, at 5:15 p.m.

Done at 3:14 in Salem, Oregon, this 17th day of September, 2014.

/s/ John A. Kitzhaber
John A. Kitzhaber, M.D.
GOVERNOR

ATTEST

/s/ Kate Brown
Kate Brown
SECRETARY OF STATE

OTHER NOTICES

REQUEST FOR COMMENTS PROPOSED NO FURTHER ACTION DETERMINATION FOR ODOT'S ALKALI LAKE MAINTENANCE STATION

COMMENTS DUE: 5 p.m., Friday, October 31, 2014

PROJECT LOCATION: 46631 Highway 395, Lake County

PROPOSAL: The Department of Environmental Quality proposes to issue a No Further Action Determination for the ODOT - Alkali Lake Maintenance Station in Lake County. DEQ has determined that residual contamination at the site does not present a risk to human health and the environment exceeding the acceptable levels defined in ORS 465.315.

HIGHLIGHTS: This ODOT maintenance facility occupies 3.5 acres on the east side of Highway 395, approximately 60 miles north of Lakeview. Built in the 1940s, it contains several maintenance-related buildings and two houses. ODOT and its contractors conducted investigation and cleanup work at various times between 1991 and 2013. Main activities included removal of underground fuel storage tanks and contaminated soil, and decommissioning of two drywells and a waste oil tank. Based on results of soil and groundwater sampling, DEQ concludes that residual contamination at the site is below acceptable risk levels.

HOW TO COMMENT: Send comments by 5 p.m., October 31, 2014, to DEQ Project Manager Bob Schwarz, at 400 E. Scenic Drive, Suite 307, The Dalles, OR 97058; schwarz.bob@deq.state.or.us or 541-298-7330 (fax).

Find information about requesting a review of DEQ project files at: <http://www.deq.state.or.us/records/recordsRequestFAQ.htm>

Find the File Review Application form at: <http://www.deq.state.or.us/records/RecordsRequestForm.pdf>

THE NEXT STEP: DEQ will consider all public comments received by the date and time stated above, before making a final decision regarding the No Further Action determination. In the absence of comments, DEQ will issue the No Further Action determination for this site.

ACCESSIBILITY INFORMATION: DEQ is committed to accommodating people with disabilities. If you need information in another format, please contact DEQ toll free in Oregon at 800-452-4011, email at deqinfo@deq.state.or.us, or 711 for people with hearing impairments.

PUBLIC NOTICE OF A RECOMMENDATION OF NO FURTHER ACTION AND CONFIRMED RELEASE LIST DELETION FOR THE SKOPIL'S DRY CLEANER PROPERTY, LOCATED AT 2605 WILLAMETTE STREET, EUGENE, OREGON

Oregon Department of Environmental Quality (DEQ) is giving public notice of proposed No Further Action determination and deletion of the property from the confirmed release list for a cleanup of soil and groundwater contamination at the Skopil's Dry Cleaner property, located at 2605 Willamette Street, Eugene, Oregon. In the December, 2012 Record of Decision, DEQ selected a remedy for the Skopil's Dry Cleaner Site. That remedy has now been completed. Contamination in soil and groundwater at the site resulted from historic past practices at the facility involving the use of perchlorethylene (PCE) a common dry cleaning solvent. Skopil's Dry Cleaner now reports using a non-PCE based cleaner. In 2006, Skopil's performed an interim remedial action measure at the Site involving engineering controls at nearby residences, removal of contaminated soil, as well as in-situ chemical oxidation, followed by several years of groundwater quality and air quality monitoring. The final remedy implemented at the site was additional soil excavation and disposal together with in-situ biological and chemical reduction. Crawlspace air sampling data show that unacceptable offsite risk to nearby residences has now been eliminated.

If you have any comments about the proposed No Further Action determination, please send them to Norman Read no later than 5 p.m., October 31, 2014 at DEQ, 165 E. 7th Avenue, Suite 100, Eugene, OR 97401. You can also email Norman Read at read.norm@deq.state.or.us.

To access DEQ's draft recommendation of No Further Action Memo and other documents in the DEQ Environmental Cleanup Site Information database, go to: www.deq.state.or.us/lq/ECSI/ecsi.htm then enter "4637" in the Site ID box and click "Submit" at the bottom of the page. Next, click the link labeled "4637" in the Site ID/Info column. To review the project file in person, call Denise Miller at (541) 687-7809 for a file review appointment. All comments will be addressed and considered before DEQ makes its final decision to formalize the No Further Action status for the site.

NOTICES OF PROPOSED RULEMAKING

Notices of Proposed Rulemaking and Proposed Rulemaking Hearings

The following agencies provide Notice of Proposed Rulemaking to offer interested parties reasonable opportunity to submit data or views on proposed rulemaking activity. To expedite the rulemaking process, many agencies have set the time and place for a hearing in the notice. Copies of rulemaking materials may be obtained from the Rules Coordinator at the address and telephone number indicated.

Public comment may be submitted in writing directly to an agency or presented orally at the rulemaking hearing. Written comment must be submitted to an agency by 5:00 p.m. on the Last Day for Comment listed, unless a different time of day is specified. Oral comments may be submitted at the appropriate time during a rulemaking hearing as outlined in OAR 137-001-0030.

Agencies providing notice request public comment on whether other options should be considered for achieving a proposed administrative rule's substantive goals while reducing negative economic impact of the rule on business.

In Notices of Proposed Rulemaking where no hearing has been set, a hearing may be requested by 10 or more people or by an association with 10 or more members. Agencies must receive requests for a public rulemaking hearing in writing within 21 days following notice publication in the Oregon Bulletin or 28 days from the date notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received by an agency, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

**Auxiliary aids for persons with disabilities are available upon advance request. Contact the agency Rules Coordinator listed in the notice information.*

.....
**Board of Geologist Examiners
Chapter 809**

Rule Caption: Updates to procedural rules addressing public records, roster, exam application, deadline, and social security numbers

Date: 10-24-14 **Time:** 10:30 a.m. **Location:** Association Center
707 13th St. SE
Salem, OR

Hearing Officer: Christine Valentine

Stat. Auth.: 809-001-0015: ORS 192.430, 192.440, 192.502, 192.505, 182.466 & 670.310; 809-040-0001: ORS 670.310, 672.555 & 672.575; 809-050-0020: ORS 670.310 & 672.635; 809-050-0050: ORS 670.310, 25.785, 305.385 & 42 USC §666, 42 USC §405

Stats. Implemented: 809-001-0015: ORS 192.430, 192.440, 192.502 & 192.505; 809-040-0001: ORS 672.555 & 672.575; 809-050-0020: ORS 672.635; 809-050-0050: ORS 672.555, 672.565, 672.585, 672.595, 25.785 & 305.385

Proposed Amendments: 809-001-0015, 809-040-0001, 809-050-0050

Proposed Repeals: 809-050-0020

Last Date for Comment: 10-24-14, Close of Business

Summary: The Board proposes updates to various procedural rules. (1) The Board's rule covering the procedures and fees for public records requests will be modernized, and the rule will be expanded to provide clear information about how such requests are handled. (2) The Board's exam application rule will be amended to set a shorter application deadline for candidates applying to re-take an examination or applying for the specialty examination in engineering geology. The deadline will not be changed for other exam applications. (3) The Board proposes to delete the Roster rule based on determination that the rule is not necessary or helpful with respect to fulfilling its statutory obligation to maintain an annual roster of registrants. (4) The Board's rule for required application information will be updated to reference an additional federal law citation and with housekeeping changes intended to improve the clarity of the

rule regarding Board need for and use of federal Social Security Numbers.

Rules Coordinator: Christine Valentine

Address: Board of Geologist Examiners, 707 13th St. SE, Suite 114, Salem, OR 97301

Telephone: (503) 566-2837

.....
**Board of Licensed Professional Counselors and Therapists
Chapter 833**

Rule Caption: Counselor educator license application method

Stat. Auth.: ORS 675.705-675.835

Stats. Implemented: ORS 675.705-675.835

Proposed Amendments: 833-020-0075

Last Date for Comment: 10-31-14, Close of Business

Summary: Extends the sunset date for applying for a license as a professional counselor or marriage and family therapist through the counselor educator application method. The sunset date was June 30, 2014; a temporary rule was adopted to extend the date.

Rules Coordinator: Becky Eklund

Address: Board of Licensed Professional Counselors and Therapists, 3218 Pringle Rd. SE, Suite 250, Salem, OR 97302

Telephone: (503) 378-5499, ext. 3

.....
**Board of Licensed Social Workers
Chapter 877**

Rule Caption: Proposed rules and amendments implementing HB2082 regarding the regulation of social workers.

| | | |
|--------------|--------------|---|
| Date: | Time: | Location: |
| 10-25-14 | 9 a.m. | Morrow Crane Bldg. 3218 Pringle Rd. S Salem, OR 97302 |

Hearing Officer: Randy Harnisch

Stat. Auth.: ORS 675.510-675.600

Stats. Implemented: ORS 675.510-675.600

Proposed Adoptions: 877-015-0106, 877-030-0110

Proposed Amendments: 877-001-0006, 877-020-0000, 877-020-0010, 877-020-0012, 877-020-0057, 877-020-0060, 877-030-0040

Last Date for Comment: 11-14-14, Close of Business

Summary: 877-015-0106 would implement new definitions for "practice of baccalaureate social work" and "practice of master's social work," which were enacted during the 2013 Legislative Assembly in HB 2082.

877-030-0110 would establish standards and guidance for social workers who conduct child custody and parenting time evaluations.

877-001-0006 would implement new definitions for social work, which were enacted during the 2013 Legislative Assembly in HB 2082, including the definition of "clinical social work" to include reference to the Diagnostic and Statistical Manual of Mental Disorders (DSM) 5th edition.

877-020-0000 would amend the definition of "agency" for purposes of expanding the options for social work associates to obtain appropriate supervision.

877-020-0010 would permit social work associates to obtain required supervision via electronic media, increasing opportunities for associates located in rural and less populated areas of the state; the amendments would also permit social work associates to extend the supervision period beyond 5 years in certain circumstances.

877-020-0012 would establish standards for electronic media supervision.

877-020-0057 would create a new license status for individuals who do not renew their licenses within the 30 day grace period following their renewal date. The amendment would designate the licenses of such individuals as lapsed, and would allow lapsed licenses to be renewed by completing the renewal form, submitting any required continuing education and paying renewal and late fees. After one year from the renewal date, a lapsed license would expire. The proposed amendment would also allow the board to extend the lapsed

NOTICES OF PROPOSED RULEMAKING

period beyond one year upon a showing of “good cause” and “exceptional circumstances.”

877-020-0060 would permit the board to reduce requirements for applicants on a showing of good cause.

877-030-0040 would clarify the requirement for regulated social workers to notify the board in the event the social worker receives certain behavioral or mental health treatment.

Rules Coordinator: Randy Harnisch

Address: Board of Licensed Social Workers, 3218 Pringle Rd. SE, Suite 240, Salem, OR 97302-6310

Telephone: (503) 373-1163

Bureau of Labor and Industries Chapter 839

Rule Caption: Implements legislation relating to licensing of construction labor contractors

Stat. Auth.: ORS 651.060(4) & 658.407

Stats. Implemented: HB 2977, Reg. Session (OR 2013) & ORS 658

Proposed Amendments: Rules in 839-015, 839-015-0000, 839-015-0004, 839-015-0125, 839-015-0130, 839-015-0135, 839-015-0140, 839-015-0141, 839-015-0142, 839-015-0145, 839-015-0150, 839-015-0155, 839-015-0157, 839-015-0160, 839-015-0165, 839-015-0195, 839-015-0200, 839-015-0230, 839-015-0250, 839-015-0300, 839-015-0310, 839-015-0320, 839-015-0350, 839-015-0360, 839-015-0370, 839-015-0400, 839-015-0410, 839-015-0450, 839-015-0500, 839-015-0502, 839-015-0508, 839-015-0509, 839-015-0512, 839-015-0520, 839-015-0605

Last Date for Comment: 10-21-14, 5 p.m.

Summary: HB 2977 amended ORS Chapter 658 to require persons acting as a construction labor contractor to obtain a license from the Bureau of Labor and Industries. The proposed rule amendments would revise existing regulations which address the licensing of farm and forest labor contractors to incorporate construction labor contractors. Further, the proposed rule amendments would clarify the definition of a “staffing agency” for purposes of the licensing requirement, clarify exemptions to the licensing requirement, and establish a license fee.

Rules Coordinator: Marcia Ohlemiller

Address: Bureau of Labor and Industries, 800 NE Oregon St., Ste. 1045, Portland, OR 97232

Telephone: (971) 673-0784

Rule Caption: Amendments to clarify, conform with authorities, correct citations; adoption to implement new statute.

Stat. Auth.: ORS 659A.805, 659A.093, 651.061 & 654.062

Stats. Implemented: ORS 659A, 192.440(3), 192.501(8), 654.062, 345.240, 345.010, 659.850, 408.230, 408.235, 653.060 & 652.355

Proposed Adoptions: Rules in 839-005

Proposed Amendments: Rules in 839-003, 839-003-0005, 839-003-0010, 839-003-0020, 839-003-0025, 839-003-0031, 839-003-0040, 839-003-0045, 839-003-0050, 839-003-0055, 839-003-0060, 839-003-0065, 839-003-0070, 839-003-0080, 839-003-0085, 839-003-0090, 839-003-0095, 839-003-0100, 839-003-0200, 839-003-0215, 839-003-0220, 839-003-0225, 839-003-0235, Rules in 839-004, 839-004-0001, 839-004-0004, 839-004-0011, 839-004-0016, 839-004-0021, Rules in 839-005, 839-005-0000, 839-005-0003, 839-005-0005, 839-005-0026, 839-005-0031, 839-005-0075, 839-005-0195, 839-005-0200, 839-005-0205, 839-005-0206, 839-005-0210, 839-005-0305, 839-005-0400, Rules in 839-006, 839-006-0435, 839-006-0130, Rules in 839-009, 839-009-0210, 839-009-0230, 839-009-0240, 839-009-0250, 839-009-0260, 839-009-0270, 839-009-0330, 839-009-0340, 839-009-0370, 839-009-0380, 839-009-0390, Rules in 839-010, 839-010-0100

Last Date for Comment: 12-3-14, 5 p.m.

Summary: Amendments to rules to clarify, conform with authorities, correct citations. The purposes of the amendments are to clarify procedure for housing discrimination settlements; replace

“complainant” with “aggrieved person” in conformance with statute, replace “OSEA” with the statutory cite for the Oregon Safe Employment Act; conform career school rules by editing in new statutory definition for “agent;” clarify that veteran preference voluntary hiring by private employer does not preclude discrimination complaint regarding hiring; clarifying when an injured worker’s former position still exists; clarifications under OFLA about sick child leave, bereavement leave, definition of marriage, spouse, definition of child, employee discipline for failure to give notice of OFLA leave, editing “calendar” references, clarifying OFLA provisions regarding employer payment of benefits, clarifying relationship between workers’ compensation and OFLA with respect to employer relationship to employee, and other clarifications and edits based on current law. Adoption of rule to implement ORS 659A.550, discrimination based on employment status.

Rules Coordinator: Marcia Ohlemiller

Address: Bureau of Labor and Industries, 800 NE Oregon St., Ste. 1045, Portland, OR 97232

Telephone: (971) 673-0784

Citizens’ Initiative Review Commission Chapter 710

Rule Caption: Rules related to Citizens’ Initiative Review Elector Stipends and Travel Reimbursements

| Date: | Time: | Location: |
|----------|------------|--|
| 10-29-14 | 10:30 a.m. | 506 S.W. Mill St., Suite 710 Portland, OR |

Hearing Officer: Sarah Giles

Stat. Auth.: ORS 250.139(5)(a), 250.139(5)(b) & 250.139(6)(a)

Stats. Implemented: ORS 250.139(5)(a), 250.139(5)(b) & 250.139(6)(a)

Proposed Adoptions: 710-010-0000

Last Date for Comment: 10-29-14, 12 p.m.

Summary: The Citizens Initiative Review Commission sets a daily stipend for Citizen Initiative Review electors; sets the duration for future CIR panels; and sets travel reimbursement policy. The rule will replace Temporary Rule 710-010-0000, effective 7-1-14 through 11-30-14.

Rules Coordinator: Sarah Giles

Address: Citizens’ Initiative Review Commission, Policy Consensus Initiative, PO Box 1762, Portland, OR 97207

Telephone: (503) 725-5248

Construction Contractors Board Chapter 812

Rule Caption: Fees for Public Records and Exempt Contractors with Workers

| Date: | Time: | Location: |
|----------|---------|--|
| 10-28-14 | 11 a.m. | 1300 Broadway St NE Peru Rm. (306) Salem, OR 97301 |

Hearing Officer: Rob Yorke

Stat. Auth.: ORS 293.445, 670.310 & 701.235

Stats. Implemented: ORS 192.430, 293.430, 293.445, 701.035, 701.098, 701.235 & 701.250

Proposed Adoptions: 812-009-0330

Proposed Amendments: 812-001-0160

Last Date for Comment: 10-28-14, Close of Hearing

Summary: Adopt 812-009-0330 that creates a “rebuttable presumption” that unlicensed workers on a job site are the employees of the contractor responsible for the work being performed. If there is only one licensed contractor, the agency will presume that the workers work for that contractor. If there are multiple licensed contractors, the agency will presume that responsibility is determined by the building permit – in which contractor’s name it is issued.

Amend 812-001-0160 to :

1. Clarify that charge is for a recording of three hours, or less, of agency hearings or arbitrations;

NOTICES OF PROPOSED RULEMAKING

2. Reduce charge for data requested pursuant to CCB's "Request for Information on Licensed Contractor Businesses" from \$40 to \$15 — records will be provided in electronic format, by e-mail;

3. Add a charge of \$15 plus \$25 per hour for actual costs to research, query and produce records requested other than pursuant to CCB's "Request for Information on Licensed Contractor Businesses," which is reduced from \$40 to \$15 — records will be provided in electronic format, by e-mail; to clarify that records will be provided in electronic format, by e-mail.;

4. Delete previous sections (2)(h), (2)(k) and (2)(l) to eliminate supplying paper records in lieu of electronic transmissions. Paper records will be governed by section (2)(c) — \$5 for the first 20 copies and \$.25 per each page thereafter; delete previous section (2)(i) to eliminate providing weekly or other than monthly information; to remove obsolete reference to "3.5-inch computer disk";

5. Renumber (2)(m)–(p); and

6. Add computer-maintained data requested in paper format, the agency will add a charge of \$.25 per page to the charges provided in the rule above.

Rules Coordinator: Catherine Dixon

Address: Construction Contractors Board, 700 Summer St. NE, Suite 300, Salem, OR 97310

Telephone: (503) 934-2185

Department of Agriculture Chapter 603

Rule Caption: Tualatin River Watershed Agricultural Water Quality Management Area Rules.

| Date: | Time: | Location: |
|----------|----------|---|
| 10-30-14 | 7–9 p.m. | Clean Water Services Tualatin Rm. 2550 SW Hillsboro Hwy. Hillsboro, OR |

Stat. Auth.: ORS 561.190–561.191 & 568.912

Stats. Implemented: ORS 568.900–568.933

Proposed Amendments: 603-095-0100, 603-095-0120, 603-095-0140, 603-095-0180

Proposed Repeals: 603-095-0160

Last Date for Comment: 11-15-14, 5 p.m.

Summary: The rules effectuate the implementation of the Tualatin River Watershed Agricultural Water Quality Management Area Plan developed under ORS 568.900 through 568.933 and OAR Chapter 603 Division 90.

Rules Coordinator: Sue Gooch

Address: Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301

Telephone: (503) 986-4583

Department of Consumer and Business Services, Workers' Compensation Division Chapter 436

Rule Caption: Standards for electronic reporting of workers' compensation insurance coverage data

| Date: | Time: | Location: |
|----------|---------|--|
| 10-22-14 | 10 a.m. | Labor & Industries Bldg., Rm. F 350 Winter St. NE Salem OR |

Hearing Officer: Fred Bruyns

Stat. Auth.: ORS ch. 84; ORS 656.264, 656.419, 656.423, 656.427, 656.726(4) & 656.745

Stats. Implemented: ORS 656.017, 656.407, 656.419, 656.423 & 656.427

Proposed Adoptions: Rules in 436-162, 436-162-0035, 436-162-0380, 436-162-0400, 436-162-0440

Proposed Amendments: Rules in 436-162, 436-162-0001, 436-162-0004, 436-162-0005, 436-162-0040, 436-162-0310, 436-162-0340, 436-162-0370

Proposed Repeals: Rules in 436-162, 436-162-0002, 436-162-0003, 436-162-0006, 436-162-0020, 436-162-0050, 436-162-0070, 436-162-0090, 436-162-0300, 436-162-0330, 436-162-0350, 436-162-0355, 436-162-0360

Proposed Ren. & Amends: 436-162-0060 to 436-162-0335, 436-162-0320 to 436-162-0038

Last Date for Comment: 10-28-14, Close of Business

Summary: The public may listen to the hearing or testify by telephone: Dial-in number is 1-626-677-3000; Access code is 786664; Lines open at 9:45 a.m., Pacific Daylight Time.

The agency proposes to amend OAR 436-162, "Electronic Data Interchange; Proof of Coverage," to: Revise and reorganize the rules to promote clarity, including -

-- Consolidation of related requirements, and

-- Deletion of obsolete information, such as references to "guaranty contracts" (Much of the text marked as "new" is in fact current, but it is marked because it has been moved. The most significant proposed revisions are listed below.);

- More completely describe reporting requirements under the existing standard - IAIABC (International Association of Industrial Accident Boards and Commissions) EDI Implementation Guide for Proof of Coverage, Release 2.1, dated July 1, 2010 - to include a data element requirement table, data element issuance conditions, and a list of coverage "events" and associated filing due dates, Appendices A, B, and C respectively;

- Update definitions to be consistent with Release 2.1;

- Remove the Standard Industrial Classification (SIC) code from the definition of "Industry code"; the North American Industry Classification System (NAICS) code will be the required industry code;

- Adoption of a new EDI transmission profile form, Form 440-4979, for insurers that intend to report directly to the agency (not through a vendor);

- Provide more detailed instructions for testing, to include criteria to measure when testing is successful;

- Set standards for accuracy and timeliness of reporting, and describe consequences for failure to meet the standards - possible sanctions or revocation of EDI transmission approval;

- Emphasize that reported federal employer identification numbers must be valid and cannot be "placeholders"; and

- Distinguish employer cancellations of coverage under ORS 656.423 from insurer terminations of coverage under ORS 656.427, and explain associated record-keeping responsibilities for insurers.

Rules Coordinator: Fred Bruyns

Address: Department of Consumer and Business Services, Workers' Compensation Division, PO Box 14480, Salem, OR 97309-0405

Telephone: (503) 947-7717

Department of Energy Chapter 330

Rule Caption: Updating Residential Energy Tax Credit rules, including tax credit rate chart and other program aspects.

| Date: | Time: | Location: |
|----------|---------|---|
| 10-23-14 | 10 a.m. | Oregon Department of Energy 625 Marion St. NE Salem, OR 97301 |

Hearing Officer: Elizabeth Ross

Stat. Auth.: ORS 469.040, 469B.100, 469B.103, 469B.106, 469B.109; 469B.112 & 316.116

Stats. Implemented: ORS 469B.100–469B.118, 316.116

Proposed Adoptions: 330-070-0076, 330-070-0078

Proposed Amendments: 330-070-0010, 330-070-013, 330-070-0020, 330-070-0021, 330-070-0022, 330-070-0025, 330-070-0026, 330-070-0027, 330-070-0029, 330-070-0040, 330-070-0045, 330-070-0059, 330-070-0060, 330-070-0062, 330-070-0063, 330-070-0064, 330-070-0070, 330-070-0073, 330-070-0089

Proposed Repeals: 330-070-0091, 330-070-0073(T)

Last Date for Comment: 10-24-14, 5 p.m.

NOTICES OF PROPOSED RULEMAKING

Summary: The proposed rules for the Residential Energy Tax Credit program assist and improve program administration. The proposed rules update requirements for duct sealing to a prescriptive measure and lower the incentive, lower the solar photovoltaic incentive rate, rework the incentive calculation for wood and pellet stoves, require dwellings installing a wood or pellet stove have an approved carbon monoxide detector alarm device, allow open-loop geothermal systems, modify the tax credit chart and consolidate eligible costs into one section for all devices. Also, the proposed rules add eligibility for storage gas water heaters and direct vent natural gas or propane fireplaces as energy efficient appliances. For solar photovoltaic projects, the proposed rules require use of PowerClerk for all solar photovoltaic applications submitted by a tax credit technician after June 1, 2015, and allow third-party installers to submit more than one reservation application a week. Lastly, the proposed rules include housekeeping amendments to correct terminology, simplify language and update statutory references. The department requests public comment on these draft rules.

A call-in number is available for the public hearing, please see website for details and other materials: <http://www.oregon.gov/energy/CONS/Pages/Rulemaking-RETC.aspx>

Rules Coordinator: Elizabeth Ross

Address: Department of Energy, 625 Marion St. NE, Salem, OR 97301

Telephone: (503) 373-8534

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Department of Environmental Quality
Chapter 340

Rule Caption: Water Quality Standards Revisions for Freshwater Ammonia Criteria

| | | |
|--------------|--------------|--|
| Date: | Time: | Location: |
| 10-15-14 | 6 p.m. | DEQ, 811 SW 6th Ave. Portland, OR 97204 |

Hearing Officer: DEQ Staff

Stat. Auth.: ORS 468.020, 468B.030, 468B.035, 468.065, 468B.048

Stats. Implemented: ORS 468B.030, 468B.035 & 468B.048

Proposed Adoptions: 340-041-8033

Proposed Amendments: 340-041-0002, 340-041-0007, 340-041-0028, 340-041-0033, 340-041-0124, 340-041-0310, 340-041-0315

Last Date for Comment: 10-30-14, 5 p.m.

Summary: Short summary

The proposed rules would:

- Adopt U.S. Environmental Protection Agency's latest 2013 national recommendations for freshwater ammonia criteria that are:

- Less stringent than Oregon's current chronic criteria for ammonia,
- Generally more stringent than Oregon's acute criteria for ammonia, and
- Account for mussel and snail sensitivity to ammonia.

- Likely address EPA's Jan. 31, 2013, disapproval of Oregon's ammonia criteria, which the EQC adopted in 2004.

The National Marine Fisheries Service's Biological Opinion indicated that Oregon's 2004 adopted ammonia criteria would cause jeopardy to threatened and endangered species. EPA and NMFS are evaluating how EPA's latest 2013 recommendations are consistent with the Reasonable and Prudent Alternatives in NMFS's jeopardy opinion. If NMFS determines that EPA's criteria derivation method generally followed the Reasonable and Prudent Alternatives, then NMFS can conclude that EPA's 2013 ammonia criteria protect threatened and endangered species in Oregon, thus satisfying Endangered Species Act consultation requirements. A "no jeopardy" decision from NMFS would likely lead to EPA approval of Oregon's proposed ammonia criteria.

- Correct an error in the stated applicability of the pH standard for the main stem Snake River.

- Amend the Umatilla Basin-specific standards and uses and remove a term from the definitions section to be consistent with

EPA's partial disapproval of DEQ's site-specific criteria and use designations for the West Division Main Canal.

- Incorporate plain language into the amended rules consistent with the Oregon Administrative Procedures Act.

DEQ proposes adding a note below two rule sections to notify the reader that EPA disapproved the statewide natural conditions criterion in OAR 340-041-0007(2) and the natural conditions criterion for temperature in OAR-340-041-0028(8), and, therefore, that these provisions may not be applied for Clean Water Act purposes, such as wastewater discharge permits or total maximum daily loads. DEQ will not accept public comments on the notes because they only provide information and do not amend the rule.

Brief history:

Currently, Oregon's ammonia criteria are based on 1985 EPA recommendations. In 2004, Oregon adopted revised ammonia criteria based on updated EPA recommendations from 1999, but these adopted criteria have never been effective because EPA did not approve the revisions. In August 2012, the National Marine Fisheries Service, as part of Endangered Species Act consultation requirements, determined that the 1999 EPA ammonia criteria that Oregon adopted would cause jeopardy to threatened and endangered fish. Based on National Marine Fisheries Service's determination and updated toxicity data indicating that mussels are the most sensitive species to ammonia, EPA disapproved Oregon's criteria on Jan. 31, 2013.

Regulated parties:

Regulated parties include facilities that discharge to Oregon waterbodies and either have ammonia monitoring requirements or have permit limits for ammonia. These facilities include municipal wastewater discharge plants and industrial facilities.

Rules Coordinator: Maggie Vandehey

Address: Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204-1390

Telephone: (503) 229-6878

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Rule Caption: Clean Fuels Program Phase 2 Rulemaking

| | | |
|--------------|--------------|--|
| Date: | Time: | Location: |
| 11-6-14 | 1:30 p.m. | Tiffany Center 1410 SW Morrison St. Portland, OR 97205 |

Hearing Officer: EQC member

Stat. Auth.: ORS 468.020 & 2009 OL Ch. 754, Sec. 6 (HB 2186 (2009))

Other Auth.: 2009 OL Ch. 754, Sec. 6 (HB 2186 (2009))

Stats. Implemented: 2009 OL Ch. 754, Sec. 6 (HB 2186 (2009))

Proposed Adoptions: 340-253-0620, 340-253-1050, 340-253-3060, 340-253-3070, 340-253-8080, 340-253-2000, 340-253-2100, 340-253-2200

Proposed Amendments: 340-253-0000, 340-253-0040, 340-253-0060, 340-253-0100, 340-253-0200, 340-253-0250, 340-253-0310, 340-253-0320, 340-253-0330, 340-253-0340, 340-253-0400, 340-253-0450, 340-253-0500, 340-253-0600, 340-253-0630, 340-253-0650, 340-253-1000, 340-253-1010, 340-253-1020, 340-253-1030

Proposed Ren. & Amends: 340-253-3010 to 340-253-8010, 340-253-3020 to 340-253-8020, 340-253-3030 to 340-253-8030, 340-253-3040 to 340-253-8040, 340-253-3050 to 340-253-8050

Last Date for Comment: 11-7-14, 5 p.m.

Summary: Short summary:

DEQ proposes to amend and adopt Oregon Clean Fuels Program rules under division 253 of chapter 340 of the Oregon Administrative Rules. The proposed phase 2 rules would:

- Implement House Bill 2186 (2009) by establishing clean fuel standards to reduce greenhouse gas emissions from Oregon's transportation fuels by 10 percent over a 10-year period.

- Require importers of transportation fuels to reduce the average carbon intensity of fuels they provide in Oregon to meet the annual clean fuel standards. To meet the standards, regulated parties would select the strategy that works best for them, such as incorporating more lower-carbon biofuels, natural gas, biogas, propane or elec-

NOTICES OF PROPOSED RULEMAKING

tricity into its fuel mix, or by purchasing clean fuel credits from providers of clean fuels.

- Allow providers of clean fuels to generate and sell clean fuel credits for the fuels they provide in Oregon.

- Modify the definition of fuel importer to be the owner of the fuel when it crosses into Oregon.

- Establish fuel supply and fuel price deferrals to contain the costs of the program.

Brief history:

The 2009 Oregon Legislature passed House Bill 2186 authorizing the Oregon Environmental Quality Commission to adopt rules to reduce lifecycle emissions of greenhouse gases from Oregon's transportation fuels by 10 percent over a 10-year period.

Oregon started fuels reporting (phase 1) of the Clean Fuels Program on Jan. 1, 2013 after EQC adopted rules in December 2012. Phase 1 rules require Oregon fuel producers and importers to register, keep records and report the volumes and carbon intensities of the transportation fuels they provide in Oregon.

Regulated parties:

The Clean Fuels Program regulates Oregon producers and importers of transportation fuels for use in Oregon. The proposed rule defines importers as the owners of the transportation fuel when it crosses into Oregon.

Rules Coordinator: Maggie Vandehey

Address: Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204-1390

Telephone: (503) 229-6878

Department of Human Services, Aging and People with Disabilities and Developmental Disabilities Chapter 411

Rule Caption: Adult Protective Services

| Date: | Time: | Location: |
|--------------|--------------|---|
| 10-15-14 | 2:30 p.m. | Human Services Bldg. 500 Summer St. NE, Rm. 160 Salem, OR 97301 |

Hearing Officer: Staff

Stat. Auth.: ORS 410.070, 411.116, 441.637, 443.450, 443.765 & 443.767

Other Auth.: H.B. 4151 (2014), H.B. 2205 (2013)

Stats. Implemented: ORS 124.050–124.095, 410.020, 410.040, 410.070, 411.116, 441.630–441.695, 443.450, 443.500 & 443.767

Proposed Amendments: 411-020-0000, 411-020-0002, 411-020-0010, 411-020-0015, 411-020-0020, 411-020-0025, 411-020-0030, 411-020-0040, 411-020-0060, 411-020-0080, 411-020-0085, 411-020-0090, 411-020-0100, 411-020-0110, 411-020-0120, 411-020-0123, 411-020-0130

Last Date for Comment: 10-21-14, 5 p.m.

Summary: The Department of Human Services (Department) is proposing to amend the rules for Adult Protective Services in OAR chapter 411, division 020 to:

- Amend the definitions of "neglect," "sexual abuse" and add the definition for "basic care" to implement HB4151. These definitions will be applied in investigations of alleged abuse to older adults and persons with physical disabilities in the community as well as licensed care facilities. Other definitions had minor wording, grammar, and formatting adjustments. A few new definitions were added to reflect terminology changes within the Department.

- Add to the list of mandatory abuse reporters because it was expanded by legislation in 2013 to add attorneys, dentists, optometrists, chiropractors and members of the legislative assembly. In addition, the rules now state that certain attorney communications are protected as confidential.

- Amend the triage times for Adult Protective Services (APS) to commence an investigation of alleged abuse to be the same for all licensed care facility types.

- Clarify that reported victims, reported perpetrators, and key witnesses shall be interviewed in person with certain exceptions.

- Add the time frame to complete community abuse investigations as well as what information can be shared about the conclusion.

- Make minor wording, formatting, punctuation and grammar adjustments to the rules.

Rules Coordinator: Kimberly Colkitt-Hallman

Address: Department of Human Services, Aging and People with Disabilities and Developmental Disabilities, 500 Summer St. NE, E48, Salem, OR 97301

Telephone: (503) 945-6398

Department of Human Services, Child Welfare Programs Chapter 413

Rule Caption: Changing OARs affecting Child Welfare programs

| Date: | Time: | Location: |
|--------------|--------------|---|
| 10-23-14 | 2 p.m. | Human Services Bldg. 500 Summer St. NE, Rm. 254 Salem, OR 97301 |

Hearing Officer: Kris Skaro

Stat. Auth.: ORS 409.050, 418.005 & 418.598

Stats. Implemented: ORS 409.010, 409.185, 418.005, 418.015, 418.580, 419B.020 & 2014 OL Ch. 45, Sec. 42 (SB 1548)

Proposed Amendments: 413-015-0115, 413-015-0400, 413-015-0409, 413-015-0415, 413-015-0420, 413-015-0432, 413-015-0450, 413-015-0540, 413-015-1105, 413-015-9030, 413-015-9040, 413-200-0414

Proposed Repeals: 413-015-0115(T), 413-015-0409(T), 413-015-0415(T), 413-015-0420(T), 413-015-0432(T), 413-015-0540(T), 413-015-1105(T), 413-015-9040(T), 413-200-0414(T)

Last Date for Comment: 10-27-14, 5 p.m.

Summary: The Department of Human Services, Child Welfare, is making rule changes to clarify, assure consistency with, and correct errors in rules that were adopted effective May 27, 2014, which implemented a Differential Response (DR) system in Oregon and updated the Oregon Safety Model (OSM) practice. These rule changes make permanent temporary rules that were adopted effective July 1, 2014, and include additional changes. Specifically:

OAR 413-015-0115, which defines terms used in Child Protective Services (CPS) rules, is amended to: (1) revise the definition of "conditions for return" to clarify that they are only used with ongoing safety plans; (2) change the definition of "domestic violence" so it is not limited to individuals age 18 and over; and (3) correct the definition of "safe" to accurately state that safe means the absence of any threats.

OAR 413-015-0400 about the purpose of the CPS assessment rules is amended to clarify that conditions for return are only used with ongoing safety plans, not initial safety plans.

OAR 413-015-0409 about exceptions to completing CPS assessment activities is amended to remove a requirement that no longer applies under the Department's current electronic information system.

OAR 413-015-0415 about CPS assessment activities is amended to make the language in paragraph (10)(b)(B) consistent with changes to ORS 419B.023(4)(a) made by Oregon Laws 2014, Chapter 45, Section 42 (Senate Bill 1548), which became effective July 1, 2014.

OAR 413-015-0420 about making initial contact in a CPS assessment is amended to make language internally consistent. Changes to paragraph (2)(c)(B) that went into effect May 27, 2014, refer to a decision to delay interview of an alleged perpetrator; these amendments make the language in the same sentence about documenting the decision consistent.

OAR 413-015-0432 about developing safety plans is amended to: (1) remove the redundant requirement that all types of safety plans explain how they are the least intrusive means to effectively manage the identified threat; (2) remove the requirement that all types of safe-

NOTICES OF PROPOSED RULEMAKING

ty plans include conditions for return, which only apply to ongoing safety plans; and (3) correct an error. Section (6)(d) of the rule requires that an exception granted under subsection (2)(g) of the rule be documented; the exception was removed from subsection (2)(g) effective May 27, 2014, but the documentation requirement was inadvertently left in the rule.

OAR 413-015-0450 about ongoing safety plans is amended to add the requirement (removed from 413-015-0432) that the plan include conditions for return, and to clarify that the worker need only reevaluate an initial safety plan to determine if it is appropriate and sufficient as an ongoing safety plan, and would not reevaluate a protective action plan for that purpose, consistent with other OSM rule changes that went into effect May 27, 2014.

OAR 413-015-0540 about making initial contact in an investigation of abuse or neglect in a day care facility is amended to make the language regarding assessment of safety consistent with other OSM rule changes that went into effect May 27, 2014.

OAR 413-015-1105, which describes the purpose of the rules about Access to Law Enforcement Data System (LEDS) in Local Child Welfare Offices, is amended to make the language about threats consistent with other OSM rule changes that went into effect May 27, 2014.

OAR 413-015-9030 about CPS screening in counties that are implementing DR is amended to: (1) provide that a traditional response assessment is required when there is a new report on an open Department case; (2) remove the requirement that the screener consult with a supervisor each time the screener determines a traditional response assessment is required; and (3) require that a "within 24 hours" response time line is required for an alternative response assessment when the information indicates that a child has a current injury as a result of the alleged abuse or neglect.

OAR 413-015-9040 about CPS assessments in counties that are implementing DR is amended to clarify that conditions for return are only used with ongoing safety plans, not initial safety plans, and to correct an error. When this rule was adopted effective May 27, 2014, an exception to determining if the family has moderate to high needs when the family is a Department-certified foster parent or relative caregiver was not included but should have been included, consistent with the rule about CPS assessments that applies in counties that are not implementing DR.

OAR 413-200-0414 about Department actions during screening of reports of abuse or neglect in the home of a Department-certified foster parent or relative caregiver is amended to update the agencies to which information is provided, and with whom the Department response is coordinated, when the young adult victim has a physical, developmental, or mental disability, consistent with changes to the CPS screening and assessment rules that went into effect May 27, 2014.

In addition, the above rules may also be changed to reflect new Department terminology and to correct formatting and punctuation.

Rules Coordinator: Kris Skaro

Address: Department of Human Services, Child Welfare Programs, 500 Summer St. NE, E-48, Salem, OR 97301

Telephone: (503) 945-6067

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Department of Public Safety Standards and Training
Chapter 259

Rule Caption: Clarify the denial revocation process regarding the consideration of aggravating and mitigating circumstances.

Stat. Auth.: ORS 181.640, 181.661, 181.662, 181.664 & 183.341

Stats. Implemented: ORS 181.640, 181.661, 181.662 & 181.664

Proposed Amendments: 259-008-0070, 259-009-0070

Proposed Repeals: 259-008-0070(T), 259-009-0070(T)

Last Date for Comment: 10-21-14, Close of Business

Summary: DPSST recently learned that the rule language in 259-008-0070 and 259-009-0070 relating to the denial and revocation of criminal justice and fire certifications may not accurately reflect current processes. Specifically, DPSST's rules, as written, indicate that

the Policy Committee and Board members will, at a minimum, consider specific circumstances when discussing aggravating and mitigating circumstances in each professional standards case. While the committees do consider aggravation and mitigation, current process does not require that they consider each of the circumstances individually that are currently listed in rule, which has the potential to create consternation during the contested case process.

To remedy this discrepancy, DPSST filed temporary rules revising the rule language to state that the Committee and Board members may consider the categories listed in rule as aggravating or mitigating. This proposed rule change repeals the temporary rules and begins the permanent rulemaking process.

Rules Coordinator: Sharon Huck

Address: Department of Public Safety Standards and Training, 4190 Aumsville Hwy SE, Salem, OR 97317

Telephone: (503) 378-2432

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Rule Caption: To repeal OAR 259-040-0000.

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Proposed Repeals: 259-040-0000

Last Date for Comment: 10-21-14, Close of Business

Summary: OAR 259-040-0000 was put into rule in 1983. The purpose of this rule was to give DPSST the authority to initiate administrative or court actions. A rule cannot give DPSST this authority; only the Legislature can provide this authority. Repealing this rule does not affect DPSST's authority to pursue necessary actions to enforce compliance. OAR 259-040-0000 is not applicable and the proposal to repeal it is to eliminate confusion.

Rules Coordinator: Sharon Huck

Address: Department of Public Safety Standards and Training, 4190 Aumsville Hwy SE, Salem, OR 97317

Telephone: (503) 378-2432

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Department of State Lands
Chapter 141

Rule Caption: Adopt revised Essential Indigenous Anadromous Salmonid Habitat (ESH) maps based on current data and standards.

| Date: | Time: | Location: |
|--------------|--------------|---|
| 10-16-14 | 10 a.m. | DSL, Mill Creek, Rm. 775 Summer St. NE, Suite 100 Salem, OR 97301 |
| 10-16-14 | 5 p.m. | Dept. of Fish and Wildlife 4907 3rd St. Tillamook, OR 97141 |
| 10-21-14 | 10 a.m. | Port of Coos Bay 63402 Kingfisher Rd. Charleston, OR 97420 |
| 10-21-14 | 5 p.m. | Grants Pass City Hall 101 NW A St. Grants Pass, OR 97526 |
| 10-22-14 | 11 a.m. | Klamath Community Rm. 133 N 4th St. Klamath Falls, OR 97601 |

Hearing Officer: Eric Metz or Bill Ryan

Stat. Auth.: ORS 196.810

Stats. Implemented: ORS 196.810

Proposed Amendments: 141-102-0020, 141-102-0030

Last Date for Comment: 11-28-14, 5 p.m.

Summary: Streams that are designated as ESH are those necessary to prevent the depletion of indigenous anadromous salmonid species during their life stages of spawning and rearing. ESH also includes off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to an ESH stream. According to OAR 141-102-0040, the Department must consult annually with the Oregon Department of Fish and Wildlife (ODFW) on the accuracy of the ESH designations and revise the maps to reflect the best available data and the newest version of Fish Habitat Distribution Data Standard. This update resulted in addition of new stream reaches and

NOTICES OF PROPOSED RULEMAKING

deletion of others. There was a net increase of 500 stream miles (or roughly 3%) over the current 2010 ESH designation.

The proposed 2014 ESH designation maps can be viewed online: <http://bit.ly/1uM3mV0>

Rules Coordinator: Tiana Teeters

Address: Department of State Lands, 775 Summer St. NE, Suite 100, Salem, OR 97301

Telephone: (503) 986-5239

Department of Transportation, Driver and Motor Vehicle Services Division Chapter 735

Rule Caption: Driver Licensing Provisions – Requirements, Testing, Surrender, Replacement, Valid With Previous Photo

Stat. Auth.: ORS 184.616, 184.619, 802.010, 802.200, 802.540, 807.021, 807.022, 807.040, 807.045, 807.050, 807.060, 807.070, 807.120, 807.130, 807.150, 807.160, 807.400 & 809.310

Other Auth.: 8 USC, Section 1359

Stats. Implemented: ORS 802.200, 807.021, 807.022, 807.040, 807.045, 807.050, 807.060, 807.066, 807.110, 807.130, 807.150, 807.160, 807.220, 807.230, 807.240, 807.270, 807.280, 807.310, 807.400, 807.540, 807.550 & 807.580

Proposed Amendments: 735-062-0005, 735-062-0007, 735-062-0010, 735-062-0015, 735-062-0030, 732-062-0040, 735-062-0096, 735-062-0110, 735-062-0125, 735-062-0200

Last Date for Comment: 10-21-14, Close of Business

Summary: This rulemaking proposes several minor amendments to rules in Chapter 735, Division 62 as follows:

735-062-0005 — DMV proposes to amend the rule regarding Social Security number (SSN) verification through the Social Security Administration (SSA) to clarify that even if the name and date of birth provided to DMV are confirmed by SSA records, that the necessary verification is not made if the SSN is listed as inactive, invalid or otherwise not verifiable.

735-062-0015 — DMV proposes to amend the rule regarding acceptable proofs of legal presence as DMV continues to gain more experience viewing a variety of documents and working with the Department of Homeland Security to determine the validity of those documents. DMV also proposes to amend the rule to indicate when an acceptable document will not be accepted, for instance, if it is stamped cancelled.

735-062-0030 — DMV proposes to amend the rule regarding proof of residence address to make certain that the rule reflects what Oregonians may have available to prove residence address in today's world. For instance, we propose to amend the rule to include a document delivered by UPS or Fed Ex to a residence address like DMV currently accepts for mail delivered by USPS.

735-062-0040 — DMV proposes to amend the rule regarding knowledge tests to include language that reflects the addition of surveillance cameras in the testing area.

735-062-0096 — DMV proposes to include language regarding the surrendering of a license from a foreign country to allow DMV to treat that license as agreed to in a reciprocity agreement with that country.

735-062-0110 — DMV proposes to amend the rule regarding replacement driver licenses, driver permits or identification cards to reflect the efficiency DMV implemented recently of using the most recent photograph currently on file on most replacements.

735-062-0125 — DMV proposes to make the issuance process of issuing a Valid with Previous Photograph driver license, driver permit or identification card more secure by amending this rule not to allow issuance of the renewal or replaced driver license, driver permit or identification card to an applicant out-of-state or out-of-country who requests to change his or her name, date of birth or SSN, unless the applicant is an active duty member of the United States Armed Forces, or the spouse, domestic partner or dependent of an active duty member of the United States Armed Forces stationed outside of Oregon.

735-062-0200 — DMV proposes to amend this rule to specify that only a person surrendering a CDL issued by a U.S. state or the District of Columbia will have some of the CDL tests waived by DMV.

Changes in OAR 735-062-0007 and 735-062-0010 are to conform those rules with the proposed amendments in OAR 735-062-0015.

Other changes are made for clarity.

Rules Coordinator: Lauri Kunze

Address: Department of Transportation, Driver and Motor Vehicle Services Division, 355 Capitol St. NE, MS 51, Salem, OR 97301

Telephone: (503) 986-3171

Rule Caption: Implements Chapter 14, Oregon Laws 2014, Relating to Vehicle Dealer Expedited Titling Services

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 2014 OL Ch. 14

Stats. Implemented: 2014 OL Ch. 14

Proposed Adoptions: 735-022-0065

Last Date for Comment: 10-21-14, Close of Business

Summary: The adoption of 735-022-0065 implements legislation enacted by the 2014 Legislative Assembly.

Chapter 14, Oregon Laws 2014 requires the Department of Transportation to: (1) provide expedited titling services to vehicle dealers; (2) specify the manner for making a request for an expedited title to the department; and (3) adopt rules establishing criteria and procedures for providing expedited titling services.

Rules Coordinator: Lauri Kunze

Address: Department of Transportation, Driver and Motor Vehicle Services Division, 355 Capitol St. NE, MS 51, Salem, OR 97301

Telephone: (503) 986-3171

Rule Caption: Updates of Fuels Tax Administrative Rules to Implement Recent Legislation

Stat. Auth.: ORS 184.616, 184.619, 319.020, 319.052, 319.102, 319.190, 319.192, 319.675, 319.690, 319.840, 319.850

Stats. Implemented: ORS 319.010–319.990, 2013 OL Ch. 638 & 2014 OL Ch. 13

Proposed Amendments: Rules in 735-170, 735-174, 735-176

Last Date for Comment: 10-21-14, Close of Business

Summary: Passage of HB 2435 (2013) implemented tax forgiveness of B-20 made with used cooking oil. New rules outline documentation requirements for exempting the tax and the source of the biofuel.

Passage of HB 4131 (2014) implemented an option for an annual fee in lieu of the per-gallon tax on vehicles fueled with natural gas or propane. New rules are proposed for application for permit, payment of fees, proration by application date.

These rules implement an electronic reporting system in 2015 and rules related to filing requirements and payment processes.

Rules Coordinator: Lauri Kunze

Address: Department of Transportation, Driver and Motor Vehicle Services Division, 355 Capitol St. NE, MS 51, Salem, OR 97301

Telephone: (503) 986-3171

Department of Transportation, Highway Division Chapter 734

Rule Caption: Designation and Posting of Department Real Property as Closed to Public Entry

Stat. Auth.: ORS 184.616, 184.619, 366.205 & 810.030

Stats. Implemented: ORS 366.205 & 810.030

Proposed Adoptions: 734-035-0200

Proposed Repeals: 734-035-0200(T)

Last Date for Comment: 10-21-14, Close of Business

Summary: This rule adopts language from a temporary rule filed on June 25, 2014 and addresses ongoing risks to personal and public safety, infrastructure, and natural resources. This rule is intended to enable ODOT to safeguard designated areas outside of the travel surface, shoulders, and ditches of state highways against unauthorized

NOTICES OF PROPOSED RULEMAKING

public access, provide clarity and direction to ODOT staff, remedy existing unsanitary or unsafe conditions, and facilitate ODOT and contractor access to perform work to construct, operate and maintain the State of Oregon's transportation infrastructure.

Rules Coordinator: Lauri Kunze

Address: Department of Transportation, Highway Division, 355 Capitol St. NE, MS 51, Salem, OR 97301

Telephone: (503) 986-3171

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Rule Caption: Removing Personal Property from Illegal Camping on State Highway Rights of Way

Stat. Auth.: ORS 184.616, 184.619 & 377.653

Stats. Implemented: ORS 377.650 & 377.653

Proposed Amendments: 734-035-0010, 734-035-0040

Last Date for Comment: 10-21-14, Close of Business

Summary: The Department of Transportation may remove personal property that is left on state highway rights of way. This rule amendment clarifies the procedures outlined in OAR 734-035-0010 and 734-035-0040 pertaining to the removal of personal property specifically from camping on state highway rights of way that are not closed to public entry under OAR 734-035-0200 as agreed to in the recent Carr et al lawsuit settlement agreement.

ODOT owns real property within the State of Oregon, much of which is open to the public only for vehicular use of state highways. The use of state highway rights of way for purposes other than transportation use presents an immediate risk to the safety of the individuals entering the property, the traveling public, ODOT employees and contractors performing construction, maintenance, operation and other activities; and the transportation infrastructure.

ODOT has a fiduciary duty to safeguard the state highway system. In addition, ODOT must avoid allowing attractive nuisances on its property to ensure public safety and to prevent damage to department property; natural resources such as soils, water, and wetlands; and cultural or archeological resources. Further, the placement of personal property on ODOT property impairs the operation of vehicles and equipment by ODOT employees and contractors engaged in construction, operation and maintenance activities.

The ability to promptly mobilize workers and equipment to state highway rights of way unimpeded by the presences of accumulations of personal property conserves public funds, reduces delay costs, prevents ongoing loss or damage to infrastructure or resources, and allows ODOT to prioritize and efficiently address construction, operation, and maintenance of the state transportation infrastructure.

Rules Coordinator: Lauri Kunze

Address: Department of Transportation, Highway Division, 355 Capitol St. NE, MS 51, Salem, OR 97301

Telephone: (503) 986-3171

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Health Licensing Office Chapter 331

Rule Caption: Amend practical examinations to state approved practical examination rather than board administered practical examination.

Stat. Auth.: ORS 676.615, 680.520 & 680.550

Stats. Implemented: ORS 680.520 & 680.550

Proposed Amendments: 331-410-0050

Last Date for Comment: 10-28-14, 5 p.m.

Summary: Amend OAR 331-410-0050 to state "board approved practical examination" rather than a board administered examination to allow the Board to approve the National Denturist Association (NDA) administered practical and written examinations.

Rules Coordinator: Samantha Patnode

Address: Health Licensing Office, 700 Summer St. NE, Suite 320, Salem, OR 97301-1287

Telephone: (503) 373-1917

Landscape Architect Board Chapter 804

Rule Caption: Updates to examination requirements and examination application fee, plus clarifications to selected registration requirements

Date:

Time:

Location:

10-24-14

9:30 a.m.

707 13th St. SE

Salem, OR

Hearing Officer: Christine Valentine

Stat. Auth.: 804-003-0000, 804-022-0015: ORS 670.310, 671.415; 804-010-0000, 804-010-0010, 804-010-0020, 804-020-0001, 804-020-0003, 804-020-0005, 804-020-0010, 804-020-0030, 804-020-0045: ORS 670.310, 671.335, 671.415; 804-020-0015: ORS 670.310, 671.335, 671.365, 671.415; 804-022-0000: ORS 670.310, 671.316(3), 671.335, 671.415; 804-040-0000: ORS 182.466(4), 670.310, 671.365, 671.415

Stats. Implemented: 804-003-0000: ORS 670.310-671.459; 804-010-0000, 804-010-0010, 804-010-0020, 804-020-0001, 804-020-0003, 804-020-0005, 804-020-0010, 804-020-0030, 804-020-0045: ORS 671.335; 804-020-0015: ORS 671.335, 671.365; 804-022-0000: ORS 671.316(3), 671.325, 671.335, 671.376; 804-022-0015, 804-040-0000: ORS 671.325, 671.345, 671.365, 671.376

Proposed Amendments: 804-003-0000, 804-010-0000, 804-010-0010, 804-010-0020, 804-020-0001, 804-020-0003, 804-020-0005, 804-020-0010, 804-020-0015, 804-020-0030, 804-020-0045, 804-022-0000, 804-022-0015, 804-040-0000

Last Date for Comment: 10-24-14, Close of Business

Summary: The Board proposes to remove the requirement for work experience that has been required for a candidate to gain approval to sit for certain sections of the national examination. This change would provide examination candidates more control over how they approach taking the examination sections. The Board wants to streamline the examination application process by allowing candidates to apply once for approval to sit for all examination sections over a period of 5 years, with a possible 1 year extension. Candidates would be able to reapply for Board approval to sit for examination if all sections were not completed in that timeframe. Candidates would not lose credit for examination sections already passed but would have to explain to the Board the preparation undertaken to facilitate completion of the examination. The Board would also update the fee rule to charge a \$100 application fee instead of a \$50 fee for each of sections 3 and 4 of the national examination. The overall cost to the candidate would not increase and in fact would decrease for a candidate taking sections 3 or 4 of the national examination multiple times as the Board would no longer charge an application fee for a retake. Various housekeeping updates to exam-related rules have also been identified.

Registration: The Board proposes to add new definitions for "direct supervision" and "year" to provide more clarity about Board requirements for work experience. The Board also believes the changes will give landscape architects and the candidates for registration they supervise more flexibility regarding how supervised work experience is obtained for purposes of qualifying for registration. Direct supervision, as defined, would allow landscape architects to supervise candidates through a traditional employee-employer relationship but also through other arrangements. Sidebars on the quality and frequency of supervision would be included but in a manner intended to accommodate a variety of communication means and non-traditional relationships. The landscape architect's obligations to take responsibility for services and work would be addressed. The definition of "year" will clarify how the Board calculates various types of work experience, including project-based work experience. Finally, the Board proposes housekeeping changes to the rules addressing the optional Landscape-Architect-in-Training registration and date of registration and renewal to better clarify Board requirements.

Rules Coordinator: Christine Valentine

NOTICES OF PROPOSED RULEMAKING

Address: Landscape Architect Board, 707 13th St. SE, Suite 114,
Salem, OR 97301
Telephone: (503) 589-0093

.....
Mortuary and Cemetery Board
Chapter 830

Rule Caption: Adoption of Continuing Education Program
Date: 11-5-14 **Time:** 12:30 p.m. **Location:** 800 NE Oregon St., Suite 445
Portland, OR

Hearing Officer: Staff
Stat. Auth.: ORS 692
Stats. Implemented: ORS 692
Proposed Adoptions: Rules in 830-013
Last Date for Comment: 11-6-14, 4 p.m.

Summary: Adopts rules relating to creation of a continuing education program, reporting and content requirements, and relating procedures; adds requirement for completion of continuing education for license renewal.

Rules Coordinator: Michelle Gaines
Address: Mortuary and Cemetery Board, 800 NE Oregon St., Suite 430, Portland, OR 97232
Telephone: (971) 673-1502

.....
Oregon Criminal Justice Commission
Chapter 213

Rule Caption: Justice Reinvestment Program Grant Rules
Date: 10-3-14 **Time:** 4 p.m. **Location:** Portland State University
Smith Memorial Student Union
Rm. 238
1825 SW Broadway
Portland, OR 97201

10-6-14 4 p.m. Southern Oregon University
Hannon Library
Meese Meeting Rm. #305
1290 Ashland St.
Ashland, OR 97520

10-7-14 4 p.m. Oregon State University
La Sells Stewart Center
Agricultural Leaders Rm.
875 SW 26th St.
Corvallis, OR 97333

10-21-14 4 p.m. Eastern Oregon University
Huber Auditorium
Badgley Hall, Rm. 102
One University Blvd.
La Grande, OR 97850

11-3-14 2 p.m. Oregon State Archives
2nd Floor Conference Rm.
800 Summer St. NE
Salem, OR 97301

Hearing Officer: Staff
Stat. Auth.: HB 3194 (2013), §§ 53-54
Stats. Implemented: HB 3194 (2013), §§ 52-55
Proposed Adoptions: Rules in 213-060
Last Date for Comment: 11-14-14, Close of Business
Summary: Under HB 3194 (2013), the Criminal Justice Commission (the Commission) is required to administer the Justice Reinvestment Program, in consultation with the Justice Reinvestment Grant Review Committee. As a part of that program administration, the Commission is required to award grants to counties in accordance with rules adopted by the Commission. These new rules implement those requirements.
Rules Coordinator: Angela Allbee
Address: Oregon Criminal Justice Commission, 885 Summer St. NE, Salem, OR 97301
Telephone: (503) 378-4830

Oregon Department of Education
Chapter 581

Rule Caption: Employment-related transition services for students with disabilities

Date: 10-28-14 **Time:** 1 p.m. **Location:** 255 Capital St. NE, Basement C
Salem, OR 97310

Hearing Officer: Emily Nazarov
Stat. Auth.: ORS 343.041, 343.045, 343.155 & 343.223
Stats. Implemented: ORS 343.045, 343.155 & 343.223
Proposed Amendments: 581-015-2000, 581-015-2245
Last Date for Comment: 12-1-14, 5 p.m.

Summary: Modifies definition of “sheltered workshop” in OAR 581-015-2000, in order to more fully align this definition with the definition as used by the Department of Human Services, for further clarity and consistency. Also, one additional citation is needed for OAR 581-015-2245 to further align the ODE Administrative Rules in this area to the rules that were promulgated by the Department of Human Services, Office of Employment, pursuant to Executive Order 13-04.

Rules Coordinator: Cindy Hunt
Address: Oregon Department of Education, 255 Capitol St. NE, Salem, OR 97310
Telephone: (503) 947-5651

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Rule Caption: Interdistrict transfer and students with disabilities
Date: 10-28-14 **Time:** 1 p.m. **Location:** 255 Capital St. NE, Basement C
Salem, OR 97310

Hearing Officer: Emily Nazarov
Stat. Auth.: ORS 343.041, 343.045, 343.055, 343.157 & 343.236
Stats. Implemented: ORS 343.221, 343.155 & 343.236
Proposed Amendments: 581-015-2005, 581-015-2010, 581-015-2040, 581-015-2080, 581-015-2565
Last Date for Comment: 12-1-14, 5 p.m.

Summary: Amends Division 15 OARs relating to special education to bring them into alignment with interdistrict transfer rule adopted in June, 2014.

Rules Coordinator: Cindy Hunt
Address: Oregon Department of Education, 255 Capitol St. NE, Salem, OR 97310
Telephone: (503) 947-5651

.....
Oregon Department of Education,
Early Learning Division
Chapter 414

Rule Caption: Child Care Contribution Tax Credit
Date: 10-28-14 **Time:** 1 p.m. **Location:** 255 Capital St. NE, Basement C
Salem OR

Hearing Officer: Emily Nazarov
Stat. Auth.: ORS 329A.706
Stats. Implemented: ORS 329A.700–329A.718
Proposed Amendments: 414-700-0000, 414-700-0010, 414-700-0020, 414-700-0030, 414-700-0040, 414-700-0050, 414-700-0060, 414-700-0070, 414-700-0080, 414-700-0090
Last Date for Comment: 10-28-14, Close of Hearing

Summary: Changes reflect the transfer of the Child Care Division from Employment Department to Early Learning Division. In this transfer the Child Care Division became to Office of Child Care within the Early Learning Division. Eliminates some responsibilities of community agencies. Removes time limit on how long a community agency may represent a community.

Rules Coordinator: Cindy Hunt
Address: Oregon Department of Education, Early Learning Division, 255 Capitol St. NE, Salem, OR 97310
Telephone: (503) 947-5651

NOTICES OF PROPOSED RULEMAKING

Rule Caption: Migrant and Seasonal Farmworker Child Care Program

Date: 10-28-14
Time: 1 p.m.
Location: 255 Capital St. NE, Basement C
Salem OR

Hearing Officer: Emily Nazarov

Stat. Auth.: ORS 326.425

Stats. Implemented: ORS 329A.010

Proposed Adoptions: 414-400-0090, 414-400-0095

Proposed Amendments: 414-400-0000, 414-400-0010, 414-400-0030, 414-400-0031, 414-400-0040, 414-400-0050, 414-400-0060, 414-400-0080

Proposed Ren. & Amends: 414-400-0033 to 414-400-0100

Last Date for Comment: 10-28-14, Close of Hearing

Summary: The Migrant and Seasonal Farm Worker (MSFW) child care subsidy program is one of four subsidy programs administered by the Office of Child Care. The administrative rules for this program are outdated, contain language that references entities that no longer exist, and need to reflect changes to the MSFW workforce statewide. Additionally, over the 25 years the MSFW program has been in place, there have been program changes that are reflected in policy but should be operationalized in administrative rule.

Rules Coordinator: Cindy Hunt

Address: Oregon Department of Education, Early Learning Division, 255 Capitol St. NE, Salem, OR 97310

Telephone: (503) 947-5651

.....
Oregon Health Authority
Chapter 943

Rule Caption: Establishing rules for the development of Cultural Competence Continuing Education Opportunities for Health Care Professionals

Date: 11-12-14
Time: 2 p.m.
Location: Lincoln Bldg.,
Transformation Ctr. Training Rm.
421 SW Oak St., Suite 775
Portland, OR

Hearing Officer: Staff

Stat. Auth.: ORS 413.042, 2013 OL Ch. 240

Stats. Implemented: 2013 OL Ch. 240

Proposed Adoptions: 943-090-0000, 943-090-0010, 943-090-0020

Last Date for Comment: 11-14-14, 5 p.m.

Summary: These rules create requirements for the Oregon Health Authority to provide resources and support for improving the cultural competence of regulated health care professionals in Oregon and to report to the Oregon State Legislature about the level of participation in cultural competence education among regulated health-care professionals. The rules require the Authority to establish an advisory committee to establish criteria for cultural competence continuing education and recommend continuing education opportunities for adoption. The rules require that the Authority collaborate with designated boards to create a documentation structure and model rules for implementation of continuing education documentation requirements.

Rules Coordinator: Keely L. West

Address: Oregon Health Authority, 500 Summer St. NE, E-20, Salem, OR 97301

Telephone: (503) 945-6292

.....
Oregon Health Authority,
Division of Medical Assistance Programs
Chapter 410

Rule Caption: Amend Rule Text for Clarity and Ensure Language Is Consistent with Division Prior Authorization Requirements

Date: 10-15-14
Time: 10:30 a.m.
Location: 500 Summer St. SE
Salem, OR 97301

Hearing Officer: Wanda Davis

Stat. Auth.: ORS 413.042 & 414.065

Stats. Implemented: ORS 414.065

Proposed Amendments: 410-131-0080

Last Date for Comment: 10-17-14, 5 p.m.

Summary: The Division needs to amend the rule to ensure clarity and consistency in rule text.

Rules Coordinator: Sandy Cafourek

Address: Oregon Health Authority, Division of Medical Assistance Programs, 500 Summer St. NE, Salem, OR 97301

Telephone: (503) 945-6430

.....
Oregon Youth Authority
Chapter 416

Rule Caption: A routine review of agency Administrative Rules concluded these rules are no longer needed.

Stat. Auth.: ORS 420A.025

Stats. Implemented:

Proposed Repeals: 416-610-0000, 416-610-0010, 416-610-0020, 416-610-0030, 416-610-0040, 416-610-0050, 416-610-0060, 416-610-0070, 416-610-0080, 416-610-0090, 416-610-0100, 416-610-0110, 416-610-0120, 416-610-0130, 416-610-0140, 416-610-0150, 416-610-0160, 416-610-0170, 416-610-0180, 416-610-0190, 416-610-0200

Last Date for Comment: 11-3-14, 5 p.m.

Summary: These agency rules regarding procedures and criteria the Oregon Youth Authority uses to make Title XIX and General Assistance Medical Program eligibility determinations for youth offenders in its custody are being repealed. The Oregon Youth Authority no longer makes these determinations. Such determinations are made by the Oregon Health Authority and the Department of Human Services.

Rules Coordinator: Winifred Skinner

Address: Oregon Youth Authority, 530 Center St. NE, Suite 200, Salem, OR 97301-3765

Telephone: (503) 373-7570

.....
Rule Caption: A routine review of agency Administrative Rules concluded these rules are no longer needed.

Stat. Auth.: ORS 420A.025

Stats. Implemented:

Proposed Repeals: 416-140-0000, 416-140-0010, 416-140-0020, 416-140-0030, 416-140-0040

Last Date for Comment: 11-3-14, 5 p.m.

Summary: These agency rules regarding the Oregon Youth Authority's process for sealing or expunging youth offender records subsequent to a court order are no longer needed. The rules simply restate statute or explain internal agency processes that do not substantially affect the public. The agency processes are published as agency policy.

Rules Coordinator: Winifred Skinner

Address: Oregon Youth Authority, 530 Center St. NE, Suite 200, Salem, OR 97301-3765

Telephone: (503) 373-7570

.....
Rule Caption: The rules institute guidelines for establishing, operating, and administering offender work programs in OYA facilities.

Stat. Auth.: ORS 420A.025, 420A.010, 420.240 & 420.255

Stats. Implemented: ORS 420A.010, 420A.035, 420.060, 420.065, 420.070, 420.074, 420.240, 420.245, 420.250, 420.255, 420.260, 420.265 & 420.270

Proposed Adoptions: 416-415-0010, 416-415-0020, 416-415-0030, 416-415-0040, 416-415-0050, 416-415-0060, 416-415-0070, 416-415-0080, 416-415-0090

Last Date for Comment: 11-3-14, 5 p.m.

Summary: These rules institute guidelines for establishing, operating, and administering work programs for offenders residing in OYA close-custody facilities. OYA work programs empha each partici-

NOTICES OF PROPOSED RULEMAKING

pant's potential to lead a positive, productive life. The goal is for offender participants to gain the knowledge, skills, and proficiencies for employment or further education upon release from incarceration into the community, consistent with the offender's treatment needs, the safety and security needs of the facility, and the safety and security needs of the work program and any program staff or offender participants.

Rules Coordinator: Winifred Skinner

Address: Oregon Youth Authority, 530 Center St. NE, Suite 200, Salem, OR 97301-3765

Telephone: (503) 373-7570

**Public Utility Commission
Chapter 860**

Rule Caption: Rulemaking to Streamline eFiling and Other Housekeeping Changes

| Date: | Time: | Location: |
|--------------|--------------|--|
| 10-30-14 | 9:30 a.m. | 3930 Fairview Industrial Dr. SE Salem, OR 97302 |

Hearing Officer: Michael Grant

Stat. Auth.: ORS 756.040 & 756.060

Stats. Implemented: ORS 756.040

Proposed Amendments: Rules in 860-001 through 860-082

Last Date for Comment: 11-21-14, 5 p.m.

Summary: The PUC is proposing updates to rules to streamline eFiling requirements in agency proceedings. The proposed changes will eliminate the need to file paper copies in most instances, and generally eliminate the need for stakeholders to provide service of filings on other parties. The PUC will effectuate service by notifying other parties through the posting of the filed documents in eDockets. The proposed changes will also allow documents to be posted to the PUC's website more quickly, thereby improving the ability of parties and the public to monitor PUC proceedings. Housekeeping changes are proposed to standardize and clarify rule language.

The Commission encourages participants to file written comments as early as practicable in the proceedings so that other participants have the opportunity to consider and respond to the comments before the deadline. Please reference Docket No. AR 583 on comments and file them by e-mail to the Commission's Filing Center at PUC.FilingCenter@state.or.us and also send a signed paper copy to the Filing Center at PO Box 1088, Salem, Oregon 97308-1088.

Interested persons may review all filings online at <http://apps.puc.state.or.us/edockets/docket.asp?DocketID=19188>. For guidelines on filing and participation, please see OAR 860-001-0140 through 860-001-0160 and 860-001-0200 through 860-001-0250 found online at http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_860/860_001.html.

Participants wishing to monitor the hearing by telephone must contact Diane Davis at diane.davis@state.or.us or (503) 378-4372 by close of business October 28, 2014, to request a dial-in number. The Commission strongly encourages those planning to present oral comment at the hearing to attend in person.

Rules Coordinator: Diane Davis

Address: Public Utility Commission of Oregon, PO Box 1088, Salem, OR 97308-1088

Telephone: (503) 378-4372

Rule Caption: Amendments to Rules Regarding Adjustment of Utility Bills

Stat. Auth.: ORS Ch. 183, 756, 757

Stats. Implemented: ORS 756.040, 757.077 & 757.250

Proposed Amendments: 860-021-0135, 860-036-0135, 860-037-0120

Last Date for Comment: 10-22-14, 5 p.m.

Summary: The proposed rule changes provide flexibility to the utilities by eliminating the requirement established in docket AR 579 to "back-bill" closed accounts for under-billed amounts. These changes will reduce administrative burdens and provide utilities discretion in the treatment of errors or incorrect information.

The PUC encourages participants to file written comments as early as practicable in the proceedings so that other participants have the opportunity to consider and respond to the comments before the deadline. Please reference Docket No. AR 584 on comments and file them by e-mail to the PUC's Filing Center at PUC.FilingCenter@state.or.us and also send a signed paper copy to the Filing Center at PO Box 1088, Salem, OR 97308-1088.

Interested persons may review all filings online at <http://apps.puc.state.or.us/edockets/docket.asp?DocketID=19189>. For guidelines on filing and participation, please see OAR 860-001-0140 through 860-001-0160 and 860-001-0200 through 860-001-0250 found online at http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_860/860_001.thml.

Rules Coordinator: Diane Davis

Address: Public Utility Commission of Oregon, PO Box 1088, Salem, OR 97308-1088

Telephone: (503) 378-4372

**Water Resources Department
Chapter 690**

Rule Caption: Allows for assignment of a permit to one or more parties with replacement permits issued.

| Date: | Time: | Location: |
|--------------|--------------|---|
| 10-22-14 | 3:30 p.m. | OWRD 725 Summer St. NE, Rogue Rm. Salem, OR |

Hearing Officer: Kelly Starnes

Stat. Auth.: ORS 536.025, 536.027, 537.225 & 537.227

Stats. Implemented: ORS 537.225 & 537.227

Proposed Adoptions: Rules in 690-325

Last Date for Comment: 10-23-14, 5 p.m.

Summary: To establish requirements and procedures that shall be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural use, to assign all or part of the water right permit and to issue a replacement permit to reflect an assignment from the current permit holder to one or more additional permit holders.

Rules Coordinator: Joshua Spansail

Address: Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301

Telephone: (503) 986-0874

ADMINISTRATIVE RULES

Board of Chiropractic Examiners Chapter 811

Rule Caption: Clarify chiropractic assistant training requirements and scope of practice

Adm. Order No.: BCE 5-2014

Filed with Sec. of State: 9-5-2014

Certified to be Effective: 9-5-14

Notice Publication Date: 7-1-2014

Rules Amended: 811-010-0110

Subject: (This rule is being refiled due to a clerical error.) To address concerns with the CA program, including 1) CAs taking vitals (versus recording them),

Rules Coordinator: Kelly J. Beringer—(503) 373-1573

811-010-0110

Chiropractic Assistants

(1) The certification period for Chiropractic Assistants begins on August 1 and ends on July 31. A 30 day grace period will follow whereupon the Chiropractic Assistant may continue to practice. Any Chiropractic Assistant who has not renewed by September 1 must cease practice.

(2) Chiropractic Assistants may be certified upon compliance with the following standards and procedures:

(a) The Chiropractic Assistant applicant shall successfully complete a Board approved training course offered by an association, college or otherwise approved person. The initial training course shall be at least twelve hours in length, of which eight hours shall be didactic training and four hours shall be practical training.

(A) The practical training must be in physiotherapy, electrotherapy and hydrotherapy administered by a health care provider licensed to independently provide those therapies.

(B) A chiropractic physician may perform the initial practical training provided this is direct contact time.

(C) The initial training must have been completed within 60 days preceding the application submission date;

(b) The applicant shall complete an application form and an open book examination supplied by the Board;

(c) If an applicant has a certificate or license from another state and adequate documentation of training, the Board may waive the requirement for the initial training course; and

(d) A person initially certified between March 1st and May 31st is exempt from the continuing education requirement for renewal.

(3) The training course verification form, completed application form, completed examination, and fees in the following amounts shall be submitted to the Board:

(a) A non-refundable application fee — \$50;

(b) A non-refundable examination fee — \$35; and

(c) An initial certification fee — \$50. A refund of the certification fee will only be allowed when requested within 60 days of the initial application.

(d) In circumstances beyond the applicant's control (e.g. board review of criminal history) the Board may determine to refund the fees or portion thereof.

(e) In the event the Board requires the NBCE chiropractic assistant examination in lieu of the Board's examination, the fee in subsection (b) will be waived.

(4) The Board shall maintain an incomplete application file for six months from the date the application was received; afterward, applicants will need to re-apply.

(5) The applicant shall be at least 18 years of age.

(6) The Chiropractic Assistant shall not perform electrotherapy, hydrotherapy, or physiotherapy until he or she receives a certificate from the Board.

(7) A Chiropractic Assistant shall be directly supervised by the Chiropractor at all times. The supervising Chiropractor must be on the premises.

(8) The Chiropractic Assistant scope of practice

(a) Includes physiotherapy, electrotherapy and hydrotherapy, taking vitals such as height, weight, blood pressure, temperature, pulse, respiration and/or body fat percentages and other duties as described by the Board, and

(b) Does not otherwise include performing physical examinations, taking initial histories, taking X-rays (unless properly licensed), interpretation of postural screening, doing manual muscle testing, or performing osseous adjustments or manipulations or other tasks as authorized by the Board.

(9) Chiropractic Assistants shall report to the Board, in writing, his/her mailing address and place of employment. Notification of a change of mailing address or place of employment must be made within 10 days of the change.

(10) On or before each June 1, the Board of Examiners shall send the renewal notice to the Chiropractic Assistant at the last known mailing address.

(11) On or before each July 31 the Chiropractic Assistant shall mail to the Board of Examiners the renewal form with a renewal fee of \$75. A certificate that is not renewed on time may not be renewed except:

(a) Upon written application and payment to the board of the renewal fee plus a delinquent fee of \$25 for renewals submitted between August 1 and August 31 of each year; or

(b) Upon written application and payment to the board of the renewal fee plus a delinquent fee of \$50 for renewals submitted on September 1 or later; and

(c) Upon submission of proof of compliance with or exemption from the requirements of ORS 684.092.

(12) A Chiropractic Assistant has up to one year following their July 31 renewal date to renew and reinstate their certificate upon meeting the provisions of (11)(a) through (c) above. After 12 months a person must restart the application process.

(13) Continuing education programs may be comprised of subjects that are pertinent to clinical practices of chiropractic. Continuing education must meet the criteria outlined in OAR 811-015-0025 sections (8), (9) and (10). No continuing education hours may be carried over into the next renewal year. Evidence of successful completion of six hours of continuing education during the 12 months preceding the renewal must be submitted upon request by the board.

(14) The Chiropractic Assistant's certificate shall be displayed at all times in the Chiropractic Physician's office during the Chiropractic Assistant's employment.

(15) The Board may refuse to grant a certificate to any applicant, may suspend or revoke a certificate, or may impose upon an applicant for certification or Chiropractic Assistant a civil penalty not to exceed \$1,000 upon finding of any of the following:

(a) Cause, which is defined as, but not limited to, failure to follow directions, unprofessional or dishonorable conduct, injuring a patient, or unlawful disclosure of patient information. The supervising Chiropractic Physician is required to notify the Board, in writing, of any dismissal of a Chiropractic Assistant for cause within ten days. The Board shall determine if there is cause for action and shall be governed by the rules of the Board adopted pursuant to ORS Chapter 183;

(b) Conviction of a misdemeanor involving moral turpitude or a felony; or

(c) Failure to notify the Board of a change of location of employment as required by these rules.

(16) Unprofessional or dishonorable conduct is defined as: any unethical, deceptive, or deleterious conduct or practice harmful to the public; any departure from, or failure to conform to, the minimal standards of acceptable Chiropractic Assistant practice; or a willful or careless disregard for the health, welfare or safety of patients, in any of which cases proof of actual injury need not be established. Unprofessional conduct shall include, but not be limited to, the following acts of a Chiropractic Assistant:

(a) Engaging in any conduct or verbal behavior with or towards a current patient that may reasonably be interpreted as sexual, seductive, sexually demeaning or romantic (also see ORS 684.100).

(b) A certificate holder shall not engage in sexual relations or have a romantic relationship with a current patient unless a consensual sexual relationship or a romantic relationship existed between them before the commencement of the Chiropractic Assistant-patient relationship.

(A) "Sexual relations" means:

(i) Sexual intercourse; or

(ii) Any touching of sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the Chiropractic Assistant for the purpose of arousing or gratifying the sexual desire of either Chiropractic Assistant or patient.

(B) A patient's consent to, initiation of or participation in sexual behavior or involvement with a Chiropractic Assistant does not change the nature of the conduct nor lift the prohibition.

(C) In determining whether a patient is a current patient, the Board may consider the length of time of the Chiropractic Assistant-patient contact, evidence of termination of the Chiropractic Assistant-patient relationship, the nature of the Chiropractic Assistant-patient relationship, and any other relevant information.

ADMINISTRATIVE RULES

(c) Use of protected or privileged information obtained from the patient to the detriment of the patient.

(d) Practicing outside the scope of the practice of a Chiropractic Assistant in Oregon;

(e) Charging a patient for services not rendered;

(f) Intentionally causing physical or emotional injury to a patient;

(g) Directly or indirectly engaging in threatening, dishonest, or misleading fee collection techniques;

(h) Soliciting or borrowing money from patients;

(i) Possessing, obtaining, attempting to obtain, furnishing, or prescribing controlled drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs; illegally using or dispensing controlled drugs;

(j) Aiding, abetting, or assisting an individual to violate any law, rule or regulation intended to guide the conduct of Chiropractic Assistants or other health care providers; or

(k) Violating the rights of privacy or confidentiality of the patient unless required by law to disclose such information;

(l) Perpetrating fraud upon patients or third party payors, relating to the practice of chiropractic;

(m) Using any controlled or illegal substance or intoxicating liquor to the extent that such use impacts the ability to safely conduct the practice of a Chiropractic Assistant;

(n) Practicing as a Chiropractic Assistant without a current Oregon certificate;

(o) Allowing another person to use one's Chiropractic Assistant certification for any purpose;

(p) Resorting to fraud, misrepresentation, or deceit in applying for or taking the certificate examination or obtaining a certificate or renewal thereof;

(q) Impersonating any applicant or acting as a proxy for the applicant in any Chiropractic Assistant certificate examination;

(r) Disclosing the contents of the certificate examination or soliciting, accepting, or compiling information regarding the contents of the examination before, during, or after its administration;

(s) Failing to provide the Board with any documents requested by the Board;

(t) Failing to fully cooperate with the Board during the course of an investigation, including but not limited to, waiver of confidentiality privileges, except attorney-client privilege;

(u) Claiming any academic degree not actually conferred or awarded;

(v) Disobeying a final order of the Board; and

(w) Splitting fees or giving or receiving a commission in the referral of patients for services.

(x) Receiving a suspension or revocation of a certificate for a Chiropractic Assistant, or other license or certificate by another state based upon acts by the Chiropractic Assistant or applicant that describes acts similar to this section. A certified copy of the record of suspension or revocation of the state making that is conclusive evidence thereof.

(17) The service of the Chiropractic Assistant is the direct responsibility of the licensed Chiropractic Physician. Violations may be grounds for disciplinary action against the Chiropractic Physician under ORS 684.100(9).

Stat. Auth.: ORS 684.155

Stats. Implemented: ORS 684.054 & 684.155(c)(A)

Hist.: CE 1-1990, f. & cert. ef. 2-15-90; CE 5-1992(Temp), f. 10-21-92, cert. ef. 10-23-92; CE 2-1993, f. 3-1-93, cert. ef. 4-23-93; CE 4-1997, f. & cert. ef. 11-3-97; BCE 3-2000, cert. ef. 8-23-00; BCE 1-2001, f. 1-31-01, cert. ef. 2-1-01; BCE 1-2002, f. & cert. ef. 2-6-02; BCE 2-2008, f. & cert. ef. 10-9-08; BCE 2-2010, f. & cert. ef. 6-15-10; BCE 1-2012, f. & cert. ef. 5-31-12; BCE 3-2013, f. 10-8-13, cert. ef. 11-1-13; BCE 4-2013, f. 10-21-13, cert. ef. 11-1-13; BCE 4-2014, f. & cert. ef. 8-11-14; BCE 5-2014, f. & cert. ef. 9-5-14

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Rule Caption: The rule amendment clarifies minimum requirements for clinical record keeping and documentation

Adm. Order No.: BCE 6-2014

Filed with Sec. of State: 9-5-2014

Certified to be Effective: 9-5-14

Notice Publication Date: 7-1-2014

Rules Amended: 811-015-0005

Subject: (This rule is being refiled due to a clerical error.) Amendments clarify minimum requirements for record keeping and documentation

Rules Coordinator: Kelly J. Beringer—(503) 373-1573

811-015-0005

Records

(1) Failure to keep complete and accurate records on all patients shall be considered unprofessional conduct

(a) Each patient shall have exclusive records which shall be clear, legible, complete and accurate; as to allow any other Chiropractic physician to understand the nature of that patient's case and to be able to follow up with the care of that patient if necessary.

(b) Every page of chart notes will identify the patient by name, and the clinic of origin by name and address. Each entry will be identified by day, month, year, provider of service and author of the record.

(c) Clear, legible, complete and accurate records contain the following:

(A) A description of the chief complaint or primary reason the patient sought treatment from the licensee.

(B) Documentation of any significant event that affects the chief complaint of the patient or the general history of the health of the patient.

(C) An accurate record of the diagnostic and therapeutic procedures that the licensee has employed in providing chiropractic services to the patient, including, but not limited to:

(i) Examinations and the results of those examinations;

(ii) Diagnoses;

(iii) Treatment plan, and any subsequent changes to the treatment plan and the clinical reasoning for those changes;

(iv) Dates on which the licensee provided clinical services to the patient, as well as the services performed and clinical indications for those services;

(v) Areas of the patient's body where the licensee has provided care;

(vi) Patient's response to treatment;

(vii) Therapeutic procedures must be clearly described including information such as providers involved, timing, setting and tools used as appropriate.

(D) Relevant information concerning the patient such as height, weight, and blood pressure.

(E) Documentation of informed consent for examination and treatment.

(F) Other clinically relevant correspondence including but not limited to telephonic or other patient communications, referrals to other practitioners, and expert reports.

(d) A chiropractic physician shall maintain billing records for services performed for which payment is received from or billed to the patient, an insurance company, or another person or entity who has assumed the financial responsibility for the payment of services performed to the patient. Such records will be maintained for same amount of time as other patient records. As a minimum, a billing record will include the date of the patient encounter or financial entry, a notation of the services performed either by description or code, common codes such as the AMA Current Procedural Terminology (CPT) codes may be used without additional explanation or legend, and the fee charged for the services billed. If third party payers are billed, the billing instrument (CMS 1500 form or its successor) should be retrievable. Such information may be maintained on a handwritten or printed ledger, with the assistance of a computer or other device either by direct entry or with a particular program or application, or by an alternative method. To the extent billing records do not contain patient health care records not kept elsewhere, they are not consider part of the clinical record.

(e) Such information as described in section (d) must be readily available upon request of the patient, an agent of the patient, an insurance carrier or entity responsible for the payment of the services, or by the Board or other entity with a legal right to review such information.

(2) Practitioners with dual licenses shall indicate on each patient's records under which license the services were rendered.

(3) A patient's original health care and billing records shall be kept by the chiropractic physician a minimum of seven years from the date of last treatment. However, if a patient is a minor, the records must be maintained at least seven years from the time they turn 18 years of age.

(a) If the treating chiropractic physician is an employee or associate, the duty to maintain original records shall be with the chiropractic business entity or chiropractic physician that employs or contracts with the treating chiropractic physician.

(b) Chiropractic physicians shall be responsible for keeping an available copy of all authored reports for seven years from the date authored.

(4) If a chiropractic physician releases original radiographic films to a patient or another party, upon the patient's written request, he/she should create an expectation that the films will be returned, and a notation shall be made in the patient's file or in an office log where the films are located

ADMINISTRATIVE RULES

(either permanently or temporarily). If a chiropractic physician has radiographic films stored outside his/her clinic, a notation shall be made in the patient's file or in an office log where the films are located and chiropractic physician must ensure those films are available for release if requested by the patient.

(5) The responsibility for maintaining original patient records may be transferred to another chiropractic business entity or to another chiropractic physician as part of a business ownership transfer transaction.

Stat. Auth.: ORS 684

Stats. Implemented: ORS 684.155

Hist.: 2CE 1-1978, f. 6-16-78, ef. 7-1-78; CE 5-1995, f. & cert. ef. 12-6-95; CE 4-1997, f. & cert. ef. 11-3-97; BCE 3-2000, cert. ef. 8-23-00; BCE 2-2006, f. & cert. ef. 2-9-06; BCE 5-2013, f. & cert. ef. 11-27-13; BCE 3-2014, f. & cert. ef. 8-7-14; BCE 6-2014, f. & cert. ef. 9-5-14

Board of Geologist Examiners
Chapter 809

Rule Caption: Update federal law citations and housekeeping changes addressing use of social security numbers

Adm. Order No.: BGE 1-2014(Temp)

Filed with Sec. of State: 9-15-2014

Certified to be Effective: 9-15-14 thru 3-13-15

Notice Publication Date:

Rules Amended: 809-050-0050

Subject: The Board updated its rule addressing the requirement for an applicant for registration or registrant to provide his or her federal social security number. The Board needed to update the federal law citations contained in the rule. The Board also took this opportunity to make housekeeping changes to improve the clarity of the rule.

Rules Coordinator: Christine Valentine—(503) 566-2837

809-050-0050

Required Application Information

(1) The Board will not issue or renew any registration or specialty certification unless an applicant or registrant provides his or her Social Security Number on the application or renewal form.

(a) A registrant need not provide the Social Security Number on the renewal form if the Social Security Number has been previously provided to the Board and is in the record.

(b) An applicant need not provide the Social Security number on a subsequent application if the Social Security Number has been previously provided to the Board and remains in the record.

(2) If an individual has not been issued a Social Security Number by the United States Social Security Administration, the Board will accept a written statement from the applicant to fulfill the requirements of OAR 809-050-0050(1) and this rule. The individual may, but is not required to, submit the written statement on a form provided by the Board. Any written statement submitted must:

(a) Be signed by the individual;

(b) Attest to the fact that no Social Security Number has been issued to the individual by the United States Social Security Administration;

(c) Assert that the information provided about the Social Security Number is true and correct; and

(d) Acknowledge that knowingly supplying false information under this section is a crime.

(3) Individuals must provide Social Security Numbers as required by ORS 25.785, 305.385, 42 USC § 666(a)(13), and 42 USC § 405(c)(2)(C)(i) for child support enforcement purposes and Department of Revenue purposes.

Stat. Auth.: ORS 670.310 & 670.304

Stats. Implemented: ORS 25.785, 305.385 & 42 USC § 666(a)(13)

Hist.: BGE 10-2004, f. & cert. ef. 10-19-04; BGE 1-2014(Temp), f. & cert. ef. 9-15-14 thru 3-13-15

Board of Licensed Professional Counselors and Therapists
Chapter 833

Rule Caption: Amends experience requirements for licensure as a marriage and family therapist.

Adm. Order No.: BLPCT 4-2014

Filed with Sec. of State: 9-5-2014

Certified to be Effective: 9-5-14

Notice Publication Date: 6-1-2014

Rules Amended: 833-030-0021, 833-040-0021, 833-050-0071

Subject: Amends experience requirements for licensure as a marriage and family therapist to be equivalent to requirements for a license as a professional counselor.

Rules Coordinator: Becky Eklund—(503) 378-5499, ext. 3

833-030-0021

Experience Requirements for Licensure as a Professional Counselor

(1) To qualify for licensure as a professional counselor under ORS 675.715(3) and 675.720, an applicant must have completed the equivalent of three years of full-time supervised clinical counseling experience that consisted of no less than 2,400 supervised direct client contact hours of counseling. The supervised counseling experience must be:

(a) Completed in Oregon prior to June 30, 2002;

(b) Completed in another state or country prior to application;

(c) Completed while a registered intern with the Board;

(d) Up to 400 hours of supervised direct client contact completed during the clinical portion of the qualifying graduate degree program; or

(e) Any combination of hours completed as indicated in (a), (b), (c) and (d).

(2) Direct client contact hours must have been face to face with a client or clients and/or contact via electronic communication consistent with OAR 833 division 90.

Stat. Auth.: ORS 675.785 - 675.835 & 676.160 - 676.180

Stats. Implemented: ORS 675.785 - 675.835

Hist.: BLPCT 1-2010, f. & cert. ef. 1-5-10; BLPCT 3-2010, f. 4-30-10, cert. ef. 5-3-10; BLPCT 4-2014, f. & cert. ef. 9-5-14

833-040-0021

Experience Requirements for Licensure as a Marriage and Family Therapist

(1) To qualify for licensure as a marriage and family therapist under ORS 675.715(4) and 675.720, an applicant must have completed at least three years of full-time supervised clinical experience that consisted of no less than 2,000 supervised client contact hours of therapy with at least 1,000 of those hours working with couples and families.

(2) Those who apply to become a licensed marriage and family therapist on or after January 2, 2014, must have completed the equivalent of three years of full-time supervised clinical therapy experience that consisted of no less than 2,400 supervised direct client contact hours of therapy with at least 1,000 of those hours working with couples and families.

(3) The supervised counseling experience must be:

(a) Completed in Oregon prior to June 30, 2002;

(b) Completed in another state or country prior to application;

(c) Completed while a registered intern with the Board;

(d) Up to 400 hours of supervised direct client contact completed during the clinical portion of the qualifying graduate degree program; or

(e) Any combination of hours completed as indicated in (a), (b), (c) and (d).

(4) Direct client contact hours must have been face to face with a client or clients and/or contact via electronic communication consistent with OAR 833 division 90.

Stat. Auth.: ORS 675.785 - 675.835 & 676.160 - 676.180

Stats. Implemented: ORS 675.785 - 675.835

Hist.: BLPCT 1-2010, f. & cert. ef. 1-5-10; BLPCT 3-2010, f. 4-30-10, cert. ef. 5-3-10; BLPCT 6-2010, f. 12-13-10, cert. ef. 1-1-11; BLPCT 1-2014, f. & cert. ef. 1-8-14; BLPCT 4-2014, f. & cert. ef. 9-5-14

833-050-0071

Direct Client Contact

(1) Registered interns must accrue 2,400 hours of supervised direct client contact to qualify for licensure.

(a) Registered interns must complete at least 1,000 of the required 2,400 hours direct client contact while in a Board-approved intern work plan.

(b) Registered interns may count direct client contact hours acquired outside a registered intern plan as follows:

(A) Up to 400 direct client contact hours accrued as part of a graduate degree internship;

(B) Post-degree supervised direct client contact hours completed in Oregon prior to June 30, 2002; and

(C) Post-degree supervised direct client contact hours completed outside of Oregon that meet Oregon requirements at the time of application for licensure.

(2) Applicants for LMFT must accrue 2,400 hours of supervised direct client contact with at least 1,000 of those hours working with couples and families to qualify for licensure.

ADMINISTRATIVE RULES

(3) Applications for dual licensure as professional counselor and marriage and family therapist must meet the requirements for both licenses.

(4) Direct client contact must be face to face with a client or clients and/or contact via electronic communication consistent with OAR 833 division 90.

(5) Registered interns must receive and document supervision for and report all direct client contact hours at places of practice listed as part of their Board-approved plan.

Stat. Auth.: ORS 675.785 - 675.835 & 676.160 - 676.180

Stats. Implemented: ORS 675.785 - 675.835

Hist.: BLPCT 1-2010, f. & cert. ef. 1-5-10; BLPCT 4-2014, f. & cert. ef. 9-5-14

Board of Parole and Post-Prison Supervision Chapter 255

Rule Caption: This revision simplifies the language by following the statutory language more closely.

Adm. Order No.: PAR 8-2014

Filed with Sec. of State: 9-2-2014

Certified to be Effective: 9-2-14

Notice Publication Date: 8-1-2014

Rules Amended: 255-062-0011

Subject: This rule revision simplifies the language of our rule by following the statutory language more closely. ORS 144.125(2) and 144.228. The Board's current practice as to murder review hearings, exit interview for pre-1989 crimes, and parole consideration hearings for dangerous offenders will not change. The change clarifies that extended deferral is available for all aggravated murder hearings (regardless of crime commitment date), which is clear in statute but formerly unclear in our rules.

Rules Coordinator: Shawna Harnden—(503) 945-0914

255-062-0011

Type of Hearing Eligible for a Deferral of More than Two Years

OAR 255-062- 0006 applies to the following hearings:

(1) Murder Review Hearing: If the State Board of Parole and Post-Prison Supervision denies a petition for a change in the terms of confinement filed by an inmate under ORS 163.105 or 163.115, the Board may not grant the inmate a subsequent hearing that is less than two years, or more than 10 years, from the date the petition is denied.

(2) Exit Interview Hearing: Crime Commitment Date prior to 11/01/1989 — but on or after 10/4/1977: If the State Board of Parole and Post-Prison Supervision concludes, applying ORS 144.125(3), that an inmate suffers from a present severe emotional disturbance such as to constitute a danger to the health or safety of the community, the Board may not defer the projected parole release date for less than two years, or more than 10 years, from the date of the hearing, unless the inmate would be held beyond the maximum sentence.

(3) Exit Interview Hearing: Crime Commitment Date on or between 1/29/1977 and 10/3/1977: If the State Board of Parole and Post-Prison Supervision finds, based on the doctor's report and diagnosis, coupled with all the information that the Board is considering, and applying OAR 254-050-0015 (1977), ORS 144.180, and pursuant to 144.175(1), (2), that deferral of the inmate's projected parole release date is necessary, the Board may not defer the projected parole release date for less than two years, or more than 10 years, from the date of the hearing, unless the inmate would be held beyond the maximum sentence.

(4) Exit Interview Hearing for inmates who were convicted of aggravated murder committed on any date, and who have been found by the Board to be likely to be rehabilitated within a reasonable period of time, or who were convicted of murder committed on or after June 30, 1995: If the State Board of Parole and Post-Prison Supervision concludes, applying ORS 144.125(3), that an inmate suffers from a present severe emotional disturbance such as to constitute a danger to the health or safety of the community, the Board may not defer the projected parole release date for less than two years, or more than 10 years from the date of the hearing.

(5) Parole Consideration Hearing: If the State Board of Parole and Post-Prison Supervision finds, pursuant to ORS 144.228, that an inmate who was sentenced as a dangerous offender under 161.725 remains a danger, and that the inmate cannot be adequately controlled with supervision and mental health treatment which are available in the community, the Board will conduct the next review hearing no less than two years, or more than 10 years, from the current parole consideration date.

(6) Parole Hearing: Crime Commitment Date before 1/29/1977: If the State Board of Parole and Post-Prison Supervision finds that there is not a

reasonable probability that an inmate will, after parole, remain outside the institution without violating the law, and that the inmate's parole release is not compatible with the welfare of society, the Board may not grant the inmate a subsequent hearing that is less than two years, or more than 10 years, from the date parole is denied, unless the deferral period would exceed the maximum sentence imposed by the court.

Stat. Auth.: ORS 144.228, 144.232, 163.105, 163.115 & 2009 OL Ch. 660

Stats. Implemented: ORS 144.228, 144.232, 163.105, 163.115 & 2009 OL Ch. 660

Hist.: PAR 6-2010(Temp), f. 7-2-10, cert. ef. 7-6-10 thru 1-1-11; PAR 9-2010, f. & cert. ef. 9-29-10; PAR 8-2014, f. & cert. ef. 9-2-14

Bureau of Labor and Industries Chapter 839

Rule Caption: Amendments clarifying default procedure, eliminating separate amendment process for orders of determination, changes reflecting reorganization.

Adm. Order No.: BLI 10-2014

Filed with Sec. of State: 9-4-2014

Certified to be Effective: 9-4-14

Notice Publication Date: 8-1-2014

Rules Amended: 839-050-0080, 839-050-0230, 839-050-0330, 839-050-0340

Rules Repealed: 839-050-0440

Subject: The agency amends OAR 839-050-0080(2)(f) and 839-050-0230(2) to reflect the change of agency "case presenters" to "administrative prosecutors."

In addition, the agency amends OAR 839-050-0330, 839-050-0340(1)(c), and 839-050-0340(5) to further clarify the procedure for default hearings in Wage and Hour cases.

The agency also repeals OAR 839-050-0440 in its entirety. 839-050-0440 sets out a separate and distinct amendment process for Wage and Hour Orders of Determination which created confusion. The agency's elimination of the rule provides uniformity among cases and clarity for all participants.

Rules Coordinator: Marcia Ohlemiller—(971) 673-0784

839-050-0080

Notice of Hearing

(1) When a party makes a timely written request for a contested case hearing, that hearing will be scheduled in accordance with OAR 839-050-0070 and the Forum will issue a notice of hearing to the participants.

(2) When Formal Charges are issued, the notice of hearing will accompany the Formal Charges.

(3) In civil rights housing cases only, unless a complainant or respondent named in a complaint alleging an unlawful practice under ORS 659A.145 or 659A.421 or discrimination under federal housing law elects to have the matter heard in circuit court under 659A.885 (see 659A.870(4)(b)), a contested case hearing must commence no later than 120 days after Formal Charges are issued. If it is not practicable to commence the hearing within 120 days after Formal Charges are issued, the Administrative Law Judge will include on the notice of hearing or in a separately issued document the general reasons for the delay and will schedule the hearing as soon as practicable.

(4) A notice of hearing will include:

(a) A statement of the time and place of the hearing, including the statement that the hearing will reconvene on successive business days thereafter until concluded;

(b) A statement of the authority and jurisdiction under which the hearing is to be held;

(c) A reference to the particular sections of the statutes and rules involved;

(d) A short and plain statement of the matters asserted or charged;

(e) The name of the administrative law judge designated by the commissioner to preside at the hearing and whether the administrative law judge is an employee of the Agency; and

(f) A statement indicating whether the case for the Agency will be presented by the Department of Justice or by an Agency administrative prosecutor.

(5) Sections (3)(c) and (d) above are satisfied if the notice of hearing attaches and incorporates a charging document that includes the matters referred to in those paragraphs.

(6) The notice of hearing may contain a statement that:

ADMINISTRATIVE RULES

(a) When a party fails to timely request a hearing, or having made a timely request subsequently withdraws it, the Agency file will be the evidentiary record of the proceeding;

(b) When, following an answer and request for hearing (when required), the party subsequently notifies the Agency that the party will not appear at the hearing, or, without such notice, the party fails to appear at the hearing, the Agency file will become the contested case record, or a part thereof; and

(c) When a party fails to answer a charging document, the Agency file will become the contested case record, or part thereof, upon default for the purpose of proving a prima facie case.

Stat. Auth.: ORS 183 & 651.060(4)

Stats. Implemented: ORS 279C.860, 279C.865, 652.332(3), 653.065(1), 658.115, 658.407(3), 658.820, 659A.845, 659A.850, 659A.870

Hist.: BL 8-1986, f. & ef. 9-2-86; BL 12-1986, f. 10-29-86, ef. 10-30-86; BL 10-1988, f. & cert. ef. 6-16-88; BL 4-1993(Temp), f. 4-7-93, cert. ef. 4-12-93; BL 8-1993, f. & cert. ef. 9-3-93, Renumbered from 839-030-0055; BL 12-1996, f. & cert. ef. 12-10-96; BLI 2-2000, f. & cert. ef. 1-27-00; BLI 15-2004, f. 11-1-04, cert. ef. 11-3-04; BLI 12-2010, f. 3-1-10, cert. ef. 3-3-10; BLI 5-2014, f. & cert. ef. 4-15-14; BLI 10-2014, f. & cert. ef. 9-4-14

839-050-0230

Authority of the Administrative Prosecutor

(1) The Administrative Prosecutor is authorized by ORS chapter 183 to appear on behalf of and represent the Agency. The Administrative Prosecutor may perform any function not prohibited by this rule.

(2) The administrative prosecutor may not present legal argument during the contested case proceeding except to the extent authorized by section 3 of this rule. "Legal argument" includes arguments on:

(a) The jurisdiction of the agency to hear the contested case;

(b) The constitutionality of a statute or rule or the application of a constitutional requirement to an agency;

(c) The application of court precedent to the facts of the particular contested case proceeding.

(3) The administrative law judge may allow the Administrative Prosecutor to present evidence; examine and cross-examine witnesses; and make arguments relating to the:

(a) Application of statutes and rules to the facts in the contested case;

(b) Actions taken by the Agency in the past in similar situations;

(c) Literal meaning of the statutes or rules at issue in the contested case;

(d) Admissibility of evidence; and

(e) Proper procedures to be used in the contested case hearing.

(4) When an Administrative Prosecutor is representing the Agency in a hearing, the administrative law judge will advise such representative of the manner in which objections may be made and matters preserved for appeal. Such advice is of a procedural nature and does not change applicable law on waiver or the duty to make timely objection. When such objections may involve legal argument as defined in section 2 of this rule, the administrative law judge will provide reasonable opportunity for the Administrative Prosecutor to consult legal counsel and permit such legal counsel to file written legal argument within a reasonable time after the conclusion of the hearing.

Stat. Auth.: ORS 183 & 651.060(4)

Stats. Implemented: ORS 279C.860, 279C.865, 652.332(3), 653.065(1), 658.115, 658.407(3), 658.820, 659A.845 & 659A.850

Hist.: BL 10-1988, f. & cert. ef. 6-16-88; BL 4-1993(Temp), f. 4-7-93, cert. ef. 4-12-93; BL 8-1993, f. & cert. ef. 9-3-93, Renumbered from 839-030-0059; BL 12-1996, f. & cert. ef. 12-10-96; BLI 2-2000, f. & cert. ef. 1-27-00; BLI 15-2004, f. 11-1-04, cert. ef. 11-3-04; BLI 5-2014, f. & cert. ef. 4-15-14; BLI 10-2014, f. & cert. ef. 9-4-14

839-050-0330

Default

(1) Default may occur when:

(a) A party fails to file a required response, including a request for hearing or an answer, within the time specified in the charging document;

(b) A party withdraws a request for hearing;

(c) The Forum has scheduled a hearing and a party notifies the Agency or the administrative law judge that the party will not appear at the specified time and place; or

(d) Notice regarding the time and place of the hearing was sent to the party and the party fails to appear at the scheduled hearing.

(2) When the Agency has designated the Agency file, including all the materials submitted by a party, as the record in its charging document, and a circumstance described in (1)(b-d) of this rule occurs, the administrative law judge will dismiss the party's request for hearing and refer the case to the administrator of the Wage and Hour Division. When this section applies, the Agency file includes all materials in the Agency's investigative file and all materials filed with the forum by the Agency or the party up to the time set for hearing. If a party fails to appear at the time of hearing, the

administrative law judge shall wait no longer than 30 minutes from the time set for the hearing before orally dismissing the party's request for hearing. The administrative law judge shall subsequently issue a written order dismissing the party's request for hearing.

(3) If the party failed to appear at the hearing and, before issuing a final order dismissing the party's request for hearing, the administrative law judge finds that the party had good cause for not appearing, the administrative law judge may not dismiss the party's request for hearing and shall schedule a new hearing. If the reasons for the party's failure to appear are in dispute, the administrative law judge shall schedule a hearing on the reasons for the party's failure to appear.

(4) When a party is in default, the Agency has not designated the Agency file as the record in its charging document, and the administrative law judge has not granted relief from default, the administrative law judge will take evidence of a prima facie case from the Agency at hearing. The administrative law judge will not permit the defaulted party to participate in any manner in the hearing, including, but not limited to, presentation of witnesses or evidence on the party's own behalf, examination of Agency witnesses, objection to evidence presented by the Agency, making of motions or argument, and filing exceptions to the Proposed Order.

Stat. Auth.: ORS 183 & 651.060(4)

Stats. Implemented: ORS 279C.860, 279C.865, 652.332(3), 653.065(1), 658.115, 658.407(3), 658.820, 659A.845 & 659A.850

Hist.: BL 8-1986, f. & ef. 9-2-86; BL 4-1987, f. 2-11-87, ef. 2-13-87; BL 4-1993(Temp), f. 4-7-93, cert. ef. 4-12-93; BL 8-1993, f. & cert. ef. 9-3-93, Renumbered from 839-030-0185; BL 12-1996, f. & cert. ef. 12-10-96; BLI 2-2000, f. & cert. ef. 1-27-00; BLI 15-2004, f. 11-1-04, cert. ef. 11-3-04; BLI 5-2014, f. & cert. ef. 4-15-14; BLI 10-2014, f. & cert. ef. 9-4-14

839-050-0340

Relief from Default

(1) A party seeking relief from default must file a written request for relief from default within 10 days after any of the following:

(a) A Final Order by default has been issued by the administrator of the Wage and Hour Division;

(b) A notice of default has been issued; or

(c) A party has failed to appear at a hearing and the administrator of the Wage and Hour Division has issued a Final Order by default.

(2) Relief from default may be granted when the party's written request for relief from default shows good cause for the party's action or inaction that caused the default. The party's request should state any facts supporting the party's claim of good cause and include any documents that support the party's claim.

(3) The computation of the 10-day deadline for filing begins on the day after one of the events listed in (1)(a), (b) or (c) of this rule occurs. If the 10th day is a Saturday, Sunday, furlough day officially recognized by the State of Oregon, or holiday officially recognized by the State of Oregon or the federal government, the 10-day deadline will expire at 5 p.m. of the next day that is not a Saturday, Sunday, furlough day or holiday. A request for relief from default is filed on the date that it is postmarked or received, whichever is earlier.

(4) A request for relief from default made after a Final Order by default has been issued by the administrator of the Wage and Hour Division must be addressed to the administrator of the Wage and Hour Division and ruled upon by an administrative law judge. When the administrator of the Wage and Hour Division receives a request for relief from default, the administrator will forward that request to the Forum for assignment to an administrative law judge, along with a copy of the Final Order by default. The administrator may also file a response to the request for relief from default. Any response the administrator files will be served on the requesting party.

(5) A request for relief from default made after a notice of default has been issued or after the party has failed to appear at a hearing and the administrator of the Wage and Hour Division has issued a Final Order on default must be addressed to and ruled upon by the administrative law judge. If the administrative law judge grants the party's request for relief from default, the administrative law judge shall schedule a new hearing.

Stat. Auth.: ORS 183 & 651.060(4)

Stats. Implemented: ORS 279C.860, 279C.865, 652.332(3), 653.065(1), 658.115, 658.407(3), 658.820, 659A.845 & 659A.850

Hist.: BL 8-1986, f. & ef. 9-2-86; BL 4-1987, f. 2-11-87, ef. 2-13-87; BL 10-1988, f. & cert. ef. 6-16-88; BL 4-1993(Temp), f. 4-7-93, cert. ef. 4-12-93; BL 8-1993, f. & cert. ef. 9-3-93, Renumbered from 839-030-0190; BL 12-1996, f. & cert. ef. 12-10-96; BLI 2-2000, f. & cert. ef. 1-27-00; BLI 15-2004, f. 11-1-04, cert. ef. 11-3-04; BLI 16-2011, f. 12-30-11, cert. ef. 1-1-12; BLI 5-2014, f. & cert. ef. 4-15-14; BLI 10-2014, f. & cert. ef. 9-4-14

ADMINISTRATIVE RULES

Department of Agriculture Chapter 603

Rule Caption: Harmonizes the Malheur County Bean Control Area with Idaho's and adds requirements for non-Phaseolus beans.

Adm. Order No.: DOA 13-2014

Filed with Sec. of State: 8-20-2014

Certified to be Effective: 8-20-14

Notice Publication Date: 7-1-2014

Rules Amended: 603-052-0385

Subject: The amendments to OAR 603-052-0385 harmonize the regulatory language in Oregon's Malheur County Bean Control Area with Idaho's IDAPA 02.06.06 for trial ground plantings, mitigation of regulated diseases, and scientific names of the regulated diseases. The amendments add requirements for inspection of non-Phaseolus beans grown in Malheur County and for mitigation of infected non-Phaseolus beans should a regulated disease be found. Two microorganisms that infect Phaseolus and non-Phaseolus beans have been added to the list of regulated diseases. Finally, the amendments add the ability to obtain a Special Permit to allow for movement of regulated commodities intra- and interstate not otherwise eligible for movement under the Control Area and add a requirement for biennial review of the rule.

Rules Coordinator: Sue Gooch—(503) 986-4583

603-052-0385

Malheur County Bean Disease Control Area and Procedures

(1) As authorized by ORS 570.405 to 570.435, a control area is established for the protection of the bean seed industry in the following described area through the eradication or control of seedborne bacterial diseases, specifically: Halo Blight caused by *Pseudomonas syringae* pv. *phaseolicola*; Common Bean Blight caused by *Xanthomonas axonopodis* pv. *phaseoli* (= *X. campestris* pv. *phaseoli* and *Xanthomonas campestris* pv. *phaseoli* var. *fuscans*); Bacterial Brown Spot caused by *Pseudomonas syringae* pv. *syringae* (only strains virulently pathogenic to *Phaseolus* sp.); Bacterial Wilt caused by *Curtobacterium flaccumfaciens* pv. *flaccumfaciens*; Anthracnose caused by *Colletotrichum lindemuthianum* (teleomorph = *Glomerella lindemuthiana*), soybean cyst nematode caused by *Heterodera glycines*, Asian soybean rust caused by *Phakopsora pachyrhizi*, or any variations or new strains of these diseases, which are recognized as virulently pathogenic and seedborne, and/or a potential threat to seed production, all of which are hereafter referred to as diseases of beans; such control area includes all of Malheur County, Oregon.

(2) The following methods of control are declared to be the proper methods to be used in the control area described in section (1) of this rule, for the control and prevention of the introduction of diseases of beans. All non-Phaseolus species beans, from whatever source, used for planting purposes within Malheur County must meet the requirements as dictated in section (7) of this rule. All Phaseolus species bean seed from whatever source, used for planting purposes within Malheur County are subject to the following:

(a) Phaseolus species bean seed grown in Malheur County for planting in Malheur County:

(A) Shall be certified in accordance with the procedures and provisions of section (3) of this rule;

(B) Shall have a Malheur County planting certificate number assigned by the Department;

(C) Shall have been Departmentally inspected or bear approved tags; and

(D) Shall have been grown and inspected for two consecutive preceding generations in Malheur County under rill irrigation prior to growing under sprinkler irrigation.

(b) Imported bean seed grown west of the Continental Divide in the contiguous states:

(A) May not be grown under sprinkler irrigation in Malheur County;

(B) Must have an approved phytosanitary certificate from the state of origin affirming freedom from the diseases listed in section (1) of this rule, based on growing season and windrow inspection, this seed may be planted in Malheur County only with the prior approval of the Department and provided that each field planted within Malheur county is submitted for Departmental inspections; and

(C) Shall successfully pass standard testing methods conducted by the Department from officially drawn samples; except

(D) Idaho grown bean seed shall be exempt from the requirements of this paragraph provided that:

(i) It has been certified for in-state planting by the Idaho State Department of Agriculture;

(ii) It bears Idaho State Department of Agriculture inspected or approved tags;

(iii) It is certified by the Idaho State Department of Agriculture or their official cooperators to have been grown and inspected for two consecutive preceding generations in Idaho under rill irrigation prior to planting for growing under sprinkler irrigation in Malheur County;

(iv) Imported bean seed grown east of the Continental Divide in the contiguous states or in foreign countries or otherwise ineligible for planting in Malheur County may be planted in Malheur County only on Departmentally approved Trial Grounds, and are subject to the provisions of section (6) of this rule.

(3) All bean fields in Malheur County shall be subject to entry and inspection by the Department. Growing season inspections of all bean fields shall be done as many times as deemed necessary by the Department, in accordance with the following:

(a) Bean fields grown for seed to be certified for planting in Malheur County shall be inspected by the Department during the growing season and in the windrow, including:

(A) Such bean fields grown under rill irrigation shall be inspected a minimum of one time during the growing season before plants mature seed, and again in the windrow;

(B) Such bean fields grown under sprinkler irrigation shall be inspected a minimum of two times during the growing season before plants mature seed, and once in the windrow; and,

(C) The tolerance for the diseases (identified in section (1) of this rule) in any field or part thereof for seed to be certified for planting in Malheur County shall be zero.

(b) Bean crops requiring field inspections to qualify for phytosanitary certifications shall be subject to the same inspection requirements and tolerances as set forth in subsection (a) of this section;

(c) Oregon State University certification inspections may replace the Departmental inspections for certification of seed for planting in Malheur County, if appropriate growing season and windrow inspection requirements as set forth in subsection (a) of this section are met;

(d) Every grower, seed company, or handler of bean seed for planting crops to be grown in Malheur County shall submit his written request to the Department to make the inspections required under this Bean Disease Control Area Order, on or before July 1 of each year. Such written request shall include acreage, general location of field, method of irrigation, name and address and telephone number of applicant.

(4) Eradication methods used shall only be those approved by the Department, including:

(a) Any bean seed found or known to be contaminated with disease which is now within the boundaries of Malheur County shall not be planted in Malheur County;

(b) Any bean fields within the boundaries of Malheur County which show contamination of disease shall be destroyed in part or in total as may be required to eliminate the presence of disease in the field, by and at the expense of the grower, or landlord, or his authorized agents. The Department shall notify the grower, or landlord, or his authorized agents, of the method and extent of destruction and any safeguards to be taken against disease spread;

(c) The true identity of a regulated disease on growing plants or plants in the windrow will be based upon the observance of symptoms of a regulated disease and, when necessary to establish identity or pathogenicity, standard testing methods to be conducted by the Department, including:

(A) The definitive verification of identity or pathogenicity shall include isolation of the suspected pathogen and inoculation of seedlings of a known susceptible host;

(B) Until verification of the suspected pathogen is completed the involved planting shall be placed under quarantine for a period of 30 days subject to review or extension as determined by the Department, and entry to the quarantined area shall be restricted to the grower, his agents, the Departmental officials, or persons authorized in writing by the Department, who shall be required to take all necessary sanitary precautions, as prescribed by the quarantine order, to safeguard against the possible spread of the suspected regulated disease; and

(C) The true identity of a regulated disease when found in or on seed shall be based on standard laboratory testing methods, the positive results of which shall be conclusive that the plants are subject to this control order,

ADMINISTRATIVE RULES

unless the owner of the seed requests verification of pathogenicity to be performed at his expense.

(d) When any regulated disease is verified by the Department, the grower or seed company shall be notified by the Department of such findings, and shall have 48 hours to view the involved planting or laboratory results prior to any action being taken by the Department.

(5) Exemption and special situations to these requirements are as follows:

(a) Any commercial or garden beans first found infected during windrow inspection, are exempt from destruction if the diseased portion of the field and an appropriate buffer area (not less than a 50-foot radius) surrounding the infected site are promptly destroyed;

(b) Beans for processing or fresh consumption are exempt from destruction if the diseased portion of the field is destroyed or harvested within five days after first detection or laboratory verification of the disease, and the crop residue is promptly and completely plowed under after harvest;

(c) A field contaminated with brown spot (*P. syringae* pv. *syringae*) may be eligible for a Special Permit as dictated in Section 8 of this rule and at the discretion of the Department.

(6) Trial Grounds are defined as parcels of land approved by the Department to be set aside for research, testing, or increase of: bean seed grown on Trial Grounds in Malheur County during previous seasons; bean seed eligible for planting in Malheur County; or bean seed otherwise ineligible for planting within the Malheur County. Trial Grounds shall be utilized in accordance with the following:

(a) They shall be under the supervision of technically trained personnel approved by the Department;

(b) The land upon which they are situated shall be owned or leased by the grower and, if leased, a copy of the lease shall accompany the application for approval;

(c) Applications for approval shall be submitted to the Department prior to May 20 of any year and shall contain:

(A) The name of supervisor in charge;

(B) The location and size of the Trial Ground; and

(C) A detailed varietal planting plan (if the original planting plan is changed, the Department shall be notified).

(d) An applicant may have more than one Trial Ground approved, provided a separate application is submitted for each Trial Ground and provided it meets the requirements of this section;

(e) Any seed grown on Trial Grounds to be released to farmer growers for replanting within Malheur County or requiring phytosanitary certification shall meet the inspection requirements of section (3) of this rule;

(f) All information submitted with the approval applications shall be deemed to be confidential under ORS 192.500(1)(b) and (c);

(g) Experimental Plots are defined as subdivision areas within Trial Grounds used for the introduction of imported seed otherwise ineligible for planting in Malheur County. A maximum of one pound of bean seed per variety may be planted in an Experimental Plot without standard testing, except as noted in this section;

(h) Introduction Plots are defined as subdivision areas within Trial Grounds used for the introduction or increase of imported bean seed grown east of the Continental Divide or in foreign countries, imported bean seed from west of the Continental Divide not meeting the requirements of section (2) of this rule, any bean seed previously grown in Malheur County, or any bean seed eligible for planting in Malheur County. A maximum of two (2) acres per variety in any given year may be planted in an Introduction Plot. Imported seed shall have successfully passed standard testing methods conducted by the Department from officially drawn samples prior to planting. Only one Introduction Plot may be maintained by a holder of more than one approved Trial Ground;

(i) Trial Grounds shall be subject to the following restrictions and inspection procedures:

(A) All machinery used in production of bean seed on Trial Grounds shall be disinfected to the satisfaction of the Department prior to the movement to other bean field;

(B) There shall be a minimum of four growing seasons and one windrow inspection, by the Department, for which the fees and charges will be \$7.50 per acre (or fraction thereof) per inspection of seed from east of the Continental Divide or foreign countries; and \$3.50 per acre (or fraction thereof, see OAR 603-045-0315) per inspection of seed from west of the Continental Divide; and

(C) If disease is found on Trial Ground, none of the seed produced on that Trial Ground may be certified but shall under go one additional year of Trial Ground growing to assure that contamination did not occur.

(7) Non-Phaseolus species beans grown in Malheur County for planting must meet the following conditions:

(a) Requirements for planting non-Phaseolus species beans in Malheur County:

(A) Malheur County origin seeds are from a lot that has been inspected in accordance with these rules and has been issued official inspected or approved tags;

(B) Idaho-grown non-Phaseolus species bean seed shall be exempt from the requirements of this paragraph provided that:

(i) It has been certified for in-state planting by the Idaho State Department of Agriculture;

(ii) It bears Idaho State Department of Agriculture inspected or approved tags;

(iii) It is certified by the Idaho State Department of Agriculture or their official cooperator as having been inspected in the growing season and pre-harvest or in the windrow for diseases of bean.

(C) Imported seed from areas other than Idaho must be certified and issued official tags by the seed certification agency of the state of origin and be accompanied by an official state phytosanitary certificate verifying the seed was inspected, tested, and found free of diseases of bean.

(b) Every grower, seed company, or handler of non-Phaseolus species bean seed for planting crops to be grown in Malheur County shall submit his written request to the Department to make growing season and pre-harvest or windrow inspections on or before July 1 of each year. Such written request shall include acreage, general location of field, method of irrigation, name and address and telephone number of applicant.

(c) The tolerance for the diseases of bean in any field or part thereof for non-Phaseolus bean seed to be certified for planting in Malheur County shall be zero. Eradication of said diseases of bean shall be performed as described in section (4) of this rule.

(8) Special Permits: The Department, upon receipt of an application in writing, may issue a Special Permit allowing movement into this state, or movement within this state, of regulated commodities not otherwise eligible for movement under the provisions of this quarantine order. Movement of such commodities will be subject to any conditions or restrictions stipulated in the Special Permit, and these conditions and restrictions may vary depending upon the intended use of the commodity and the potential risk of escape or spread of the regulated pests as described in Section 1 of this rule.

(9) Review of quarantine: The Department and other interested parties shall review the quarantine requirements biennially for accuracy and effectiveness.

Stat. Auth.: ORS 561 & 570

Stats. Implemented: ORS 561.190, 561.510 - 561.600, 570.305, 570.405 & 570.410 - 570.415

Hist.: AD 5-1978, f. 5-17-78, ef. 6-10-78; DOA 9-2005, f. & cert. ef. 2-15-05; DOA 1-2006, f. & cert. ef. 1-13-06; DOA 13-2014, f. & cert. ef. 8-20-14

Rule Caption: Repeals 603-052-1250 and harmonizes 603-052-1230 with new federal orders for *Phytophthora ramorum*.

Adm. Order No.: DOA 14-2014

Filed with Sec. of State: 8-22-2014

Certified to be Effective: 8-22-14

Notice Publication Date: 6-1-2014

Rules Amended: 603-052-1230

Rules Repealed: 603-052-1250

Subject: The USDA Animal and Plant Health Inspection Service (APHIS) made significant changes to 7 CFR 301.92, the federal domestic quarantine for *Phytophthora ramorum*, including removing the requirement for all Oregon nurseries to enter into compliance agreements with USDA APHIS to ship plants interstate, requiring only interstate-shipping nurseries in which *P. ramorum* has been found since March 31, 2011, to continue to be inspected and certified free of the pathogen, and amending federal protocols for nursery certification and for response to pathogen detection in nurseries and other areas. We amended our state quarantine for *P. ramorum* (603-052-1230) to be in harmony with the new federal requirements and repealed our *P. ramorum* regulated area for nursery stock (603-052-1250) as the requirements listed are no longer mandatory for all nurseries shipping plants interstate.

Rules Coordinator: Sue Gooch—(503) 986-4583

ADMINISTRATIVE RULES

603-052-1230

Quarantine: *Phytophthora ramorum*

(1) Establishing a quarantine: A quarantine is established against *Phytophthora ramorum*, the cause of sudden oak death and other plant diseases. This quarantine is established under ORS 561.510 and 561.540 to protect Oregon's agricultural industries and natural resources from the artificial spread of *P. ramorum*. This pathogen causes mortality in susceptible oak (*Quercus* spp.), tanoak (*Notholithocarpus densiflorus* syn. *Lithocarpus densiflorus*), rhododendron (*Rhododendron* spp.), viburnum (*Viburnum* spp.), evergreen huckleberry (*Vaccinium ovatum*), and other plant species. In other susceptible plants it causes leaf spots, twig dieback and/or stem cankers. Methods for exclusion of commodities potentially infected with this disease and procedures for eradication of incipient infections are prescribed in this quarantine.

(2) Area under quarantine:

(a) The following counties in California: Alameda, Contra Costa, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, and Trinity;

(b) The following portion of Curry County that lies inside the area starting at the point where the northern border of T37S R15W section 13 meets the Pacific Ocean and continuing east to the northeast corner of T37S R14W section 15, then south to the northeast corner of S38S R14W section 15, then east to the northeast corner of T38S R13W section 18, then south to the northeast corner of T39S R13W section 6, then east to the northeast corner of T38S R12W section 29, then south to the northeast corner of T39S R12W section 17, then east to the northeast corner of T39S R12W section 15, then south to the northeast corner of T40S R12W section 10, then east to the northeast corner of T40S R11W section 7, then south to the southeast corner of the northeast quarter section of T41S R11W section 18, then west to the intersection of Stateline Road with US Highway 101 0.15-mile north of the California border and then northwest along US Highway 101 to the intersection with West Benham Lane and then west along West Benham Lane and continuing directly west to the Pacific Coastline; then following the coastline north-northwest back to the point of beginning;

(c) Any country, state, county, province or area covered by the federal Domestic Quarantine for *Phytophthora ramorum*, 7 CFR 301.92;

(d) Any property in Oregon where *P. ramorum* is found, including a buffer zone of up to three (3) miles surrounding the infested site during any eradication or containment program.

(3) The following definitions apply to ORS 603-052-1230:

(a) "Best management practices" is defined as any actions or activities that can be used to prevent or eliminate new *P. ramorum* infections.

(b) "Disease-free area" means an area located more than one-quarter (1/4) mile from the generally infested area, or any other infested sites, which has been officially surveyed within the past 6-months and found free of *P. ramorum*.

(c) "Generally-infested area" means the area within the quarantine boundary where *P. ramorum* has been commonly found or in which there is reason to believe *P. ramorum* is present because of the proximity, one-quarter (1/4) mile or less, to known infested sites. A map showing the generally infested area is available from the Oregon Department of Agriculture, http://www.oregon.gov/ODA/CID/PLANT_HEALTH/, 635 Capitol St. NE, Salem, OR 97301, telephone: 503-986-4620.

(d) "Hosts and associated plants" means plants on the USDA APHIS List of Regulated Hosts and Plants Proven or Associated with *Phytophthora ramorum*, effective date November 27, 2013.

NOTE: This list is available from the Oregon Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301, telephone: 503-986-4644.

(e) "Infested site" is defined as the area within fifty (50) feet of one or more plants officially confirmed as infected with *P. ramorum*.

(f) "Treatment area" is defined as the area delimited by the Oregon Department of Agriculture (ODA) or an official cooperator in which treatments to eliminate or reduce *P. ramorum* inoculum and sources thereof is required or recommended. The treatment area may range from 50 to 300 or more feet from infected or symptomatic plants.

(g) "Type 1" is defined as an infested site(s) that because of its geographical location in relationship to other infested sites, surrounding flora, and based on the best available data on disease spread, is considered to be of highest risk for advancing further spread of *P. ramorum* into previously un-infested areas. By definition, Type 1 sites are typically located outside of the generally infested area.

(h) "Type 2" is defined as an infested site(s) that because of its geographical location in relationship to other infested sites, surrounding flora, and based on the best available epidemiological data on disease spread, is considered to be of less risk for advancing further spread of *P. ramorum* into

previously un-infested areas. By definition, Type 2 sites are typically located inside of the generally infested area.

(i) "Non-commercial" is defined as any activity or entity that does not in some sense involve commerce, relative to similar activities that do have a commercial objective.

(j) "Nursery stock" is defined in ORS 571.005. Tissue culture plantlets in sealed, sterile containers are exempt from this regulation;

(4) Commodities regulated:

(a) All plants and plant parts of hosts and associated plants: Examples of regulated commodities include all portions of the plants including, but not limited to nursery stock, logs, bark, wood chips, mulch, firewood, sawdust, green waste, other plant products that may contain bark or foliage;

(b) Any other plant found to be naturally infected with *P. ramorum*, any product or article that an official inspector determines to present a risk of spreading *P. ramorum*, and all life stages of *P. ramorum*.

(5) Provisions of the quarantine: Movement out of the quarantined area of regulated commodities originating from the area under quarantine, and any other area found to be infested with *P. ramorum* during the life of this quarantine, is prohibited unless one of the following requirements has been met:

(a) The regulated commodity meets the official treatment and certification requirements for interstate movement as defined in the federal domestic quarantine, 7 CFR 301.92. The regulated commodity must be accompanied by an official certificate that includes the following additional declaration "The (type of covered commodity) from (name of county or other location identifier) has been treated for *Phytophthora ramorum* as required prior to shipment." As applicable, the specific requirements of the treatment must be recorded on the official certificate;

(b) Provisions for Douglas fir, grand fir, alder, and other non-hosts and non-bole hosts (as defined in 7 CFR 301.92) harvested within the quarantine area, including the generally-infested area. Logs and firewood of non-hosts and non-bole hosts are not regulated per 7 CFR 301.92 and can move freely within or outside the quarantine area. Soil, needles, foliage, and plant debris (including branches less than or equal to one (1) inch in diameter) must stay within the quarantine area.

(c) Provisions for tanoak logs and firewood harvested within the quarantine area.

(A) Tanoak logs and firewood - Intrastate. Tanoak logs and firewood may be shipped intrastate provided the logs were harvested from a disease-free area and the logs and firewood are safeguarded from contamination prior to shipment out of the quarantine area.

(B) Tanoak logs and firewood - Interstate. Tanoak logs and firewood may be shipped interstate provided the logs and firewood were harvested from a disease-free area, have been debarked according to federal requirements (see 7 CFR 301.92), and are accompanied by an official phytosanitary certificate verifying the debarking of the logs and firewood prior to shipment.

(C) Tanoak logs and firewood harvested within the generally-infested area are not eligible for movement outside of the quarantine area.

(d) Nursery stock grown in a quarantined county or area may be eligible for shipment to and within Oregon providing the nursery is part of an official certification program and has been inspected and tested as required by the federal domestic quarantine, 7 CFR 301.92, for *P. ramorum*. The official certificate must include the following additional declaration: "The (covered commodity) from (name of county or other location identifier) has met the *Phytophthora ramorum* quarantine requirements for shipment into and within Oregon."

NOTE: Recipients of tree and shrub nursery stock imported into the state must notify the ODA no later than two business days after its arrival as required by OAR 603-054-0027.

(e) Soil and potting media from the quarantine area at a known infested site or from within four (4) meters of an infected host plant must be sterilized before shipment. The soil or potting media must reach a minimum temperature of 50 degrees C (122 degrees F) for 30-minutes measured at the center of the mass of soil or potting media. Soil or potting media that has never been associated with the covered commodities is exempt. Treatments must be officially verified. The official certificate must include the following additional declaration "The (soil or potting media) from (name of county or other location identifier) has been treated for *Phytophthora ramorum* as required prior to shipment." The length and temperature of the treatment must be recorded on the official certificate.

(6) Infested properties in Oregon: Confirmation of a *P. ramorum* infection must be made by the ODA or an official cooperator. The required response depends on whether the infested site is of high priority (Type 1) or normal priority (Type 2) in terms of importance for slowing disease spread as determined by ODA or an official cooperator. The ODA or an

ADMINISTRATIVE RULES

official cooperator will notify the landowner when a Type 1 infested site has been detected on their property.

(a) Type 1 sites must be treated as quickly as possible in accordance with USDA APHIS's Official Regulatory Protocol for Phytophthora ramorum Detections in Residential or Landscaped Commercial Settings, last revised January 15, 2013 or the USDA Forest Service, USDA APHIS, National Association of State Foresters, and National Plant Board's National Framework for Managing Sudden Oak Death caused by Phytophthora ramorum in Forests and Wildlands, October 2011. Subject to the availability of funds dedicated to the rapid treatment of P. ramorum infested sites, the cost of treatment will be borne by the State.

NOTE: These protocols are available from the Oregon Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301, telephone: 503-986-4644. Affected property owners will be issued infestation and treatment area location and treatment requirements in the form of an Administrative Directive. For public and private forested lands, the Oregon Departments of Agriculture and Forestry (ODF) will work with the landowner to develop a treatment plan that will be based on the best available science. The treatment plan may include some or all of the following activities:

- (A) Cutting and piling susceptible trees and shrubs;
- (B) Burning the wood and plant debris when safe to do so;
- (C) Herbicide treatment of stumps, standing trees, and sprouts;
- (D) Fungicide application;
- (E) Sampling and monitoring;
- (F) Replanting with suitable plant species to meet landowner objectives and to prevent intensification and spread of the disease.

(b) On Type 2 sites disease suppression through the implementation of best management practices is encouraged. Subject to availability of funds dedicated to the suppression of P. ramorum in urban and forested environments, a cost-share program may be available through the ODF to help defray costs of implementing best management practices to suppress disease spread (Oregon Department of Forestry, 415 Redwood Street, Brookings, OR 97415, telephone: 541-469-5040). A landowner with a Type 2 site may, after consultation with the ODA and ODF, allow use of their infested site(s) for P. ramorum-related research by Oregon State University, ODF, or ODA. Trees killed by P. ramorum within an infested Type 2 treatment area may be used as firewood under the following conditions:

- (A) The firewood from the infected tree(s) is for non-commercial use only;
- (B) The firewood does not leave the generally-infested area or any other infested site outside of the generally-infested area.

NOTE: Best management practices for managing P. ramorum infestations within the generally infested area are available on the California Oak Mortality website, <http://www.suddenoakdeath.org>, or from the Oregon Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301, telephone: 503-986-4644, or the Oregon Department of Forestry - Coos Bay, 63612 Fifth Road, Coos Bay, 97420, telephone: 541-267-4136.

(7) Infested nurseries in Oregon: Confirmation of a P. ramorum infestation must be made by the ODA or an official cooperator. Nurseries are required to eradicate the disease as quickly as possible in accordance with USDA APHIS's Official Regulatory Protocol for Nurseries Containing Plants Infected with Phytophthora ramorum Version 8.2, revised March 27, 2014. Infested nurseries must also notify their customers of shipments of high-risk nursery stock [Camellia, Kalmia, Pieris, Rhododendron (including Azalea), and Viburnum] to non-regulated areas as required by the Federal Order for Phytophthora ramorum, (DA-2012-53, December 10, 2012). Nurseries from within the federally regulated area for P. ramorum (7 CFR 301.92) are subject to the following requirements:

(a) Nurseries from which P. ramorum has been detected in multiple growing seasons will be required to implement best management practices as described in USDA APHIS's official regulatory protocols for positive nurseries for the mitigation of Phytophthora disease in plants for planting. Alternatively, such nurseries may enter Oregon's Grower Assisted Inspection Program;

(b) Nurseries within the federally regulated area that ship interstate and from which P. ramorum has been detected since March 31, 2011, must comply with the requirements as described by the Federal Order Domestic Quarantine Phytophthora ramorum (DA-2014-02, January 10, 2014);

(c) Nurseries within the federally regulated area that do not ship interstate and from which P. ramorum has been detected since March 31, 2011, must be inspected annually as described in 7 CFR 301.92;

(d) Nurseries within the federally regulated area that ship interstate and from which P. ramorum has not been detected since March 31, 2011, must be inspected as described in ORS 571.145.

(e) Nurseries within the federally quarantined area must be inspected as described in 7 CFR 301.92.

NOTE: These best management practices and protocols and information about the GAIP for nurseries are available from the Oregon Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301, telephone: 503-986-4644.

(8) Special permits: The Department, upon receipt of an application in writing, may issue a special permit allowing movement into this state, or movement within this state, of regulated commodities not otherwise eligible for movement under the provisions of this quarantine order. Movement of such commodities will be subject to any conditions or restrictions stipulated in the permit, and these conditions and restrictions may vary depending upon the intended use of the commodity and the potential risk of escape or spread of P. ramorum.

(9) Violation of quarantine: Violation of this quarantine may result in a fine, if convicted, of not less than \$500 no more than \$5,000, as provided by ORS 561.990. In addition, violators will be subject to civil penalties of up to \$10,000 as provided by 561.995. Commodities shipped in violation of this quarantine may be treated, destroyed or returned to their point of origin without expense or indemnity paid by the state.

Stat. Auth.: ORS 561.190 & 561.560

Stats. Implemented: ORS 561.560

Hist.: DOA 1-2001(Temp), f. & cert. ef. 1-5-01 thru 4-4-01, DOA 5-2001, f. & cert. ef. 3-27-01; DOA 1-2005, f. & cert. ef. 1-24-05; DOA 4-2006, f. & cert. ef. 3-10-06; DOA 7-2007, f. & cert. ef. 3-27-07; DOA 5-2008, f. & cert. ef. 1-16-08; DOA 5-2009, f. & cert. ef. 4-9-09; DOA 21-2010, f. & cert. ef. 12-17-10; DFW 14-2011, f. & cert. ef. 9-9-11; DOA 6-2012, f. & cert. ef. 3-22-12; DOA 4-2013, f. & cert. ef. 3-1-13; DOA 5-2014, f. & cert. ef. 4-29-14; DOA 14-2014, f. & cert. ef. 8-22-14

Department of Consumer and Business Services, Building Codes Division Chapter 918

Rule Caption: Discipline against Oregon Inspector Certification in Conjunction with Discipline against any Building Inspection Certification.

Adm. Order No.: BCD 8-2014(Temp)

Filed with Sec. of State: 8-26-2014

Certified to be Effective: 8-26-14 thru 2-22-15

Notice Publication Date:

Rules Adopted: 918-098-1505

Subject: The Building Codes Division (Division) adopted inspector certification rules in 2005 that require an individual to hold an Oregon Inspector Certification in addition to any appropriate Oregon Code Certification or International Code Certification. The purpose was to create a central certification which the Division could regulate and use to hold certified inspectors accountable. Concern has been raised that the current rules do not clearly connect the purpose of the Oregon Inspector Certification to the enforcement powers granted the Division in ORS 455.740. The purpose of the temporary rule is to ensure that that any grounds for enforcement action against any building inspection program certification held by an individual is also grounds for action against the Oregon Inspector Certification held by that same individual.

Rules Coordinator: Holly A. Tucker—(503) 378-5331

918-098-1505

Oregon Inspector Certification Sanctions

When the Director is authorized to deny, condition, suspend, immediately suspend, revoke, or refuse to renew any building inspection program certification held by an individual, the Director may also deny, condition, suspend, immediately suspend, revoke, or refuse to renew the Oregon Inspector Certification held by that same individual. This rule is applied retroactively from July 7, 2005.

Stat. Auth.: ORS 455.030, 455.055, 455.110, 455.720, 455.730 & 455.740

Stats. Implemented: ORS 455.740

Hist.: BCD 8-2014(Temp), f. & cert. ef. 8-26-14 thru 2-22-15

Department of Consumer and Business Services, Division of Finance and Corporate Securities Chapter 441

Rule Caption: Establishes the process for accepting consumer finance licensing applications, renewals, and administrative actions via NMLS.

Adm. Order No.: FCS 3-2014

Filed with Sec. of State: 8-25-2014

Certified to be Effective: 8-25-14

Notice Publication Date: 3-1-2014

Rules Amended: 441-730-0010, 441-730-0030

ADMINISTRATIVE RULES

Subject: This permanent rule begins the establishment of the process by which licensees and prospective applicants must submit applications, renewals, and other administrative action through the Nationwide Mortgage Licensing System and Registry (NMLS). Prior to 2014, consumer finance lending licensees and prospective applicants submitted licensing materials via paper documentation or through the state's own online system. This permanent rule modifies the licensing and application definitions and clarifies fee for the transition or all licensing activity for consumer finance lenders to NMLS. A permanent rule is necessary to avoid missing key mandatory deadlines with NMLS that would allow for implementation and result in greater costs to the state and industry.

Rules Coordinator: Shelley Greiner—(503) 947-7484

441-730-0010

Definitions

(1) "Annual percentage rate" or "APR" means the annual percentage rate that every licensee is required by Regulation Z of the Federal Truth in Lending Act (Title I of the Consumer Credit Protection Act) to disclose to each of its credit customers.

(2) "Borrower" means a natural person.

(3) "Branch" means a physical location at which business is conducted and which is required to post a license under 725.160.

(4) "Charges" means any one or more of the fees, premiums or other charges described by ORS 725.340(2)(a), (3) and (4), and other items charged to a borrower's account; but the term does not include interest or deferral charges.

(5) "Deferral charges" means the additional charge assessed by a licensee made for deferring all unpaid installments as provided by ORS 725.340(2)(b). Deferral charges do not apply to loans with a single payment payback feature.

(6) "Director" means the Director of the Department of Consumer and Business Services.

(7) "Finance charge" means the cost of consumer credit as a dollar amount. It includes any charge payable directly or indirectly by the consumer and imposed directly or indirectly by the creditor as an incident to or a condition of the extension of credit. It does not include any charge of a type payable in a comparable cash transaction.

(8) "Formalized grading system" means a formula or computer program that determines the creditworthiness of individual borrowers based on information regarding the borrower's financial condition, such as the borrower's income, assets, debts and financial obligations, and the nature and value of any collateral used to secure the loan.

(9) "Fully amortized" means characterized by periodic payments, that if made as scheduled, result in full repayment of the principal and interest owed on a loan by the end of the loan term.

(10) "License" means a consumer finance license required to make consumer finance loans as described in ORS 725.045.

(11) "Legally qualified in this state" means a business is qualified to conduct business in this state, having made the appropriate filings with the Secretary of State.

(12) "Licensee" means a person in the business of making loans for periods of more than 60 days that have periodic payments.

(13) "Loan" means a loan that is subject to the Oregon Consumer Finance Act.

(14) "Loan underwriting" means a written or otherwise documented evaluation of the assumption of risk preceding the granting of a loan to a specific borrower, and may be fulfilled through use of a formalized grading system. Loan underwriting may be based on one or more of the following:

(a) Credit information furnished by the borrower, such as employment history, income, and outstanding obligations;

(b) A financial statement that includes income, assets and debts;

(c) Publicly available information concerning the borrower, that may include the borrower's credit report;

(d) The borrower's credit needs and willingness and ability to pay, including the nature and value of any collateral used to secure the loan.

(15) "Nationwide Mortgage Licensing System and Registry" or "NMLS" means a system that the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and successors develop and maintain for participating state agencies to use to register and license mortgage loan originators and non-depository companies and made available at www.nationwidelicencingsystem.org.

(16) "Periodic payments" means loan repayments scheduled for monthly or more frequent periods of time.

(17) "Person" means a natural person or an organization, including a corporation, partnership, proprietorship, association, limited liability company, or cooperative.

(18) "Register" means entering the general information into the NMLS that is required to utilize the system for licensing and renewal.

Stat. Auth.: ORS 725.320 & 725.505

Stats. Implemented: ORS 725.110, 725.140, 725.340, & 725.360

Hist.: BB 14, f. & ef. 11-15-76; BB 5-1982, f. 9-1-82, ef. 9-15-82; Renumbered from 805-075-0007; FCS 12-1988, f. 7-20-88, cert. ef. 8-1-88; FCS 2-2000, f. & cert. ef. 2-15-00; FCS 2-2001, f. 1-22-01, cert. ef. 3-22-01; FCS 6-2001(Temp), f. 6-29-01, cert. ef. 7-1-01 thru 12-25-01; FCS 13-2001, f. & cert. ef. 12-27-01; FCS 2-2004, f. & cert. ef. 8-5-04; FCS 5-2006, f. & cert. ef. 12-21-06; FCS 2-2007(Temp), f. 6-29-07, cert. ef. 7-1-07 thru 12-27-07; FCS 3-2009, f. & cert. ef. 6-2-09; FCS 6-2010, f. & cert. ef. 6-4-10; FCS 7-2013(Temp), f. 12-31-13, cert. ef. 1-1-14 thru 6-30-14; Administrative correction, 7-24-14; FCS 3-2014, f. & cert. ef. 8-25-14

441-730-0030

Fees, Charges Licensees Pay the Director

(1) In addition to any fees required to register with and participate in NMLS, an applicant or licensee shall pay:

(a) \$600 for an initial application for each location to be licensed; and

(b) \$600 for renewal for each licensed location, due and payable at the time that the request to renew is submitted through the NMLS.

(2) The rate of charge payable by a licensee is \$75 an hour per person payable by the licensee for the director and each examiner and other division employee used in an examination conducted under ORS 725.312 and for extra services provided a licensee under 725.185(2).

(3) Notwithstanding the rate of charge fixed by section (2) of this rule:

(a) If an examiner from the division or the director is required to travel out of state to conduct the examination or provide extra services, the rate of charge payable by the licensee is \$75 an hour per person, plus actual cost of travel. Actual travel costs include air fare, lodging, food, car usage out of state, mileage to the Oregon airport and return, and travel time beginning from the departure time and ending at the departure time at the destination city;

(b) If the extra services or examination is performed by a consultant hired by contract for the particular service or examination, the charge payable by the licensee is the actual cost to the division of the contract consultant.

(4) As used in this rule, "extra services" means any attention other than an examination given under ORS 725.310.

(5) In addition to the charges fixed by sections (2) and (3) of this rule, the director will collect from a licensee any additional costs directly attributable to extra services given the licensee under ORS 725.185 or a special examination given the licensee under ORS 725.310.

(6) The director may by order reduce the fees assessed for any specific year.

Stat. Auth.: ORS 725.185

Stats. Implemented: ORS 725.185

Hist.: FID 8-1985, f. & ef. 12-31-85; FCS 2-1988, f. 1-29-88, cert. ef. 2-1-88; Renumbered from 805-075-0015; FCS 12-1988, f. 7-20-88, cert. ef. 8-1-88; FCS 1-1989, f. 1-18-89, cert. ef. 2-1-89; FCS 1-2001, f. 1-22-01, cert. ef. 2-1-01; FCS 4-2003, f. 12-30-03 cert. ef. 1-1-04; FCS 4-2004, f. 11-1-04, cert. ef. 1-1-05; FCS 3-2005, f. & cert. ef. 9-6-05; FCS 1-2008, f. & cert. ef. 1-28-08; FCS 2-2009, f. & cert. ef. 2-3-09; FCS 3-2009, f. & cert. ef. 6-2-09; FCS 6-2010, f. & cert. ef. 6-4-10; FCS 7-2013(Temp), f. 12-31-13, cert. ef. 1-1-14 thru 6-30-14; Administrative correction, 7-24-14; FCS 3-2014, f. & cert. ef. 8-25-14

Rule Caption: Establishes the process for accepting consumer finance licensing applications, renewals, and administrative actions via NMLS

Adm. Order No.: FCS 4-2014

Filed with Sec. of State: 8-27-2014

Certified to be Effective: 8-27-14

Notice Publication Date: 3-1-2014

Rules Amended: 441-730-0025

Subject: This rule establishes the process by which licensees and prospective applicants must submit applications, renewals, and other administrative actions through the Nationwide Mortgage Licensing System and Registry (NMLS). The rule also rearranges existing provisions for clarity.

Prior to 2014, consumer finance lending licensees and prospective applicants submitted licensing materials via paper documentation or by the state's own online system. This rule clarifies and modifies the licensing and application procedures and makes mandatory the transition of all licensing activity for consumer finance lenders to NMLS. This rule follows the adoption of OAR 441-730-0010 and 441-730-

ADMINISTRATIVE RULES

0030, which added new definitions and clarified payment of licensing fees.

Rules Coordinator: Shelley Greiner—(503) 947-7484

441-730-0025

License Applications

(1) For purposes of ORS 725.120, an applicant for a license must submit an application attested to by an authorized owner or officer of the applicant through the Nationwide Mortgage Licensing System and Registry (NMLS).

(2) Applicants and licensees must comply with the registration, application, licensing, and renewal processes set forth in the NMLS.

(3)(a) An applicant, including a current licensee, must provide the employment history for a proposed manager of the licensed location for the five years immediately preceding the date of the application. A licensee employing a new manager may be required to submit a resume to meet the requirements of this section.

(b) The employment history for a license applicant's proposed manager must demonstrate verifiable recent experience in traditional lending, including but not limited to, experience obtained in banking, consumer finance, or mortgage lending. For purposes of this rule, "recent" means no less than three years out of the five years immediately preceding the date of application. Short-term lending experience alone is not a sufficient substitute for the required experience.

(c) At the request of the applicant and in the sole discretion of the director, education, extensive training, or other business experience may be substituted for the three out of five years of traditional lending experience. Factors that the director may consider include relevance of the education, or the number, complexity and types of transactions handled in the substituted business experience. Short-term lending experience alone is not a sufficient substitute for the required experience.

(4) A person not currently licensed with the director to make loans must submit:

(a) The employment history for all executive officers, owners, directors, or managing partners. A resume may be required to meet this requirement. At least one-half of the executive officers, owners, directors, or managing partners must have verifiable recent lending experience in banking, consumer finance, or mortgage lending;

(b) A business plan, including but not limited to:

(A) Financial and operational history of the applicant, if any;

(B) Copies of any loan documents that are proposed to be used;

(C) A description of the types of loans and the percentage of the different types of loans the applicant proposes to make, the length of the loans the applicant proposes to make, the interest rates or range of rates the applicant proposes to charge, and any other business activities the licensee will engage in at the location;

(D) The process by which the applicant will determine that loans to be made comply with requirements in OAR 441-730-0015(1); and

(E) Funding sources for the loans, including third-party financial institutions.

(5) For purposes of ORS 725.140 and this rule, the filing date of an application is the date the application is complete. An application must be deemed complete on the date:

(a) All required fees have been paid; and

(b) All fully completed documents that are part of an NMLS registration, NMLS application or that are required to be submitted by this rule have been received.

(6) An initial application for licensing is deemed abandoned if:

(a) The director has had one or more incomplete documents as part of an application for a minimum of 60 days; and

(b) The applicant has not responded within 30 days following a written notice from the director requesting submission of all fees, documents, or information necessary to make the application complete.

(7) An applicant whose initial application has been abandoned may reapply by submitting a new application including new fees.

(8) A consumer finance lending license shall expire on December 31 of each calendar year. At least 30 days prior to the expiration of the license, the licensee shall submit a complete renewal request, including renewing NMLS registration if applicable, and all prescribed renewal fees at OAR 441-730-0030 through NMLS. A renewal is not deemed effective until approved by the Director.

(9) In the event a licensee does not receive renewal approval from the Director by December 31, the license is deemed to have lapsed in NMLS.

(a) Reinstatement is available through NMLS through the last day of February of the renewal year. In order to reinstate the license, the licensee must apply for reinstatement using NMLS.

(b) If a licensee fails to reinstate by the last day in February of the renewal year they must reapply for a license.

(10) Conducting consumer finance activity in the state after an annual license expires and before the license approved for renewal constitutes unlicensed consumer finance activity in violation of ORS 725.045.

(11) The Director may refuse to renew a license if a reason exists to suspend or revoke under ORS 725.230.

(12) NMLS shall collect any fees required to be paid by applicants and licensees as authorized by ORS 725.185(1) on behalf of the Director. NMLS is required to forward these fees to the Department of Consumer and Business Services, pursuant to the terms of the written agreement between the Department of Consumer and Business Services and the Conference of State Bank Supervisors and its subsidiaries.

Stat. Auth.: ORS 725.505

Stats. Implemented: ORS 725.120 & 725.140

Hist.: FCS 5-2006, f. & cert. ef. 12-21-06; FCS 3-2009, f. & cert. ef. 6-2-09; FCS 6-2010, f.

& cert. ef. 6-4-10; FCS 7-2013(Temp), f. 12-31-13, cert. ef. 1-1-14 thru 6-30-14;

Administrative correction, 7-24-14; FCS 4-2014, f. & cert. ef. 8-27-14

Department of Corrections Chapter 291

Rule Caption: Use of Risk Assessment Tools to Classify Offenders and Assign their Level of Community Supervision

Adm. Order No.: DOC 19-2014(Temp)

Filed with Sec. of State: 8-29-2014

Certified to be Effective: 8-29-14 thru 2-25-15

Notice Publication Date:

Rules Amended: 291-078-0010, 291-078-0020, 291-078-0026, 291-078-0031

Subject: These temporary rule amendments are necessary to expressly incorporate by reference and identify by title and file with these rules the risk assessment tools adopted by the department to classify offenders according to risk to assign their level of community supervision. Specifically, these risk assessment tools are the Level of Service/Case Management Inventory, Ontario Domestic Assault Risk Assessment, Public Safety Checklist, Proxy, Static-99R, Stable-2007, and Acute-2007.

Rules Coordinator: Janet R. Worley—(503) 945-0933

291-078-0010

Definitions

(1) Agency: The Department of Corrections or county community corrections agencies.

(2) Case Management: A proactive and collaborative process which assesses, plans, implements, coordinates, monitors, and evaluates options and services to meet an offender's risks, needs, and responsibility factors. Case management is the process that links all the elements involved in an offender's management. The process of case management unifies procedures and personnel to balance resources and an offender's needs through their term of community supervision.

(3) Case Plan: A dynamic document created collaboratively with an offender that specifically identifies the offender's evidence-based assessed risk and needs, accompanied by risk reduction strategies and plans of action, with timelines.

(4) Evidence-Based Practices: The body of research and clinical knowledge that describes correctional assessment, programming, and supervision strategies that lead to improved correctional outcomes, such as risk reduction and increased public safety. Such principles not only meet the public's expectations for economical business strategies, efficiency, and effectiveness; but also reflect fairness and accountability.

(5) Intensive Supervision: An enhanced level of supervision exceeding a county's high risk level supervision standards. Intensive supervision may include, but not be limited to, electronic monitoring, house arrest, curfew, day reporting, supervised housing, multiple supervising officers, adjunct surveillance by law enforcement or other specialists, increased face-to-face offender contacts in the community, increased collateral contacts (such as with family, therapist and employer), community notification, geographic restrictions, offender mileage logs, medication monitoring (such as psychotropics, or antabuse), intensive outpatient or residential treatment programming, urinalysis, and polygraph.

ADMINISTRATIVE RULES

(6) Offender: Any person under the supervision of local community corrections who is on probation, parole, or post-prison supervision status.

(7) Risk of Violence: The identified potential of an offender to engage in or threaten to engage in behavior that constitutes physical force and/or the inflicting of injury on another person.

(8) Risk of Recidivism: The likelihood of an offender being convicted of a new felony within three years of release from prison or admission to probation.

(9) Sexually Violent Dangerous Offender (SVDO): A special designation by the Court and/or Board of Parole and Post-Prison Supervision as defined in ORS 144.635 subjecting the offender to intensive supervision for the full period of parole and/or post-prison supervision.

(10) Supervision Intake Date: The date upon which the agency supervisor assigns a new case offender to a supervising/intake officer.

(11) Supervision Period: The period of time an offender is under the supervision of an agency or agencies. The period of supervision may involve multiple cases and is interrupted only by Department of Correction incarceration, transfer of the offender's supervision out of state, case closure due to absconding, or legal termination of the final chronological case.

(12) Supervision Termination Date: The date established by the releasing/sentencing authority when the offender is no longer legally subject to community supervision.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 15-1991, f. & cert. ef. 6-14-91; CD 12-1997, f. 7-23-97, cert. ef. 8-1-97; DOC 9-2012(Temp), f. 8-31-12, cert. ef. 9-1-12 thru 2-28-13; DOC 3-2013, f. & cert. ef. 2-28-13; DOC 19-2014(Temp), f. & cert. ef. 8-29-14 thru 2-25-15

291-078-0020

Risk Assessment

(1) Proper assessment ensures the classification of offenders according to risk and their assignment to specified levels of community supervision. The following risk assessment tools are utilized by the department and county community corrections agencies for risk assessment of offenders:

(a) Level of Service/Case Management Inventory (LS/CMI) Section 1 General Risk/Need Factors (version Feb. 2013): A validated assessment tool used to determine an offender's risk to recidivate and identify criminogenic risk factors across eight domains Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug Problem, Procriminal Attitude/Orientation, Antisocial Pattern.

(b) Ontario Domestic Assault Risk Assessment (ODARA) (version June 2004): Actuarial risk assessment tool to assess risk of committing future battering in cases where a man or a woman has assaulted his partner.

(c) Public Safety Checklist (PSC)(version 2005): A statistical calculation developed by the Oregon Criminal Justice Commission in collaboration with the department's research unit to predict an offender's risk to recidivate within three years of release from custody or admission to probation.

(d) Proxy (version 2005): A three question validated risk assessment tool used to identify initial risk for offenders entering probation supervision.

(e) Stable-2007 (version Sept. 2012): Actuarial risk assessment designed to assess risk of sexually recidivating over time using static risk factors used in conjunction Acute-2007.

(f) Acute-2007 (version Aug. 2012): Actuarial risk and needs scale for the assessment of sexual offenders and the probability of sexual and violent recidivism based upon dynamic needs measured at each supervision contact.

(g) Static-99R and Definitions (version 2003, age coding August 2012): A ten item actuarial assessment instrument for use with adult sexual offenders who are at least 18 years of age at the time of admission to supervision.

(h) The risk assessment tools listed above are filed with this rule and are available at the department's website or on request from the department.

(2) New Case: Any offender received for community supervision who is not already under community supervision at the time of the admission to supervision shall be considered a new case. A risk assessment must be completed.

(a) The offender shall be considered a new case for a period of up to 30 days commencing with the supervision intake date. Authorization to extend the new case status an additional 30 days may be granted by the supervisor when extenuating circumstances warrant such extension. Approval for the extension may be documented in the case file.

(b) An absconder shall be considered a new case upon return to supervision if he/she has been absent from supervision for a period of six months or longer.

(c) An offender shall be considered a new case upon release from incarceration due to revocation or upon a new felony conviction.

(3) Risk Assessment:

(a) The assessment of risk will involve the use of the PSC, a validated risk assessment tool, which is an objective instrument that groups offenders according to their likelihood to recidivate.

(b) The assessment of risk will rely primarily on automated static risk factors to predict the likelihood to recidivate. The initial risk assessment score will be created as part of new case procedures.

(c) The computer generated score will place the offender in one of three risk levels: high, medium, or low.

(d) If an offender has no in-state arrest history or an extensive out-of-state criminal history, the PROXY risk tool will be used, which is a manual risk assessment tool and will serve as a proxy to the automated risk assessment tool and will determine the initial risk level.

(4) Risk, Needs, and Responsivity Assessment:

(a) The ongoing assessment of offenders risk, needs, and responsivity relies on a combination of both static and dynamic risk factors in order to predict recidivism and identify criminogenic needs and responsivity issues.

(b) The LS/CMI and a case plan, as described in OAR 291-078-0026, will be completed on all offenders determined to be of high or medium risk either by the PSC, Proxy, or by an approved override. The LS/CMI is not required on sexual offenders who are subject to the Stable/Acute and Static-99R.

(c) Offenders will be reassessed using the LS/CMI a minimum of every twelve months, or as circumstances warrant for high and medium level cases.

(d) The LS/CMI is not required on offenders that are assessed at the low level either by the PSC or by an approved override. Low level offenders may be reassessed using the PSC or LS/CMI as circumstances warrant.

(e) Nothing in this rule prevents an agency from completing an LS/CMI on a sexual offender or on a low level offender.

(5) Overrides:

(a) The override feature is intended to address risk factors that may not be included in the objective risk assessment instruments. These factors are based upon:

(A) Dynamic risk factors, which appear to impact the risk the offender poses to the community; or

(B) Policy and/or value statements on the part of the agency regarding the delivery of correctional services.

(b) The override feature provides for either increases or decreases in the level of supervision from that determined through the initial risk assessment score.

(c) All overrides must be based upon static and/or dynamic risk factors identified by one of the following tools, special offender designation, or the offender's availability for supervision:

(A) LS/CMI;

(B) Stable/Acute

(C) ODARA;

(D) SVDO;

(E) Policy; or

(F) Unavailable status, which includes

(i) In custody;

(ii) Warrant/Abscond;

(iii) Residential Treatment;

(iv) CMPO, Compacted Out of State; or

(v) Medical (Hospice, State Hospital, etc.)

(d) The assessing officer must indicate the single most appropriate category on the override screen.

(e) Approval of override requests by the officer's supervisor is not required; however, an agency may require this level of approval.

(f) All overrides must include a comment or a reason for the override.

(g) Supervision level changes due to override shall remain in effect until:

(A) A change in circumstances warrants a reassessment and subsequent adjustment in the level of supervision;

(B) The removal of the override is warranted and consistent with public safety and the reformation of the offender.

(6) In order to ensure a baseline of statewide consistency in the supervision of offenders, three basic levels of supervision have been established: high, medium, and low. The risk instrument shall, in most cases, determine which supervision level is appropriate. The county community corrections manager will establish minimum contact standards for each of the three supervision levels for new cases.

ADMINISTRATIVE RULES

(a) Standards will be in writing with the policies and procedures of the agency.

(b) The county will notify the Department of Corrections of the contact standards so that they can be coded into the Corrections Information System (CIS). The management reports generated by CIS will reflect the actual standards set in the county.

(7) An offender found to be a SVDO, as defined in ORS 144.635, shall be subject to intensive supervision for the full period of the offender's parole and post-prison supervision.

(8) Intensive supervision for the purposes of this rule means an enhanced level of supervision exceeding a county's high risk level supervision standards. Intensive supervision may include, but not be limited to, electronic monitoring, house arrest, curfew, day reporting, supervised housing, multiple supervising officers, adjunct surveillance by law enforcement or other specialists, increased face-to-face offender contacts in the community, increased collateral contacts (such as with family, therapist and employer), community notification, geographic restrictions, offender mileage logs, medication monitoring (such as depo provera, psychotropics, antabuse), intensive outpatient or residential treatment programming, urinalysis, and polygraph.

Stat. Auth.: ORS 144.637, 179.040, 423.020, 423.030 & 423.075

Stats. Implemented: ORS 144.637, 179.040, 423.020, 423.030 & 423.075

Hist.: CD 15-1991, f. & cert. ef. 6-14-91; CD 12-1997, f. 7-23-97, cert. ef. 8-1-97; DOC 4-2001, f. & cert. ef. 2-7-01; DOC 9-2012(Temp), f. 8-31-12, cert. ef. 9-1-12 thru 2-28-13; DOC 3-2013, f. & cert. ef. 2-28-13; DOC 19-2014(Temp), f. & cert. ef. 8-29-14 thru 2-25-15

291-078-0026

Community Case Management and Planning

(1) Community case management and planning is comprised of the following principles:

(a) When all community corrections staff and community stakeholders share appropriate information and assist in the case planning for offenders, both the quality of change and the safety of the community improve. Mutual respect, proper training, and on-going communication and cooperation provide the foundation for community case management;

(b) Case planning begins in the institution for those offenders releasing on parole or post-prison supervision. An effective community case management system will build upon the case planning that occurred in the institution;

(c) Each offender is treated as an individual rather than as a part of a group;

(d) Case management programs and interventions are structured around an individual's risk, need, and responsivity factors;

(e) Case plan programs and interventions contain clear and achievable goals where goal achievement is rewarded;

(f) Positive behaviors and personal accountability are expected in order to achieve goals;

(g) Each offender has the ability to provide input into their case plan;

(h) Quality pro-social interaction between all agency staff and offenders is the expectation and is an evidence-based practice that can be consistently offered throughout the correctional process;

(i) Offenders receive support in various ways, including education, employment, programs, and treatment services;

(j) The emphasis is on being proactive rather than waiting for problems to develop;

(k) Accurate record keeping for monitoring progress is a vital and on-going part of successful community case planning and case management;

(l) Feedback to the offender about case planning and progress is a vital and on-going part of successful community case management; and

(m) Quality assurance measures are utilized to ensure consistency and reliability of community case management techniques, as well as a consistent statewide case management approach.

(2) Individualized case plans shall be prepared on all high and medium risk offenders. Case plans may be prepared on all other offenders.

(a) The case plan will identify interventions, supervision strategies, programming, treatment, and educational/employment activities that are appropriate to the offender's strengths and needs;

(b) The case plan will promote positive change and assist in developing pro-social behaviors;

(c) The case plan process is intended to be collaborative in nature;

(d) The automated case plan in the Case Management Module shall be used when creating a case plan;

(e) Components of each case plan should contain or identify:

(A) Prioritized goals based upon assessments such as the LS/CMI, Stable/Acute and Static 99R, ODARA, (as referenced in this rule division) mental health status, or any other instruments assessing need or risk to recidivate;

(B) Desired outcomes for each goal;

(C) Action steps or tasks linking the offender to the appropriate services;

(i) Are time sensitive, measurable, achievable, and specific;

(ii) Are time specific and should not be identified as a range (e.g. 30-60 days) or as an unspecified period of time, (e.g. as needed);

(iii) Should identify who is responsible for accomplishing the action steps/tasks; and

(iv) Should prioritize completion dates.

(3) Officers should routinely review the case plan with the offender and modifications should be made as indicated by the offender's behavior, compliance with the plan, and responsivity to change.

(a) Progress should be outcome oriented, measurable, and recorded in case plan;

(b) When goals and action steps are completed, they should be replaced by the next prioritized risk/need areas identified.

(4) Reentry and release planning are part of the case planning process.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075

Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075

Hist.: DOC 9-2012(Temp), f. 8-31-12, cert. ef. 9-1-12 thru 2-28-13; DOC 3-2013, f. & cert. ef. 2-28-13; DOC 19-2014(Temp), f. & cert. ef. 8-29-14 thru 2-25-15

291-078-0031

Validation/Evaluation

(1) The Department of Corrections will subject the PSC to periodic validation in order to ensure that the tool is predicting risk within acceptable ranges.

(2) Evaluation of the community case management system will occur through:

(a) The ongoing assessment of operations through the operational review system;

(b) The ongoing informal feedback of users and recommendations of the Oregon Association of Community Corrections Directors Risk Assessment Workgroup; and

(c) The formal written evaluation of the system to determine operational effectiveness and accomplishments of identified purposes.

(3) A formal evaluation will occur at no more than five-year intervals.

(4) Each agency is responsible for quality assurance measures within their county.

(a) Case plans should be reviewed a minimum of every six months for high and medium cases and as needed for all other cases;

(b) Internal quality assurance measures such as peer review and supervisor audits should be used to maximize consistency and reliability of case management tasks. These reviews should be conducted on a regular basis as determined by the agency.

(c) Internal quality assurance may include:

(A) Spot checks of assessments, which may include the LS/CMI and Stable/Acute and Static 99R (as referenced in this rule division);

(B) Review of case plan development and maintenance;

(C) Observation, review, and feedback of LS/CMI (as referenced in this rule division) interviews or motivational interviews;

(D) Proper use of supervision overrides;

(E) Accurate and appropriate case documentation; and/or

(F) Adherence to case plan policies and procedures.

(d) External quality assurance measures, including peer review and formal audits, may be used to ensure a statewide case management practice.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075

Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075

Hist.: DOC 9-2012(Temp), f. 8-31-12, cert. ef. 9-1-12 thru 2-28-13; DOC 3-2013, f. & cert. ef. 2-28-13; DOC 19-2014(Temp), f. & cert. ef. 8-29-14 thru 2-25-15

Department of Environmental Quality

Chapter 340

Rule Caption: Increase Title V Permit Fees by the Consumer Price Index

Adm. Order No.: DEQ 10-2014

Filed with Sec. of State: 9-4-2014

Certified to be Effective: 9-4-14

Notice Publication Date: 6-1-2014

Rules Amended: 340-220-0030, 340-220-0040, 340-220-0050, 340-220-0060

ADMINISTRATIVE RULES

Subject: Summary:

The Oregon Environmental Quality Commission adopted rules to increase Title V operating permit fees by the change in the consumer price index as authorized by federal and state law. The fee increases are necessary for DEQ to provide essential services associated with Oregon's Title V operating permit program.

The commission increased fees for invoice year 2014 by 1.7 percent based on the Bureau of Labor Statistics September 2013 consumer price index for the period September 2012 to August 2013. DEQ will apply this CPI increase to permit fees on the invoices DEQ will issue in August 2014 for emission fees and the operating period Nov. 15, 2014, to Nov. 14, 2015.

Background:

Title V of the federal Clean Air Act requires each state to develop and implement a comprehensive operating permit program for major industrial sources of air pollution.

Oregon's Title V program:

- Administers federal health standards, air toxic requirements and other regulations to protect air quality.

- Issues, renews or modifies Title V permits to prevent or reduce air pollution through permit requirements.

- Completes required Title V inspections.

- Ensures that existing sources of air pollution comply with state and federal air emissions standards.

- Ensures that new sources of air pollution install controls such as filtration equipment, combustion controls and vapor controls needed to protect air quality.

- Issues public notices and information about the Title V program; and

- Provides other essential services such as emission inventories, technical assistance, inspections, enforcement, rule and policy development, data management and reporting to EPA.

Regulated parties:

The rules affect facilities that currently have a Title V permit and any facility that applies for this type of permit in the future.

Rules Coordinator: Maggie Vandehey—(503) 229-6878

340-220-0030

Annual Base Fee

(1) DEQ will assess an annual base fee of \$7,657 for each source subject to the Oregon Title V Operating Permit program for the period of November 15, 2013 to November 14, 2014.

(2) DEQ will assess an annual base fee of \$7,787 for each source subject to the Oregon Title V Operating Permit program for the period of November 15, 2014 to November 14, 2015, and for each annual period thereafter.

Stat. Auth.: ORS 468 & 468A

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 20-1993(Temp), f. & cert. ef. 11-4-93; DEQ 13-1994, f. & cert. ef. 5-19-94; DEQ 12-1995, f. & cert. ef. 5-23-95; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 7-1996, f. & cert. ef. 5-31-96; DEQ 9-1997, f. & cert. ef. 5-9-97; DEQ 12-1998, f. & cert. ef. 6-30-98; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2580; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01; DEQ 11-2003, f. & cert. ef. 7-23-03; DEQ 6-2004, f. & cert. ef. 7-29-04; DEQ 6-2005, f. & cert. ef. 7-11-05; DEQ 7-2006, f. & cert. ef. 6-30-06; DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08; Administrative correction 2-22-08; DEQ 10-2008, f. & cert. ef. 8-25-08; DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10; Administrative correction 3-18-10; DEQ 16-2010, f. & cert. ef. 12-20-10; DEQ 5-2012, f. & cert. ef. 7-2-12; DEQ 9-2012, f. & cert. ef. 12-11-12; DEQ 10-2014, f. & cert. ef. 9-4-14

340-220-0040

Emission Fee

(1) DEQ will assess an emission fee of \$ 57.90 per ton of each regulated pollutant emitted during calendar year 2012 to each source subject to the Oregon Title V Operating Permit Program.

(2) DEQ will assess an emission fee of \$58.88 per ton of each regulated pollutant emitted during calendar year 2013 and for each calendar year thereafter to each source subject to the Oregon Title V Operating Permit Program.

(3) The emission fee will be applied to emissions based on the elections made according to OAR 340-220-0090.

Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 20-1993(Temp), f. & cert. ef. 11-4-93; DEQ 13-1994, f. & cert. ef. 5-19-94; DEQ 12-1995, f. & cert. ef. 5-23-95; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 7-1996, f. & cert. ef. 5-31-96; DEQ 9-1997, f. & cert. ef. 5-9-97; DEQ 12-1998, f. & cert. ef. 6-30-98; DEQ 10-

1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2590; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01; DEQ 11-2003, f. & cert. ef. 7-23-03; DEQ 6-2004, f. & cert. ef. 7-29-04; DEQ 6-2005, f. & cert. ef. 7-11-05; DEQ 7-2006, f. & cert. ef. 6-30-06; DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08; Administrative correction 2-22-08; DEQ 10-2008, f. & cert. ef. 8-25-08; DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10; Administrative correction 3-18-10; DEQ 16-2010, f. & cert. ef. 12-20-10; DEQ 5-2012, f. & cert. ef. 7-2-12; DEQ 9-2012, f. & cert. ef. 12-11-12; DEQ 10-2014, f. & cert. ef. 9-4-14

340-220-0050

Specific Activity Fees

(1) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source for the period of January 1, 2013 to August 31, 2014 as follows:

(a) Existing source permit revisions:

(A) Administrative* —\$466;

(B) Simple —\$1,867;

(C) Moderate —\$14,008;

(D) Complex —\$28,016.

(b) Ambient air monitoring review —\$3,735.

(2) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source as of September 1, 2014 as follows:

(a) Existing source permit revisions:

(A) Administrative* —\$474;

(B) Simple —\$1,899;

(C) Moderate —\$14,245;

(D) Complex —\$28,491.

(b) Ambient air monitoring review —\$3,798.

NOTE: *Includes revisions specified in OAR 340-218-0150(1)(a) through (g). Other revisions specified in OAR 340-218-0150 are subject to simple, moderate or complex revision fees.

(3) DEQ will assess the following specific activity fee for an Oregon Title V Operating Permit program source for annual greenhouse gas reporting, as required by OAR 340-215-0060(1) —15 percent of the following, not to exceed \$4,500:

(a) The applicable annual base fee (for the period of November 15 of the current year to November 14 of the following year); and

(b) The applicable annual emission fee (for emissions during the previous calendar year).

Stat. Auth.: ORS 468 & 468A

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 20-1993(Temp), f. & cert. ef. 11-4-93; DEQ 13-1994, f. & cert. ef. 5-19-94; DEQ 12-1998, f. & cert. ef. 6-30-98; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2600; DEQ 8-2000, f. & cert. ef. 6-6-00; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01; DEQ 11-2003, f. & cert. ef. 7-23-03; DEQ 6-2004, f. & cert. ef. 7-29-04; DEQ 6-2005, f. & cert. ef. 7-11-05; DEQ 7-2006, f. & cert. ef. 6-30-06; DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08; Administrative correction 2-22-08; DEQ 10-2008, f. & cert. ef. 8-25-08; DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10; DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10; Administrative correction 7-27-10; DEQ 12-2010, f. & cert. ef. 10-27-10; DEQ 16-2010, f. & cert. ef. 12-20-10; DEQ 11-2011, f. & cert. ef. 7-21-11; DEQ 12-2011, f. & cert. ef. 7-21-11; DEQ 5-2012, f. & cert. ef. 7-2-12; DEQ 9-2012, f. & cert. ef. 12-11-12; DEQ 10-2014, f. & cert. ef. 9-4-14

340-220-0060

Pollutants Subject to Emission Fees

(1) The Department will assess emission fees on emissions of regulated pollutants up to and including 7,000 tons per year of all regulated pollutants for each source each calendar year thereafter.

(2) The owner or operator must pay emission fees for all regulated pollutants emitted from the source, except as limited in section (1).

Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468A.025

Hist.: DEQ 20-1993(Temp), f. & cert. ef. 11-4-93; DEQ 13-1994, f. & cert. ef. 5-19-94; DEQ 19-1996, f. & cert. ef. 9-24-96; DEQ 10-1999, f. & cert. ef. 7-1-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2610; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08; Administrative correction 2-22-08; DEQ 10-2008, f. & cert. ef. 8-25-08; DEQ 10-2014, f. & cert. ef. 9-4-14

Department of Fish and Wildlife Chapter 635

Rule Caption: Summer Sport Pacific Halibut All-Depth Season from Cape Falcon to Humbug Mountain Closes.

Adm. Order No.: DFW 123-2014(Temp)

Filed with Sec. of State: 8-21-2014

Certified to be Effective: 8-21-14 thru 12-31-14

Notice Publication Date:

Rules Amended: 635-039-0085

Rules Suspended: 635-039-0085(T)

Subject: This amended rule closes the all-depth summer sport fishery for Pacific halibut in the area between Cape Falcon and

ADMINISTRATIVE RULES

Humbug Mountain, Oregon at 11:59 p.m. on Thursday, August 21, 2014 due to the projected attainment of the pre-season quota of 46,405 pounds. This rule is consistent with regulations previously implemented by the federal government and the International Pacific Halibut Commission for the 2014 Oregon sport fishery for Pacific halibut.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-039-0085

Halibut Seasons

(1) The Pacific halibut sport fishery in Oregon is regulated by the federal government and the International Pacific Halibut Commission (IPHC). OAR chapter 635, division 39 incorporates into Oregon Administrative Rules, by reference:

(a) Title 50 of the Code of Federal Regulations, Part 300, Subpart E (October 1, 2013 ed.), as amended;

(b) Federal Register Vol. 79, No. 48, dated March 12, 2014 (79 FR 3906); and

(c) Federal Register Vol. 79, No. 65, dated April 4, 2014 (79 FR 18827).

(2) Therefore, persons must consult all publications referenced in this rule in addition to division 39 to determine applicable halibut fishing seasons.

(3) Effective 11:59 p.m. Friday, June 27, 2014 the Central Oregon Coast Subarea (Cape Falcon to Humbug Mountain) spring all-depth season is closed to the retention of Pacific halibut.

(4) Effective 11:59 p.m. Thursday, August 21, 2014 the Central Oregon Coast Subarea (Cape Falcon to Humbug Mountain) summer all-depth season is closed to the retention of Pacific halibut.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 496.138, 496.162, 506.036, 506.109, 506.119, 506.129

Stats. Implemented: ORS 496.162, 506.129

Hist.: DFW 56-2005, f. 6-21-05, cert. ef. 7-1-05; DFW 89-2005(Temp), f. & cert. ef. 8-12-05 thru 12-12-05; DFW 107-2005(Temp), f. 9-14-05, cert. ef. 9-15-05 thru 10-31-05; DFW 121-2005(Temp), f. 10-12-05, cert. ef. 10-18-05 thru 12-31-05; Administrative correction 1-19-06; DFW 34-2006(Temp), f. 5-25-06, cert. ef. 5-27-06 thru 8-3-06; Administrative correction 8-22-06; DFW 3-2007, f. & cert. ef. 1-12-07; DFW 35-2007(Temp), f. 5-25-07, cert. ef. 5-26-07 thru 8-2-07; DFW 67-2007(Temp), f. 8-9-07, cert. ef. 8-12-07 thru 9-30-07; DFW 76-2007(Temp), f. 8-17-07, cert. ef. 8-24-07 thru 9-30-07; DFW 84-2007(Temp), f. 9-5-07, cert. ef. 9-15-07 thru 9-30-07; DFW 87-2007(Temp), f. 9-10-07, cert. ef. 9-14-07 thru 10-28-07; DFW 90-2007(Temp), f. 9-19-07, cert. ef. 9-20-07 thru 10-31-07; Administrative correction 11-17-07; DFW 57-2008(Temp), f. 5-30-08, cert. ef. 6-1-08 thru 7-31-08; DFW 81-2008(Temp), f. 7-11-08, cert. ef. 8-2-08 thru 9-30-08; DFW 92-2008(Temp), f. & cert. ef. 8-11-08 thru 9-30-08; DFW 101-2008(Temp), f. 8-25-08, cert. ef. 8-29-08 thru 9-30-08; DFW 107-2008(Temp), f. 9-5-08, cert. ef. 9-7-08 thru 12-31-08; DFW 111-2008(Temp), f. & cert. ef. 9-16-08 thru 12-31-08; DFW 120-2008(Temp), f. 9-25-08, cert. ef. 9-27-08 thru 12-31-08; DFW 156-2008, f. 12-31-08, cert. ef. 1-1-09; DFW 39-2009, f. & cert. ef. 4-27-09; DFW 55-2009(Temp), f. & cert. ef. 5-22-09 thru 8-6-09; DFW 94-2009(Temp), f. 8-14-09, cert. ef. 8-16-09 thru 12-31-09; Administrative correction 1-25-10; DFW 32-2010, f. & cert. ef. 3-15-10; DFW 37-2010, f. 3-30-10, cert. ef. 4-1-10; DFW 100-2010(Temp), f. 7-15-10, cert. ef. 7-17-10 thru 10-31-10; DFW 118-2010(Temp), f. & cert. ef. 8-13-10 thru 10-31-10; Administrative correction 11-23-10; DFW 24-2011, f. & cert. ef. 3-22-11; DFW 58-2011(Temp), f. 5-27-11, cert. ef. 6-4-11 thru 8-4-11; DFW 82-2011(Temp), f. 6-30-11, cert. ef. 7-1-11 thru 8-4-11; DFW 85-2011(Temp), f. 7-5-11, cert. ef. 7-6-11 thru 10-31-11; DFW 114-2011(Temp), f. & cert. ef. 8-12-11 thru 10-31-11; DFW 135-2011(Temp), f. 9-21-11, cert. ef. 10-1-11 thru 12-31-11; DFW 39-2012, f. & cert. ef. 4-24-12; DFW 84-2012(Temp), f. & cert. ef. 7-5-12 thru 8-2-12; DFW 91-2012(Temp), f. 7-19-12, cert. ef. 7-22-12 thru 10-31-12; DFW 111-2012(Temp), f. 8-23-12, cert. ef. 8-24-12 thru 12-31-12; DFW 123-2012(Temp), f. 9-19-12, cert. ef. 9-24-12 thru 10-31-12; Administrative correction 11-23-12; DFW 65-2013(Temp), f. 6-27-13, cert. ef. 6-28-13 thru 8-2-13; DFW 78-2013(Temp), f. & cert. ef. 7-23-13 thru 10-31-13; DFW 86-2013(Temp), f. & cert. ef. 8-8-13 thru 10-31-13; Administrative correction, 11-22-13; DFW 36-2014, f. 4-29-14, cert. ef. 5-1-14; DFW 80-2014(Temp), f. 6-26-14, cert. ef. 6-27-14 thru 12-24-14; DFW 123-2014(Temp), f. & cert. ef. 8-21-14 thru 12-31-14

Rule Caption: Commercial Fall Drift Gill Net Fisheries Set for the Mainstem Columbia River.

Adm. Order No.: DFW 124-2014(Temp)

Filed with Sec. of State: 8-26-2014

Certified to be Effective: 8-26-14 thru 9-30-14

Notice Publication Date:

Rules Amended: 635-042-0031

Rules Suspended: 635-042-0031(T)

Subject: This amended rule extends the ongoing early fall commercial salmon drift gill net season with the addition of two 9 hour fishing periods with the first new period beginning at 9:00 p.m. Thursday, August 28, 2014 in Zones 4 and 5 of the Columbia River. Allowed sales include Chinook, coho, pink and sockeye salmon and shad.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-042-0031

Early Fall Salmon Season

(1) Salmon and shad may be taken for commercial purposes in the waters of the Columbia River: Zones 4–5, as identified in OAR 635-042-0001. The deadline at the lower end of Zone 4 is defined as a straight line projected from the Warrior Rock Lighthouse on the Oregon shore easterly through the green navigation Buoy #1 and continuing to the Washington shore.

(a) Authorized fishing periods are as follows:

9:00 p.m. Tuesday, August 26 to 6:00 a.m. Wednesday, August 27 (9 hours);

9:00 p.m. Thursday, August 28 to 6:00 a.m. Friday, August 29 (9 hours); and

9:00 p.m. Monday, September 1 to 6:00 a.m. Tuesday, September 2 (9 hours);

(b) Sanctuaries include: Washougal and Sandy rivers.

(c) Gear is restricted to drift gill nets only with 9 inch minimum mesh size. The multiple net rule is NOT in effect and nets not authorized for this fishery are prohibited to be onboard the vessel.

(d) Allowable sales include: Chinook, coho, pink, and sockeye salmon and shad.

(2) Non-Indian mainstem commercial research fishery:

(a) Salmon and shad may be taken with seine gear by those individuals possessing a 2014 seine permit issued by Oregon or Washington (Emerging Fishery license and Experimental Fishery Permit in WA; Experimental Gear Permit in OR).

(b) Season: — Area:

6:00 a.m. to 7:30 p.m. Tuesday, August 26 (13.5 hours) — Zones 1–2.

6:00 a.m. to 7:30 p.m. Thursday, August 28 (13.5 hours) — Zones 1–2.

6:00 a.m. to 7:30 p.m. Tuesday, September 2 (13.5 hours) — Zones 1–5.

6:00 a.m. to 7:30 p.m. Wednesday, September 3 (13.5 hours) — Zones 1–5.

6:00 a.m. to 7:30 p.m. Thursday, September 4 (13.5 hours) — Zones 1–5.

6:00 a.m. to 7:30 p.m. Monday, September 8 (13.5 hours) — Zones 1–5.

6:00 a.m. to 7:30 p.m. Tuesday, September 9 (13.5 hours) — Zones 1–5.

6:00 a.m. to 7:30 p.m. Wednesday, September 10 (13.5 hours) — Zones 1–5.

6:00 a.m. to 7:30 p.m. Thursday, September 11 (13.5 hours) — Zones 1–5.

6:30 a.m. to 7:00 p.m. Monday, September 15 (12.5 hours) — Zones 1–5.

6:30 a.m. to 7:00 p.m. Wednesday, September 17 (12.5 hours) — Zones 1–5.

6:30 a.m. to 7:00 p.m. Monday, September 22 (12.5 hours) — Zones 1–5.

6:30 a.m. to 7:00 p.m. Wednesday, September 24 (12.5 hours) — Zones 1–5.

6:30 a.m. to 7:00 p.m. Monday, September 29 (12.5 hours) — Zones 1–5.

(c) Sanctuaries: Elochoman-A, Cowlitz, Kalama-A, Lewis-A, Sandy, and Washougal rivers. Fishing in Select Area commercial fishing sites is prohibited.

(d) Gear:

(A) Beach or purse seine gear is allowed. Only one net is allowed per participating vessel.

(B) Mesh size restricted to a 3.5-inch maximum (inside of knot to outside of knot using hand tension stretched measure).

(C) Net material to consist of 3-strand nylon; twine size greater than or equal to #12.

(D) Seines may include a bunt of 1.0–2.0 inch knotless mesh.

(E) Net length not to exceed 200 fathoms (including associated lead nets) and depth not to exceed 200 meshes. Seine and lead lines may not be connected. Lead nets must be retrieved daily.

(F) No restrictions on corkline, leadline or use of stringers and slackers.

(G) A chafing strip panel consisting of non-monofilament webbing (such as nylon seine web or polyethylene trawl web) is allowed on bottom of net; maximum panel depth is five feet. Chafing mesh not to exceed 3.5-inch stretched measure for beach seines and 5-inch stretched measure for purse seines. There are no restrictions associated with hangings used to connect the net to the chafing panel or the net or chafing panel to the leadline or corkline.

(H) Red corks are required at 25-fathom intervals and red corks must be in contrast to the corks used in the remainder of the net.

(e) Allowable sales include: Adipose or left ventral fin-clipped Chinook, adipose-clipped coho, pink and sockeye salmon and shad. Subject to Individual Fishing Quotas (as defined in the 2014 seine permits) and fishing regulations, all legally caught salmon must be landed.

(f) Hand sorting or use of a knotless dip net is required for sorting. All fish must be sorted and/or released prior to removing entire seine from the water. Dry sorting is not permitted.

(g) Sort time is not to exceed 75 minutes:

(A) For beach seines, sort time is defined as the elapsed time from when the outer towed end of the net first contacts the shore or block until the net is emptied of fish.

(B) For purse seines, sort time is defined as the elapsed time from when all rings are pursed and out of the water until the net is emptied of fish.

(h) As a condition of fishing, agency observers are required to be present at all times during fishing operations.

Stat. Auth.: ORS 496.118, 506.109 & 506.129

ADMINISTRATIVE RULES

Stats. Implemented: ORS 506.119 & 507.030
Hist.: FWC 63-1987, f. & cert. ef. 8-7-87; FWC 67-1988, f. & cert. ef. 8-15-88; FWC 68-1988(Temp), f. & cert. ef. 8-15-88; FWC 54-1989(Temp), f. & cert. ef. 8-7-89; FWC 56-1989(Temp), f. & cert. ef. 8-11-89; FWC 58-1989(Temp), f. & cert. ef. 8-14-89; FWC 80-1989(Temp), f. & cert. ef. 8-28-89, cert. ef. 8-29-89; FWC 80-1990(Temp), f. & cert. ef. 8-8-90; FWC 85-1991, f. & cert. ef. 8-7-91, cert. ef. 8-12-91; FWC 91-1991(Temp), f. & cert. ef. 8-29-91; FWC 73-1992(Temp), f. & cert. ef. 8-10-92; FWC 46-1996, f. & cert. ef. 8-23-96; FWC 53-1996(Temp), f. & cert. ef. 9-16-96; FWC 49-1997, f. & cert. ef. 8-20-97, cert. ef. 8-24-97; FWC 74-1998(Temp), f. & cert. ef. 8-25-98 thru 8-26-98; DFW 59-1999(Temp), f. & cert. ef. 8-23-99 thru 9-11-99; DFW 75-1999(Temp), f. & cert. ef. 9-29-99, cert. ef. 9-30-99 thru 10-22-99; Administrative correction 11-17-99; DFW 50-2000(Temp), f. & cert. ef. 8-18-00, cert. ef. 8-21-00 thru 9-9-00; DFW 52-2000(Temp), f. & cert. ef. 8-23-00, cert. ef. 8-23-00 thru 8-24-00; Administrative correction 6-20-01; DFW 68-2001(Temp), f. & cert. ef. 8-7-01, cert. ef. 8-8-01 thru 8-9-01; DFW 76-2001(Temp), f. & cert. ef. 8-20-01 thru 10-31-01; DFW 79-2001(Temp), f. & cert. ef. 8-22-01 thru 12-31-01; DFW 80-2001(Temp), f. & cert. ef. 8-24-01 thru 12-31-01; DFW 86-2001(Temp), f. & cert. ef. 9-4-01 thru 12-31-01; DFW 81-2002(Temp), f. & cert. ef. 8-2-02, cert. ef. 8-4-02 thru 8-9-02; DFW 87-2002(Temp), f. & cert. ef. 8-9-02 thru 8-12-02; DFW 89-2002(Temp), f. & cert. ef. 8-16-02, cert. ef. 8-18-02 thru 12-31-02; DFW 75-2003(Temp), f. & cert. ef. 8-1-03 thru 12-31-03; DFW 77-2003(Temp), f. & cert. ef. 8-13-03 thru 12-31-03; DFW 82-2003(Temp), f. & cert. ef. 8-25-03 thru 12-31-03; DFW 87-2003(Temp), f. & cert. ef. 8-27-03 thru 12-31-03; DFW 81-2004(Temp), f. & cert. ef. 8-12-04 thru 12-31-04; DFW 82-2004(Temp), f. & cert. ef. 8-16-04 thru 12-31-04; DFW 86-2004(Temp), f. & cert. ef. 8-19-04 thru 12-31-04; DFW 88-2004(Temp), f. & cert. ef. 8-23-04 thru 12-31-04; Administrative correction, 2-18-05; DFW 85-2005(Temp), f. & cert. ef. 8-3-05 thru 12-31-05; DFW 88-2005(Temp), f. & cert. ef. 8-14-05 thru 12-31-05; DFW 90-2005(Temp), f. & cert. ef. 8-17-05 thru 12-31-05; DFW 96-2005(Temp), f. & cert. ef. 8-22-05 thru 12-31-05; DFW 98-2005(Temp), f. & cert. ef. 8-24-05, cert. ef. 8-25-05 thru 12-31-05; Administrative correction 1-19-06; DFW 72-2006(Temp), f. & cert. ef. 8-2-06 thru 12-31-06; DFW 82-2006(Temp), f. & cert. ef. 8-11-06, cert. ef. 8-13-06 thru 12-31-06; DFW 88-2006(Temp), f. & cert. ef. 8-21-06 thru 12-31-06; DFW 89-2006(Temp), f. & cert. ef. 8-24-06, cert. ef. 8-25-06 thru 12-31-06; Administrative correction 1-16-07; DFW 61-2007(Temp), f. & cert. ef. 7-30-07, cert. ef. 8-1-07 thru 10-31-07; DFW 72-2007(Temp), f. & cert. ef. 8-23-07 thru 8-31-07; Administrative correction 9-16-07; DFW 85-2008(Temp), f. & cert. ef. 7-24-08, cert. ef. 8-1-08 thru 12-31-08; DFW 93-2008(Temp), f. & cert. ef. 8-12-08 thru 12-31-08; DFW 95-2008(Temp), f. & cert. ef. 8-14-08 thru 9-30-08; DFW 100-2008(Temp), f. & cert. ef. 8-22-08, cert. ef. 8-25-08 thru 9-30-08; DFW 102-2008(Temp), f. & cert. ef. 8-26-08 thru 9-1-08; Administrative correction 9-29-08; Administrative correction 10-21-08; DFW 89-2009(Temp), f. & cert. ef. 8-4-09 thru 12-31-09; DFW 90-2009(Temp), f. & cert. ef. 8-7-09, cert. ef. 8-8-09 thru 12-31-09; DFW 96-2009(Temp), f. & cert. ef. 8-21-09 thru 8-31-09; DFW 97-2009(Temp), f. & cert. ef. 8-25-09 thru 8-31-09; DFW 100-2009(Temp), f. & cert. ef. 8-27-09 thru 8-31-09; Administrative correction 9-29-09; DFW 112-2010(Temp), f. & cert. ef. 7-30-10, cert. ef. 8-3-10 thru 8-31-10; DFW 121-2010(Temp), f. & cert. ef. 8-18-10, cert. ef. 8-19-10 thru 8-31-10; Administrative correction 9-22-10; DFW 132-2010(Temp), f. & cert. ef. 9-2-10 thru 10-31-10; DFW 137-2010(Temp), f. & cert. ef. 9-24-10 thru 10-31-10; Administrative correction 11-23-10; DFW 105-2011(Temp), f. & cert. ef. 8-2-11, cert. ef. 8-4-11 thru 8-31-11; DFW 120-2011(Temp), f. & cert. ef. 8-26-11, cert. ef. 8-28-11 thru 9-14-11; DFW 128-2011(Temp), f. & cert. ef. 9-14-11, cert. ef. 9-18-11 thru 9-30-11; DFW 134-2011(Temp), f. & cert. ef. 9-22-11 thru 9-30-11; DFW 136-2011(Temp), f. & cert. ef. 9-28-11 thru 10-5-11; DFW 140-2011(Temp), f. & cert. ef. 10-5-11 thru 10-12-11; DFW 144-2011(Temp), f. & cert. ef. 10-11-11, cert. ef. 10-13-11 thru 10-31-11; DFW 147-2011(Temp), f. & cert. ef. 10-17-11, cert. ef. 10-18-11 thru 10-31-11; Administrative correction, 11-18-11; DFW 98-2012(Temp), f. & cert. ef. 7-31-12, cert. ef. 8-5-12 thru 10-31-12; DFW 112-2012(Temp), f. & cert. ef. 8-24-12, cert. ef. 8-26-12 thru 10-31-12; DFW 121-2012(Temp), f. & cert. ef. 9-18-12 thru 10-31-12; Administrative correction 11-23-12; DFW 83-2013(Temp), f. & cert. ef. 7-29-13, cert. ef. 8-11-13 thru 8-31-13; DFW 95-2013(Temp), f. & cert. ef. 8-23-13, cert. ef. 8-25-13 thru 8-31-13; DFW 97-2013(Temp), f. & cert. ef. 8-27-13, cert. ef. 8-28-13 thru 8-31-13; DFW 101-2013(Temp), f. & cert. ef. 9-13-13, cert. ef. 9-15-13 thru 9-30-13; DFW 105-2013(Temp), f. & cert. ef. 9-19-13 thru 9-30-13; DFW 108-2013(Temp), f. & cert. ef. 9-25-13, cert. ef. 9-26-13 thru 9-30-13; DFW 113-2013(Temp), f. & cert. ef. 9-27-13, cert. ef. 10-1-13 thru 10-16-13; Administrative correction, 11-22-13; DFW 107-2014(Temp), f. & cert. ef. 7-30-14, cert. ef. 8-3-14 thru 8-31-14; DFW 121-2014(Temp), f. & cert. ef. 8-13-14 thru 9-30-14; DFW 124-2014(Temp), f. & cert. ef. 8-26-14 thru 9-30-14

Rule Caption: Amend Rule to Allow Copper Conical Bullets During Muzzleloader Seasons

Adm. Order No.: DFW 125-2014(Temp)

Filed with Sec. of State: 8-26-2014

Certified to be Effective: 8-26-14 thru 2-1-15

Notice Publication Date:

Rules Amended: 635-065-0705

Subject: Currently lead free copper conical bullets, although nontoxic, are not identified as a legal option for hunting big game during muzzleloader seasons.

This rule amendment would add lead free copper conical bullets as an option for hunters during muzzleloader-only seasons and 600 series hunts where there is a weapon restriction of shotgun/muzzleloader only or archery/muzzleloader only.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-065-0705

Muzzleloading Rifles

During controlled muzzleloader only seasons:

- (1) Hunters shall use any long gun that:
 - (a) Is fired from the shoulder;
 - (b) Is loaded from the muzzle;
 - (c) Has an open ignition system;
 - (d) Is a single shot except for muzzleloading shotguns that may be double barreled;

(e) Scopes (permanent or detachable), and sights that use batteries, artificial light or power, are not allowed during muzzleloader-only seasons or during 600 series hunts where there is a weapon restriction of “shotgun/muzzleloader only” or “archery/muzzleloader only”. However, this restriction does not apply to a visually impaired hunter who has a visual acuity of $\leq 20/200$ with lenses or visual field of ≤ 20 degrees, provided that the hunter holds an Oregon Disabilities Hunting and Fishing Permit. Open and peep sights made from alloys, plastic, or other materials that do not have the properties described above are legal. Open or iron sights that make use of fiber optics or fluorescent paint are also legal.

(2) During muzzleloader-only seasons and 600 series hunts where there is a weapon restriction of shotgun/muzzleloader only or archery/muzzleloader only, it is illegal to hunt with jacketed bullets, sabots, and bullets with plastic or synthetic tips or bases. Only the following projectile/bullet types are allowed:

(a) Round balls made of lead, lead alloy, or federally-approved nontoxic shot material, used with cloth, paper or felt patches;

(b) Conical bullets made of lead, lead alloy, or federally-approved nontoxic shot material, with a length that does not exceed twice the diameter;

(c) Lead free copper conical bullets.

(3) Hunters shall use only flint or percussion caps as a source of ignition.

(4) Hunters shall use only loose or granular black powder or black powder substitutes as propellants.

(5) Any .40 caliber or larger muzzleloader as described in OAR 635-065-0705(1)–(4) to hunt pronghorn antelope, black bear, cougar (mountain lion), or deer.

(6) Any .50 caliber or larger muzzleloader as described in OAR 635-065-0705(1)–(4) to hunt bighorn sheep, Rocky Mountain goat, or elk.

(7) Hunters shall use only number 1 or larger buckshot or bullets as described in OAR 635-065-0705(2) for hunting deer, black bear or cougar (mountain lion).

(8) Hunters shall use only single projectiles as described in OAR 635-065-0705(2) for hunting pronghorn antelope, elk, bighorn sheep, or Rocky Mountain goat.

(9) Hunters may only use a legal muzzleloading firearm as described in OAR 635-065-0705. During centerfire firearms seasons where muzzleloaders are also a legal firearm, hunters may:

(a) Use any .40 caliber or larger muzzleloading firearm to hunt pronghorn antelope, black bear, cougar (mountain lion), or deer.

(b) Use any .50 caliber or larger muzzleloading firearm to hunt bighorn sheep, Rocky Mountain goat, or elk. (c) Use any muzzleloader ignition type (excepting matchlock), any sight, any propellant, or any bullet type.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 123, f. & cert. ef. 6-9-77; FWC 28-1979, f. & cert. ef. 8-2-79; FWC 33-1980, f. & cert. ef. 6-30-80; FWC 6-1981, f. & cert. ef. 1-23-81; FWC 11-1981, f. & cert. ef. 3-31-81; FWC 20-1981, f. & cert. ef. 6-19-81; FWC 21-1982, f. & cert. ef. 3-31-82; FWC 37-1982, f. & cert. ef. 6-25-82; FWC 15-1983, f. & cert. ef. 4-19-83; FWC 28, f. & cert. ef. 7-8-83; FWC 34-1984, f. & cert. ef. 7-24-84; FWC 21-1985, f. & cert. ef. 5-7-85; FWC 43-1985, f. & cert. ef. 8-22-85; FWC 11-1987, f. & cert. ef. 3-6-87; FWC 38-1988, f. & cert. ef. 6-13-88; FWC 15-1989, f. & cert. ef. 3-28-89; FWC 63-1989, f. & cert. ef. 8-15-89; FWC 18-1994, f. & cert. ef. 3-30-94, cert. ef. 5-1-94; FWC 9-1997, f. & cert. ef. 2-27-97; FWC 71-1997, f. & cert. ef. 12-29-97; DFW 49-1998, f. & cert. ef. 6-22-98; DFW 1-1999, f. & cert. ef. 1-14-99; DFW 92-1999, f. & cert. ef. 12-8-99, cert. ef. 1-1-00; DFW 82-2000, f. & cert. ef. 1-1-01; DFW 85-2003(Temp), f. & cert. ef. 8-27-03 thru 2-23-04; DFW 118-2003, f. & cert. ef. 1-1-04; DFW 140-2009, f. & cert. ef. 11-3-09, cert. ef. 1-1-10; DFW 168-2010, f. & cert. ef. 1-1-11; DFW 138-2013, f. & cert. ef. 12-20-13; DFW 125-2014(Temp), f. & cert. ef. 8-26-14 thru 2-1-15

Rule Caption: Amend rule to clarify who can hold Wildlife Control Operator permit

Adm. Order No.: DFW 126-2014(Temp)

Filed with Sec. of State: 8-29-2014

Certified to be Effective: 8-29-14 thru 2-25-15

Notice Publication Date:

Rules Amended: 635-435-0000

Subject: This amendment is needed to add business owner's designee as person who can hold the Wildlife Control Operator permit when the owner of the business does not reside in the state or country.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-435-0000

Purpose

- (1) The purpose of these rules is to:

ADMINISTRATIVE RULES

(a) Streamline compliance requirements in ORS 498.012 while promoting sound wildlife management.

(b) Provide means for an agent to act on the behalf of a landowner or occupier to rid their home, business or land of wildlife which is causing damage, is a public nuisance or is posing a health risk, as defined in ORS 498.012.

(2) Any individual or business owner, or the business owners designee, charging a fee to control wildlife which is causing damage, is a public nuisance or is posing a health risk must first obtain a Wildlife Control Operator Permit and must comply with all state Wildlife Control Operator regulations.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162 & 498.012
Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162 & 498.012
Hist.: DFW 117-2006, f. & cert. ef. 10-16-06; DFW 25-2012, f. & cert. ef. 3-16-12; DFW 126-2014(Temp), f. & cert. ef. 8-29-14 thru 2-25-15

Rule Caption: 2014 Warm Springs Special Big Game Hunting Regulations

Adm. Order No.: DFW 127-2014(Temp)

Filed with Sec. of State: 8-29-2014

Certified to be Effective: 8-29-14 thru 2-25-15

Notice Publication Date:

Rules Adopted: 635-043-0151

Subject: Clarifies the legal authority of Warm Springs Tribal Hunters to take big game species for the 2014 hunting season

Rules Coordinator: Therese Kucera—(503) 947-6033

635-043-0151

Warm Springs

Tribal members are authorized to take big game under the terms and conditions of the "Hunting Agreement for 2014 Between the Oregon Department of Fish and Wildlife and the Warm Springs Tribe" dated August 29, 2014, incorporated herein by reference.

Stat. Auth.: ORS Ch. 496.138, 496.146 & 496.162
Stats. Implemented: ORS Ch. 496.012, 496.138 & 496.162
Hist.: DFW 127-2014(Temp), f. & cert. ef. 8-29-14 thru 2-25-15

Rule Caption: 2014 Columbia River Fall Recreational Salmon Season Modified.

Adm. Order No.: DFW 128-2014(Temp)

Filed with Sec. of State: 9-3-2014

Certified to be Effective: 9-6-14 thru 9-30-14

Notice Publication Date:

Rules Amended: 635-023-0130

Rules Suspended: 635-023-0130(T)

Subject: This amended rule delays, by one day, the beginning of the recreational marked selective fishery for salmonids in the mainstem Columbia River, in the area from Tongue Point/Rocky Point upstream to Warrior Rock/Bachelor Island. The change in retention to a marked selective fishery will now occur on September 8th versus the 7th as was previously set. Modifications were consistent with joint state action taken by the Departments of Fish and Wildlife for the states of Oregon and Washington at a meeting of the Columbia River Compact on September 3, 2014.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-023-0130

Fall Sport Fishery

(1) The **2014 Oregon Sport Fishing Regulations** provide requirements for the Columbia River Zone and the Snake River Zone. However, additional regulations may be adopted in this rule division from time to time, and, to the extent of any inconsistency, they supersede the **2014 Oregon Sport Fishing Regulations**.

(2) Buoy 10. Area definition: From the Buoy 10 line upstream to a line projected from Rocky Point on the Washington shore through red buoy #44 to red marker #2 at Tongue Point on the Oregon shore.

(a) From August 1 thru December 31: Retention of adipose fin-clipped adult coho (16-inches or longer) and adipose fin-clipped steelhead allowed.

(b) From August 1 thru August 29: Retention of adult Chinook (24-inches or longer, fin-clipped or not) is allowed. The daily bag limit is two adult salmonids, only one of which may be a Chinook.

(c) From August 30 thru September 1: Retention of adipose or left-ventral fin-clipped adult Chinook is allowed. The daily bag limit is two adult salmonids, only one of which may be a Chinook.

(d) From September 2 thru September 30: Retention of Chinook is prohibited but the daily bag limit increases to three adult salmonids, of which no more than two may be adipose fin-clipped steelhead.

(e) From October 1 thru December 31: Retention of Chinook is allowed (fin-clipped or not). The daily adult bag limit is two salmonids.

(f) Jacks may only be retained October 1 — December 31 under permanent rules. The daily bag limit for jack salmon is five fish. Coho jacks must be adipose fin-clipped.

(g) All other permanent rules as provided in the 2014 Oregon Sport Fishing Regulations apply.

(3) The Youngs Bay Control Zone, as described in 635-023-0140, is closed to recreational angling from August 1 through September 15.

(4) Lower Columbia River — Tongue Point/Rocky Point upstream to Warrior Rock/Bachelor Island.

Area definition: From a line projected from Rocky Point on the Washington shore through red buoy #44 to the red marker #2 at Tongue Point on the Oregon shore upstream to a line projected from the Warrior Rock Lighthouse on the Oregon shore through red buoy #4 to a marker on the lower end of Bachelor Island.

(a) From August 1 thru December 31: Retention of adipose fin-clipped coho and adipose fin-clipped steelhead allowed.

(b) From August 1 thru September 7: Retention of Chinook (fin-clipped or not) is allowed. The daily adult bag limit is two salmonids, only one of which may be a Chinook. The daily bag limit for jack salmon is five fish.

(c) From September 8 thru September 14: Retention of adipose fin-clipped Chinook is allowed. The daily adult bag limit is two salmonids, only one of which may be a Chinook. The daily bag limit for jack salmon is five fish.

(d) From September 15 thru September 30: Retention of all Chinook is prohibited. The daily bag limit is two adult salmonids.

(e) From October 1 thru December 31: Retention of Chinook is allowed (fin-clipped or not). The daily bag limit is two adult salmonids. The daily bag limit for jack salmon is five fish.

(f) Each legal angler aboard a vessel may continue to deploy angling gear until the daily adult salmonid bag limit for all anglers aboard has been achieved.

(g) All other permanent rules as provided in the 2014 Oregon Sport Fishing Regulations apply.

(5) Lower Columbia — Warrior Rock/Bachelor Island upstream to Steamboat Landing Park/Marker #50.

Area definition: From a line projected from the Warrior Rock Lighthouse on the Oregon shore through red buoy #4 to a marker on the lower end of Bachelor Island upstream to a line projected from the most downstream point on the Steamboat Landing Park dock on the Washington shore through navigation light #50 to the Oregon shore.

(a) From August 1 thru December 31: Retention of Chinook (fin-clipped or not), adipose fin-clipped coho, and adipose fin-clipped steelhead allowed. The daily bag limit is two adult salmonids. The daily bag limit for jack salmon is five fish.

(b) Each legal angler aboard a vessel may continue to deploy angling gear until the daily adult salmonid bag limit for all anglers aboard has been achieved.

(c) All other permanent rules as provided in the 2014 Oregon Sport Fishing Regulations apply.

(6) Lower Columbia — Steamboat Landing Park/Marker #50 upstream to Bonneville Dam.

Area definition: From a line projected from the most downstream point on the Steamboat Landing Park dock on the Washington shore through navigation light #50 to the Oregon shore upstream to Bonneville Dam. Fishing from the Steamboat Landing Park dock is considered within the fishing area.

(a) From August 1 thru December 31: Retention of Chinook (fin-clipped or not), adipose fin-clipped coho, and adipose fin-clipped steelhead allowed. The daily bag limit is three adult salmonids, of which no more than two may be adipose fin-clipped coho or adipose fin-clipped steelhead (in any combination). The daily bag limit for jack salmon is five fish.

(b) Each legal angler aboard a vessel may continue to deploy angling gear until the daily adult salmonid bag limit for all anglers aboard has been achieved.

(c) All other permanent rules as provided in the 2014 Oregon Sport Fishing Regulations apply.

ADMINISTRATIVE RULES

(7) Bonneville Dam upstream to the OR/WA border (upstream of McNary Dam).

(a) From August 1 thru December 31: Retention of Chinook (fin-clipped or not), coho, and adipose fin-clipped steelhead allowed. The daily bag limit is three adult salmonids, of which no more than two may be coho or adipose fin-clipped steelhead (in any combination). The daily bag limit for jack salmon is five fish.

(b) All coho retained downstream of the Hood River Bridge must be adipose fin-clipped.

(c) Each legal angler aboard a vessel may continue to deploy angling gear until the daily adult salmonid bag limit for all anglers aboard has been achieved.

(d) All other permanent rules as provided in the 2014 Oregon Sport Fishing Regulations apply.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 496.162

Hist.: DFW 32-2004, f. 4-22-04, cert. ef. 5-1-04; DFW 92-2004(Temp), f. 9-2-04 cert. ef. 9-6-04 thru 12-31-04; DFW 96-2004(Temp), f. 9-20-04, cert. ef. 9-30-04 thru 12-31-04; DFW 117-2004, f. 12-13-04, cert. ef. 1-1-05; DFW 25-2005, f. & cert. ef. 4-15-05; DFW 84-2005(Temp), f. & cert. ef. 8-1-05 thru 12-31-05; DFW 108-2005(Temp), f. 9-15-05, cert. ef. 9-17-05 thru 12-31-05; DFW 112-2005(Temp), f. 9-28-05, cert. ef. 9-30-05 thru 12-31-05; DFW 123-2005(Temp), f. 10-18-05, cert. ef. 10-20-05 thru 12-31-05; DFW 136-2005, f. 12-7-05, cert. ef. 1-1-06; DFW 26-2006(Temp), f. 4-20-06, cert. ef. 5-1-06 thru 10-27-06; DFW 79-2006, f. 8-11-06, cert. ef. 1-1-07; DFW 100-2006(Temp), f. & cert. ef. 9-14-06 thru 12-31-06; DFW 109-2006(Temp), f. 9-29-06, cert. ef. 9-30-06 thru 12-31-06; DFW 113-2006(Temp), f. 10-12-06, cert. ef. 10-13-06 thru 12-31-06; DFW 24-2007, f. 4-16-07, cert. ef. 5-1-07; DFW 92-2007(Temp), f. 9-18-07, cert. ef. 9-19-07 thru 12-31-07; DFW 96-2007(Temp), f. 9-21-07, cert. ef. 9-22-07 thru 12-31-07; DFW 101-2007(Temp), f. 9-28-07, cert. ef. 9-29-07 thru 12-31-07; DFW 136-2007, f. 12-31-07, cert. ef. 1-1-08; DFW 36-2008, f. 4-21-08, cert. ef. 5-1-08; DFW 99-2008(Temp), f. 8-22-08, cert. ef. 8-25-08 thru 12-31-08; DFW 104-2008(Temp), f. 8-29-08, cert. ef. 8-31-08 thru 12-31-08; DFW 115-2008(Temp), f. & cert. ef. 9-18-08 thru 12-31-08; DFW 118-2008(Temp), f. 9-24-08, cert. ef. 9-25-08 thru 12-31-08; DFW 156-2008, f. 12-31-08, cert. ef. 1-1-09; DFW 52-2009, f. & cert. ef. 5-18-09; DFW 133-2009(Temp), f. 10-20-09, cert. ef. 10-22-09 thru 12-31-09; DFW 144-2009, f. 12-8-09, cert. ef. 1-1-10; DFW 77-2010, f. 6-8-10, cert. ef. 6-16-10; DFW 131-2010(Temp), f. 9-21-10, cert. ef. 9-22-10 thru 10-31-10; DFW 145-2010(Temp), f. 10-13-10, cert. ef. 10-15-10 thru 12-31-10; DFW 171-2010, f. 12-30-10, cert. ef. 1-1-11; DFW 100-2011(Temp), f. 7-27-11, cert. ef. 8-1-11 thru 12-31-11; DFW 127-2011(Temp), f. 9-14-11, cert. ef. 9-16-11 thru 12-31-11; DFW 163-2011, f. 12-27-11, cert. ef. 1-1-12; DFW 100-2012(Temp), f. 7-31-12, cert. ef. 8-1-12 thru 12-31-12; DFW 149-2012, f. 12-27-12, cert. ef. 1-1-13; DFW 81-2013(Temp), f. 7-26-13, cert. ef. 8-1-13 thru 12-31-13; DFW 92-2013(Temp), f. 8-22-13, cert. ef. 8-23-13 thru 12-31-13; DFW 100-2013(Temp), f. 9-12-13, cert. ef. 9-13-13 thru 12-31-13; DFW 107-2013(Temp), f. 9-25-13, cert. ef. 9-26-13 thru 12-31-13; DFW 137-2013, f. 12-19-13, cert. ef. 1-1-14; DFW 96-2014(Temp), f. 7-18-14, cert. ef. 8-1-14 thru 12-31-14; DFW 100-2014(Temp), f. 7-22-14, cert. ef. 8-1-14 thru 12-31-14; DFW 128-2014(Temp), f. 9-3-14, cert. ef. 9-6-14 thru 9-30-14

Rule Caption: Maximum Allowable Retention of Incidentally Caught Sardines is Reduced

Adm. Order No.: DFW 129-2014(Temp)

Filed with Sec. of State: 9-10-2014

Certified to be Effective: 9-15-14 thru 9-30-14

Notice Publication Date:

Rules Suspended: 635-004-0375(T)

Subject: The rule being suspended reduced the maximum allowable retention of sardines landed when fishing for other species. Modifications were needed to conform Oregon's regulations to federal rule changes for the sardine fishery announced by the National Marine Fisheries Service (NMFS) on July 25, 2014. Maximum allowable retention of sardines is 20% per landing (by weight) beginning at 12:01 a.m. Thursday, July 31 through Sunday, September 14, 2014. Modifications are no longer needed to avoid the closures of fisheries for Pacific mackerel, jack mackerel, and other species due to attainment of the maximum incidental set aside for sardines allowed for those fisheries under federal rule.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-004-0375

Scope, Inclusion, and Modification of Rules

(1) The commercial coastal pelagic species fishery in the Pacific Ocean off Oregon is jointly managed by the state of Oregon and the federal government through the Pacific Fishery Management Council process. The Code of Federal Regulations provides federal requirements for this fishery, including but not limited to the time, place, and manner of taking coastal pelagic species. However, additional regulations may be promulgated subsequently by publication in the Federal Register, and these supersede, to the extent of any inconsistency, the Code of Federal Regulations. Therefore, the following publications are incorporated into Oregon Administrative Rule by reference:

(a) Code of Federal Regulations, Part 660, Subpart I, (October 1, 2013 ed.); and

(b) Federal Register Vol. 79, No. 143, dated July 25, 2014 (79 FR 43269).

(2) Persons must consult the federal regulations in addition to Division 004 to determine all applicable coastal pelagic species fishing requirements. Where federal regulations refer to the fishery management area, that area is extended from shore to three nautical miles from shore coterminous with the Exclusive Economic Zone.

(3) The Commission may adopt additional or modified regulations that are more conservative than federal regulations, in which case Oregon Administrative Rule takes precedence. See OAR 635-004-0205 through 635-004-0235 and 635-004-0380 through 635-004-0545 for additions or modifications to federal coastal pelagic species regulations.

[Publications referenced are available from the agency.]

Stat. Auth.: ORS 496.138, 496.162, 506.036, 506.109, 506.119 & 506.129

Stats. Implemented: ORS 496.162, 506.109 & 506.129

Hist.: DFW 75-2012, f. 6-28-12, cert. ef. 7-1-12; DFW 110-2012(Temp), f. 8-21-12, cert. ef. 8-23-12 thru 9-14-12; Administrative correction 9-20-12; DFW 58-2013, f. & cert. ef. 6-19-13; DFW 90-2013(Temp), f. 8-20-13, cert. ef. 8-22-13 thru 9-14-13; DFW 76-2014(Temp), f. 6-24-14, cert. ef. 6-25-14 thru 7-31-14; DFW 99-2014, f. 7-21-14, cert. ef. 7-22-14 thru 9-30-14; DFW 104-2014(Temp), f. 7-29-14, cert. ef. 8-1-14 thru 9-30-14; DFW 114-2014, f. & cert. ef. 8-5-14; Suspended by DFW 129-2014(Temp), f. 9-10-14, cert. ef. 9-15-14 thru 9-30-14

Rule Caption: Early Fall Commercial Fisheries Authorized for the Mainstem Columbia River.

Adm. Order No.: DFW 130-2014(Temp)

Filed with Sec. of State: 9-11-2014

Certified to be Effective: 9-12-14 thru 9-30-14

Notice Publication Date:

Rules Amended: 635-042-0031

Rules Suspended: 635-042-0031(T)

Subject: This amended rule authorizes two additional fishing periods for the ongoing early Fall commercial salmon fishery and three additional fishing periods for the ongoing commercial research seine net fishery. The first new fishing period commences at 6:00 a.m. Friday, September 12, 2014 (13.5 hours). Allowed sales from the fishery include Chinook, coho, pink and sockeye salmon and shad.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-042-0031

Early Fall Salmon Season

(1) Salmon and shad may be taken for commercial purposes in the waters of the Columbia River: Zones 4 5, as identified in OAR 635-042-0001. The deadline at the lower end of Zone 4 is defined as a straight line projected from the Warrior Rock Lighthouse on the Oregon shore easterly through the green navigation Buoy #1 and continuing to the Washington shore.

(a) Authorized fishing periods are as follows:

8:00 p.m. Sunday, September 14 to 5:00 a.m. Monday, September 15 (9 hours); and
8:00 p.m. Tuesday, September 16 to 6:00 a.m. Wednesday, September 17 (10 hours).

(b) Sanctuaries include: Washougal and Sandy rivers.

(c) Gear is restricted to drift gill nets only with 8 inch minimum and 9.75 inch maximum mesh sizes. The multiple net rule is in effect. Nets not specifically authorized for use in this fishery may be onboard the vessel if properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater.

(d) Allowable sales include: Chinook, coho, pink, and sockeye salmon and shad.

(2) Non-Indian mainstem commercial research fishery:

(a) Salmon and shad may be taken with seine gear by those individuals possessing a 2014 seine permit issued by Oregon or Washington (Emerging Fishery license and Experimental Fishery Permit in WA; Experimental Gear Permit in OR).

(b) Season: — Area:

6:00 a.m. to 7:30 p.m. Thursday, September 11 (13.5 hours) — Zones 1–5.
6:00 a.m. to 7:30 p.m. Friday, September 12 (13.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Monday, September 15 (12.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Wednesday, September 17 (12.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Friday, September 19 (12.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Monday, September 22 (12.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Wednesday, September 24 (12.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Friday, September 26 (12.5 hours) — Zones 1–5.
6:30 a.m. to 7:00 p.m. Monday, September 29 (12.5 hours) — Zones 1–5.

ADMINISTRATIVE RULES

(c) Sanctuaries: Elochoman-A, Cowlitz, Kalama-A, Lewis-A, Sandy, and Washougal rivers. Fishing in Select Area commercial fishing sites is prohibited.

(d) Gear:

(A) Beach or purse seine gear is allowed. Only one net is allowed per participating vessel.

(B) Mesh size restricted to a 3.5-inch maximum (inside of knot to outside of knot using hand tension stretched measure).

(C) Net material to consist of 3-strand nylon; twine size greater than or equal to #12.

(D) Seines may include a bunt of 1.0-2.0 inch knotless mesh.

(E) Net length not to exceed 200 fathoms (including associated lead nets) and depth not to exceed 200 meshes. Seine and lead lines may not be connected. Lead nets must be retrieved daily.

(F) No restrictions on corkline, leadline or use of stringers and slackers.

(G) A chafing strip panel consisting of non-monofilament webbing (such as nylon seine web or polyethylene trawl web) is allowed on bottom of net; maximum panel depth is five feet. Chafing mesh not to exceed 3.5-inch stretched measure for beach seines and 5-inch stretched measure for purse seines. There are no restrictions associated with hangings used to connect the net to the chafing panel or the net or chafing panel to the leadline or corkline.

(H) Red corks are required at 25-fathom intervals and red corks must be in contrast to the corks used in the remainder of the net.

(e) Allowable sales include: Adipose or left ventral fin-clipped Chinook, adipose-clipped coho, pink and sockeye salmon and shad. Subject to Individual Fishing Quotas (as defined in the 2014 seine permits) and fishing regulations, all legally caught salmon must be landed.

(f) Hand sorting or use of a knotless dip net is required for sorting. All fish must be sorted and/or released prior to removing entire seine from the water. Dry sorting is not permitted.

(g) Sort time is not to exceed 75 minutes:

(A) For beach seines, sort time is defined as the elapsed time from when the outer towed end of the net first contacts the shore or block until the net is emptied of fish.

(B) For purse seines, sort time is defined as the elapsed time from when all rings are pursed and out of the water until the net is emptied of fish.

(h) As a condition of fishing, agency observers are required to be present at all times during fishing operations.

Stat. Auth.: ORS 496.118, 506.109 & 506.129

Stats. Implemented: ORS 506.119 & 507.030

Hist.: FWC 63-1987, f. & cert. ef. 8-7-87; FWC 67-1988, f. & cert. ef. 8-15-88; FWC 68-1988(Temp), f. & cert. ef. 8-15-88; FWC 54-1989(Temp), f. & cert. ef. 8-7-89; FWC 56-1989(Temp), f. & cert. ef. 8-11-89; FWC 58-1989(Temp), f. & cert. ef. 8-14-89; FWC 80-1989(Temp), f. & cert. ef. 8-28-89, cert. ef. 8-29-89; FWC 80-1990(Temp), f. & cert. ef. 8-8-90; FWC 85-1991, f. & cert. ef. 8-7-91, cert. ef. 8-12-91; FWC 91-1991(Temp), f. & cert. ef. 8-29-91; FWC 73-1992(Temp), f. & cert. ef. 8-10-92; FWC 46-1996, f. & cert. ef. 8-23-96; FWC 53-1996(Temp), f. & cert. ef. 9-16-96; FWC 49-1997, f. & cert. ef. 8-24-97; DFW 74-1998(Temp), f. & cert. ef. 8-25-98 thru 8-26-98; DFW 59-1999(Temp), f. & cert. ef. 8-23-99 thru 9-11-99; DFW 75-1999(Temp), f. & cert. ef. 9-29-99, cert. ef. 9-30-99 thru 10-22-99; Administrative correction 11-17-99; DFW 50-2000(Temp), f. & cert. ef. 8-18-00, cert. ef. 8-21-00 thru 9-9-00; DFW 52-2000(Temp), f. & cert. ef. 8-23-00, cert. ef. 8-23-00 thru 8-24-00; Administrative correction 6-20-01; DFW 68-2001(Temp), f. & cert. ef. 8-8-01 thru 8-9-01; DFW 76-2001(Temp), f. & cert. ef. 8-20-01 thru 10-31-01; DFW 79-2001(Temp), f. & cert. ef. 8-22-01 thru 12-31-01; DFW 80-2001(Temp), f. & cert. ef. 8-24-01 thru 12-31-01; DFW 86-2001(Temp), f. & cert. ef. 9-4-01 thru 12-31-01; DFW 81-2002(Temp), f. & cert. ef. 8-2-02, cert. ef. 8-4-02 thru 8-9-02; DFW 87-2002(Temp), f. & cert. ef. 8-9-02 thru 8-12-02; DFW 89-2002(Temp), f. & cert. ef. 8-16-02, cert. ef. 8-18-02 thru 12-31-02; DFW 75-2003(Temp), f. & cert. ef. 8-1-03 thru 12-31-03; DFW 77-2003(Temp), f. & cert. ef. 8-13-03 thru 12-31-03; DFW 82-2003(Temp), f. & cert. ef. 8-25-03 thru 12-31-03; DFW 87-2003(Temp), f. & cert. ef. 8-27-03 thru 12-31-03; DFW 81-2004(Temp), f. & cert. ef. 8-12-04 thru 12-31-04; DFW: 82-2004(Temp), f. & cert. ef. 8-16-04 thru 12-31-04; DFW 86-2004(Temp), f. & cert. ef. 8-19-04 thru 12-31-04; DFW 88-2004(Temp), f. & cert. ef. 8-23-04 thru 12-31-04; Administrative correction, 2-18-05; DFW 85-2005(Temp), f. & cert. ef. 8-1-05, cert. ef. 8-3-05 thru 12-31-05; DFW 88-2005(Temp), f. & cert. ef. 8-11-05, cert. ef. 8-14-05 thru 12-31-05; DFW 90-2005(Temp), f. & cert. ef. 8-17-05 thru 12-31-05; DFW 96-2005(Temp), f. & cert. ef. 8-22-05 thru 12-31-05; DFW 98-2005(Temp), f. & cert. ef. 8-24-05, cert. ef. 8-25-05 thru 12-31-05; Administrative correction 1-19-06; DFW 72-2006(Temp), f. & cert. ef. 8-1-06, cert. ef. 8-2-06 thru 12-31-06; DFW 82-2006(Temp), f. & cert. ef. 8-11-06, cert. ef. 8-13-06 thru 12-31-06; DFW 88-2006(Temp), f. & cert. ef. 8-18-06, cert. ef. 8-21-06 thru 12-31-06; DFW 89-2006(Temp), f. & cert. ef. 8-24-06, cert. ef. 8-25-06 thru 12-31-06; Administrative correction 1-16-07; DFW 61-2007(Temp), f. & cert. ef. 7-30-07, cert. ef. 8-1-07 thru 10-31-07; DFW 72-2007(Temp), f. & cert. ef. 8-17-07, cert. ef. 8-23-07 thru 8-31-07; Administrative correction 9-16-07; DFW 85-2008(Temp), f. & cert. ef. 7-24-08, cert. ef. 8-1-08 thru 12-31-08; DFW 93-2008(Temp), f. & cert. ef. 8-12-08 thru 12-31-08; DFW 95-2008(Temp), f. & cert. ef. 8-14-08 thru 9-30-08; DFW 100-2008(Temp), f. & cert. ef. 8-22-08, cert. ef. 8-25-08 thru 9-30-08; DFW 102-2008(Temp), f. & cert. ef. 8-26-08 thru 9-1-08; Administrative correction 9-29-08; Administrative correction 10-21-08; DFW 89-2009(Temp), f. & cert. ef. 8-3-09, cert. ef. 8-4-09 thru 12-31-09; DFW 90-2009(Temp), f. & cert. ef. 8-7-09, cert. ef. 8-8-09 thru 12-31-09; DFW 96-2009(Temp), f. & cert. ef. 8-21-09 thru 8-31-09; DFW 97-2009(Temp), f. & cert. ef. 8-25-09 thru 8-31-09; DFW 100-2009(Temp), f. & cert. ef. 8-27-09 thru 8-31-09; Administrative correction 9-29-09; DFW 112-2010(Temp), f. & cert. ef. 7-30-10, cert. ef. 8-3-10 thru 8-31-10; DFW 121-2010(Temp), f. & cert. ef. 8-18-10, cert. ef. 8-19-10 thru 8-31-10; Administrative correction 9-22-10; DFW 132-2010(Temp), f. & cert. ef. 9-21-10, cert. ef. 9-22-10 thru 10-31-10; DFW 137-2010(Temp), f. & cert. ef. 9-24-10 thru 10-31-10; Administrative correction 11-23-10; DFW 105-2011(Temp), f. & cert. ef. 8-4-11 thru 8-31-11; DFW 120-2011(Temp), f. & cert. ef. 8-26-11, cert. ef. 8-28-11 thru 9-14-11; DFW 128-2011(Temp), f. & cert. ef. 9-14-11, cert. ef. 9-18-11 thru 9-30-11; DFW 134-2011(Temp), f. & cert. ef. 9-21-11, cert. ef. 9-22-11 thru 9-30-11; DFW 136-2011(Temp), f. & cert. ef. 9-28-11 thru 10-5-11; DFW 140-2011(Temp), f. & cert. ef. 10-4-11, cert. ef. 10-5-11 thru 10-12-11; DFW 144-2011(Temp), f. & cert. ef. 10-11-11, cert. ef. 10-13-11 thru 10-31-11; DFW 147-2011(Temp), f. & cert. ef. 10-17-11, cert. ef. 10-18-11 thru 10-31-11; Administrative correction, 11-18-11; DFW 98-2012(Temp), f. & cert. ef. 7-31-12, cert. ef. 8-5-12 thru 10-31-12; DFW 112-2012(Temp), f. & cert. ef. 8-24-12, cert. ef. 8-26-12 thru 10-31-12; DFW 121-2012(Temp), f. & cert. ef. 9-18-12 thru 10-31-12; Administrative correction 11-23-12; DFW 83-2013(Temp), f. & cert. ef. 7-29-13, cert. ef. 8-11-13 thru 8-31-13; DFW 95-2013(Temp), f. & cert. ef. 8-23-13, cert. ef. 8-25-13 thru 8-31-13; DFW 97-2013(Temp), f. & cert. ef. 8-27-13, cert. ef. 8-28-13 thru 8-31-13; DFW 101-2013(Temp), f. & cert. ef. 9-13-13, cert. ef. 9-15-13 thru 9-30-13; DFW 105-2013(Temp), f. & cert. ef. 9-19-13 thru 9-30-13; DFW 108-2013(Temp), f. & cert. ef. 9-26-13 thru 9-30-13; DFW 113-2013(Temp), f. & cert. ef. 9-27-13, cert. ef. 10-1-13 thru 10-16-13; Administrative correction, 11-22-13; DFW 107-2014(Temp), f. & cert. ef. 7-30-14, cert. ef. 8-3-14 thru 8-31-14; DFW 121-2014(Temp), f. & cert. ef. 8-13-14 thru 9-30-14; DFW 124-2014(Temp), f. & cert. ef. 8-26-14; DFW 130-2014(Temp), f. & cert. ef. 9-11-14, cert. ef. 9-12-14 thru 9-30-14

Rule Caption: Amend Rules to Classify Three Species of Wildlife and Amend Criteria for Classification Request

Adm. Order No.: DFW 131-2014

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Rules Amended: 635-056-0002, 635-056-0050, 635-056-0060, 635-056-0075, 635-056-0130, 635-056-0140

Rules Repealed: 635-056-0060(T)

Subject: Amend Division 56 rules to classify as prohibited, non-controlled or controlled species and amend criteria for classification request.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-056-0002

Taxonomy

(1) In the matter of scientific taxonomic nomenclature and common names the following are authoritative:

(a) Mammals — Wilson, D. E. and D. M. Reeder, Editors. 2005. *Mammal Species of the World. A Taxonomic and Geographic Reference.* 3rd Edition. Johns Hopkins University Press

(b) Birds — Clements, J.F. 2007. *The Clements Checklist of Birds of the World, Sixth Edition.* Cornell University, Ithaca, New York.

(c) Amphibians and Reptiles — Frank, N. and E. Ramus. 1996. *A Complete Guide to Scientific and Common Names of Reptiles and Amphibians of the World.* N G Publishing, Pottsville, Pennsylvania.

(d) Fish (except subfamily Serrasalminae) — Nelson, J.S. et al. 2004. *Common and Scientific Names of Fishes from the United States, Canada, and Mexico.* 6th Edition. American Fisheries Society Special Publication 29. American Fisheries Society, Bethesda, Maryland; Robbins, C.L. et al. 1991. *World Fishes Important to North Americans.* Special Publication 21. American Fisheries Society, Bethesda, Maryland; Subfamily Serrasalminae: Reis, R.E., S. Kullander and C. Ferraris, Jr., Editors. 2003. *Check List of the Freshwater Fishes of South and Central America.* ERIDUCRS. Porto Alegre, Brazil.

(e) Mollusks — Turgeon, D.D. 1998. *Common and Scientific Names of Aquatic Invertebrates from the United States and Canada: Mollusks,* 2nd Edition. American Fisheries Society Special Publication 26. American Fisheries Society, Bethesda, Maryland.

(f) Crustaceans (except whiteleg shrimp) — McLaughlin, P.A. 2005. *Common and Scientific Names of Aquatic Invertebrates from the United States and Canada: Crustaceans,* American Fisheries Society Special Publication 31. American Fisheries Society, Bethesda, Maryland. Whiteleg shrimp: Holthius, L.B. 1980. *Shrimps and Prawns of the World: An Annotated Catalogue of Species of Interest to Fisheries.* Food and Agriculture Organization Fisheries Synopsis no. 125, vol. 1.

(2) If the taxonomic status of individual species is changed through subsequent publications

scientific taxonomy shall remain as cited in 635-056 for the purposes of implementing and enforcing 635-056-0000 through 635-056-0150.

(3) "The IUCN Red List of Threatened Species" International Union for Conservation of Nature (IUCN), www.iucnredlist.org

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Hist.: DFW 20-2014, f. & cert. ef. 3-11-14; DFW 131-2014, f. & cert. ef. 9-11-14

ADMINISTRATIVE RULES

635-056-0050

Prohibited Species

(1) Except as otherwise provided in these rules or other rules of the commission, live wildlife listed below may not be imported, possessed, sold, purchased, exchanged or transported in the state:

(a) Prohibited Mammals: Common Name — Family — Genus/species:

(A) Order Artiodactyla:

(i) Sheep, Goats, Chamois, Tahr — Bovidae — Subfamily Caprinae;

All species and hybrids except:

(I) *Capra hircus*;

(II) *Ovis aries*;

(III) hybrids of *Ovis aries* with *O. a. orientalis*; hybrids of *O. aries* with *Ammotragus lervia*; and hybrids of *O. aries* with *Pseudois nayaur*;

(ii) Wildebeest — Bovidae — *Connochaetes* All species and hybrids;

(iii) Central Asian gazelles — Bovidae — *Procapra* All species and hybrids;

(iv) Wild boar — Suidae — *Sus scrofa* (except *Sus scrofa domestica*).

(B) Order Carnivora:

(i) Wild canids — Canidae — All native species. However, fox (*Vulpes vulpes* and *Urocyon cinereoargenteus*) are exempt from this prohibition if when part of a commercial fur farming operation or for wildlife rehabilitation purposes by a licensed wildlife rehabilitator;

(ii) Mongooses — Herpestidae — All species and hybrids;

(iii) North American Otter, Eastern subspecies — Mustelidae — *Lontra canadensis lataxina*.

(iv) Asian Small-clawed Otter — Mustelidae — Lutrinae *Anonyx cinerea*.

(v) Civets and Genets — Viverridae — All species and hybrids (except *Arctictis binturong*).

(C) Order Chiroptera: Bats — All families except Pteropodidae — All species and hybrids.

(D) Order Cingulata: Nine-banded armadillo — Dasypodidae — *Dasyus novemcinctus*.

(E) Order Dasyuromorphia:

(i) Broad-footed marsupial mice — Dasyuridae — *Antechinus* All species and hybrids;

(ii) Brush-tailed marsupial mice — Dasyuridae — *Phascogale* All species and hybrids;

(iii) Dunnant — Dasyuridae — *Sminthopsis* All species and hybrids.

(F) Order Didelphimorphia: Virginia opossum — Didelphidae — *Didelphis virginiana*.

(G) Order Diprotodontia:

(i) Common brushtail — Phalangeridae — *Trichosurus vulpecula*;

(ii) Common ringtail — Pseudocheiridae — *Pseudocheirus peregrinus*.

(H) Order Erinaceomorpha: Eurasian hedgehogs — Erinaceidae — *Erinaceus europaeus*, *E. concolor*, *E. amurensis*.

(I) Order Lagomorpha:

(i) Hares and Jackrabbits — Leporidae — *Lepus* All nonnative species and hybrids;

(ii) Cottontails — Leporidae — *Sylvilagus* All nonnative species and hybrids.

(J) Order Rodentia:

(i) Argentine Plains viscacha — Chinchillidae — *Lagostomus maximus*;

(ii) Chinese jumping mouse — Dipodidae — *Eozapus setchuanus*;

(iii) Desert jerboas — Dipodidae — *Jaculus* All species and hybrids;

(iv) Kangaroo rats — Heteromyidae — *Dipodomys* All nonnative species except *D. deserti* and *D. spectabilis*;

(v) Pale kangaroo mouse — Heteromyidae — *Microdipodops pallidus*;

(vi) Pocket mice — Heteromyidae — *Perognathus* All nonnative species and hybrids;

(vii) Capybara — Hydrochaeridae — *Hydrochaeris hydrochaeris*;

(viii) Old world porcupines — Hystricidae — *Hystrix africaeaus-tralis*, *H. cristata*, and *H. indica*;

(ix) Mouse-like hamster — Muridae — *Calomyscus* All species and hybrids;

(x) Rat-like hamsters — Muridae — *Cricetulus* All species and hybrids;

(xi) Bushy-tailed jird — Muridae — *Sekeetamys calurus*;

(xii) Nutria (Coypu) — Myocastoridae — *Myocastor coypus*;

(xiii) Fat dormouse — Myoxidae — *Glis glis*;

(xiv) Hazel dormouse — Myoxidae — *Muscardinus avellanarius*;

(xv) Antelope ground squirrels — Sciuridae — *Ammospermophilus*

All nonnative species and hybrids except *A. harrisi*;

(xvi) Tricolored squirrels — Sciuridae — *Callosciurus* All species and hybrids except *C. prevostii*;

(xvii) Prairie dogs — Sciuridae — *Cynomys* All species and hybrids;

(xviii) Southern flying squirrel — Sciuridae — *Glaucomys volans*;

(xix) Marmots — Sciuridae — *Marmota* All nonnative species and hybrids;

(xx) Giant flying squirrel — Sciuridae — *Petaurista* All species and hybrids;

(xxi) Eastern gray squirrel — Sciuridae — *Sciurus carolinensis*;

(xxii) Eastern fox squirrel — Sciuridae — *Sciurus niger*;

(xxiii) Eurasian red squirrel — Sciuridae — *Sciurus vulgaris*;

(xxiv) Ground squirrels — Sciuridae — *Spermophilus* All nonnative species and hybrids except *S. adocetus*, *S. annulatus*, *S. atricapillus*, *S. madrensis*, *S. mexicanus*, *S. mohavensis*, *S. perotensis*, and *S. tereticaudus*;

(xxv) Chipmunks — Sciuridae — *Tamias* All nonnative species and hybrids;

(xxvi) African ground squirrels — Sciuridae — *Xerus* All species and hybrids.

(b) Prohibited Birds: Common Name — Family — Genus/species:

(A) Order Anseriformes: Egyptian goose — Anatidae — *Alopochen aegyptiaca*.

(B) Order Charadriiformes: Spotted thick-knee — Burhinidae — *Burhinus capensis*.

(C) Order Coraciiformes:

(i) Malachi teal kingfisher — Alcedinidae — *Alcedo cristata*;

(ii) Laughing kookaburra — Alcedinidae — *Dacelo novaeguineae*.

(D) Order Passeriformes:

(i) Yellowhammer — Emberizidae — *Emberiza citrinella*;

(ii) European greenfinch — Fringillidae — *Carduelis chloris*;

(iii) Chaffinch — Fringillidae — *Fringilla coelops*.

(c) Prohibited Amphibians: Common Name — Family — Genus/species:

(A) Order Caudata:

(i) Tiger salamander — Ambystomatidae — *Ambystoma tigrinum* All nonnative sub-species;

(ii) Amphiumas — Amphiumidae — All species and hybrids;

(iii) Giant salamanders and Hellbenders — Cryptobranchidae — All species and hybrids;

(iv) American giant salamanders — Dicamptodontidae — All nonnative species and hybrids;

(v) Asian salamanders — Hynobiidae — *Ranodon* All species and hybrids;

(vi) Shovel-nosed salamander — Plethodontidae — *Leurognathus marmoratus*;

(vii) Waterdogs — Proteidae — *Necturus* All species and hybrids;

(viii) Firebelly newts — Salamandridae — *Cynops* All species and hybrids;

(ix) European Mountain or Brook salamanders — Salamandridae — *Euproctus* All species and hybrids;

(x) Caucasus or Spine-tailed salamanders — Salamandridae — *Mertensiella* All species and hybrids;

(xi) Red-spotted or Eastern newt — Salamandridae — *Notophthalmus viridescens*;

(xii) Chinese newts — Salamandridae — *Pachytriton* All species and hybrids;

(xiii) Warty newts — Salamandridae — *Paramesotriton* All species and hybrids;

(xiv) Ribbed newts — Salamandridae — *Pleurodeles* All species and hybrids;

(xv) Fire salamanders — Salamandridae — *Salamandra* All species and hybrids;

(xvi) Roughskin newts — Salamandridae — *Taricha rivularis* and *T. torosa*;

(xvii) Alpine newts — Salamandridae — *Triturus* All species and hybrids;

(xviii) Crocodile newts — Salamandridae — *Tylotriton* All species and hybrids;

(xix) Sirens — Sirenidae — All species and hybrids.

(B) Order Anura:

(i) Fire-bellied toads — Bombinatoridae — *Bombina* All species and hybrids;

ADMINISTRATIVE RULES

- (ii) True toads — Bufonidae — Bufo All nonnative species and hybrids except Bufo marinus;
- (iii) Midwife toads — Discoglossidae — Alytes All species and hybrids;
- (iv) Painted frogs — Discoglossidae — Discoglossus All species and hybrids;
- (v) Cricket frog — Hylidae — Acris All species and hybrids;
- (vi) European tree frog — Hylidae — Hyla arborea;
- (vii) Cope's gray tree frog — Hylidae — Hyla chrysoscelis;
- (viii) Green tree frog — Hylidae — Hyla cinerea;
- (ix) Mediterranean tree frog — Hylidae — Hyla meridionalis;
- (x) Gray tree frog — Hylidae — Hyla versicolor;
- (xi) Chorus frog — Hylidae — Pseudacris All nonnative species and hybrids;
- (xii) Australian froglets — Myobatrachidae — Crinia All species and hybrids;
- (xiii) Australian swamp frogs — Myobatrachidae — Limnodynastes All species and hybrids;
- (xiv) Barred frogs — Myobatrachidae — Mixophyes All species and hybrids;
- (xv) Spadefoot toads — Pelobatidae — All nonnative species and hybrids;
- (xvi) African clawed frog — Pipidae — Xenopus All species and hybrids;
- (xvii) African bull frog — Ranidae — Pyxicephalus All species and hybrids;
- (xviii) Siberian frog — Ranidae — Rana altaica;
- (xix) Khabarovsk frog — Ranidae — Rana amurensis;
- (xx) Crawfish frog — Ranidae — Rana areolata;
- (xxi) Swedish swamp frog — Ranidae — Rana arvalis;
- (xxii) Asian frog — Ranidae — Rana asiatica;
- (xxiii) Rio Grande leopard frog — Ranidae — Rana berlandieri;
- (xxiv) Plains leopard frog — Ranidae — Rana blairi;
- (xxv) Caucasus frog — Ranidae — Rana camerani;
- (xxvi) Inkiapo frog — Ranidae — Rana chensinensis;
- (xxvii) Toudaohu frog — Ranidae — Rana chevronta;
- (xxviii) Green frog — Ranidae — Rana clamitans;
- (xxix) Spring frog — Ranidae — Rana dalmatina;
- (xxx) Dybowski's frog — Ranidae — Rana dybowskii;
- (xxxi) Stream frog — Ranidae — Rana graeca;
- (xxxii) Pig frog — Ranidae — Rana grylio;
- (xxxiii) River frog — Ranidae — Rana heckscheri;
- (xxxiv) Turkish frog — Ranidae — Rana holtzi;
- (xxxv) Iberian frog — Ranidae — Rana iberica;
- (xxxvi) Agile frog — Ranidae — Rana japonica;
- (xxxvii) Italian agile frog — Ranidae — Rana latastei;
- (xxxviii) Kokarit or Taipa frog — Ranidae — Rana longicrus;
- (xxxix) Brusa frog — Ranidae — Rana macrocnemis;
- (xl) Nikko frog — Ranidae — Rana ornativentris;
- (xli) Pickeral frog — Ranidae — Rana palustris;
- (xlii) Mink frog — Ranidae — Rana septentrionalis;
- (xliii) Wood frog — Ranidae — Rana sylvatica;
- (xliv) Tago frog — Ranidae — Rana tagoe;
- (xlv) European common frog — Ranidae — Rana temporaria;
- (xlvi) Tsushima frog — Ranidae — Rana tsushimensis;
- (xlvii) Carpenter frog — Ranidae — Rana virgatipes.
- (d) Prohibited Reptiles: Common Name — Family — Genus/species:
 - (A) Order Testudines:
 - (i) Snapping turtle — Chelydridae — All species and hybrids;
 - (ii) Chinese pond turtle — Emydidae — Chinemys All species and hybrids;
 - (iii) Pond turtle — Emydidae — Clemmys All nonnative species;
 - (iv) Painted turtle — Emydidae — Chrysemys All nonnative sub-species;
 - (v) European pond turtle — Emydidae — Emys orbicularis;
 - (vi) Blanding's turtle — Emydidae — Emydoidea blandingii;
 - (vii) Map turtle — Emydidae — Graptemys All species and hybrids;
 - (viii) Asian pond turtle — Emydidae — Mauremys All species and hybrids;
 - (ix) Pond slider — Emydidae — Pseudemys and Trachemys All species and hybrids;
 - (x) Common musk turtle — Kinosternidae — Kinosternon odoratum;
 - (xi) Common mud turtle — Kinosternidae — Kinosternon sub-rubrum;
 - (xii) North American soft shell — Trionychidae — Apalone All species and hybrids;
 - (xiii) African soft shell — Trionychidae — Trionyx triunguis.
 - (B) Order Squamata (Suborder Lacertilia):
 - (i) Slow worm — Anguillidae — Anguis fragilis;
 - (ii) Armored Glass lizard — Anguillidae — Ophisaurus apodus
 - (iii) Sand lizard — Lacertidae — Lacerta agilis;
 - (iv) Jewelled lizard — Lacertidae — Lacerta lepida;
 - (v) Iberian Mountain lizard — Lacertidae — Lacerta monticola;
 - (vi) Meadow lizard — Lacertidae — Lacerta praticola;
 - (vii) Iberian Emerald lizard — Lacertidae — Lacerta schreiberi;
 - (viii) Balkan Emerald lizard — Lacertidae — Lacerta trilineata;
 - (ix) Emerald lizard — Lacertidae — Lacerta viridis;
 - (x) Viviparous lizard — Lacertidae — Lacerta vivipara;
 - (xi) Erhard's Wall lizard — Lacertidae — Podarcis erhardi;
 - (xii) Iberian Wall lizard — Lacertidae — Podarcis hispanica;
 - (xiii) Common Wall lizard — Lacertidae — Podarcis muralis;
 - (xiv) Crocodile lizard — Xenosauridae — Shinisaurus crocodilurus.
 - (C) Order Squamata (Suborder Serpentes):
 - (i) Brown tree snake — Colubridae — Boiga irregularis;
 - (ii) Black-necked spitting cobra — Elapidae — Naja nigricollis;
 - (iii) Cape cobra — Elapidae — Naja nivea;
 - (iv) Copperheads and cottonmouths — Viperidae — Agkistrodon All species and hybrids;
 - (v) Puff adders — Viperidae — Bitis All species and hybrids except Bitis gabonica and B. nasicornis;
 - (vi) Lanceheads — Viperidae — Bothrops All species and hybrids;
 - (vii) Palm pit vipers — Viperidae — Bothriechis All species and hybrids;
 - (viii) Rattlesnakes — Viperidae — All nonnative species and hybrids except Crotalus aquilus, C. basiliscus, C. durissus, C. intermedius, C. poly-stictus, C. pusillus, C. tortugensis, C. triseriatus, C. unicolor, and C. veg-randis;
 - (ix) Mid-east vipers — Viperidae — Daboia All species and hybrids;
 - (x) Pygmy rattlesnake — Viperidae — Sistrurus catenatus;
 - (xi) Asian pit vipers — Viperidae — Trimeresurus All species and hybrids;
 - (xii) Wagler's palm viper — Viperidae — Tropidolaemus wagleri;
 - (xiii) Sand vipers — Viperidae — Vipera All species and hybrids.
 - (e) Prohibited Fish: Common Name — Family — Genus/species:
 - (A) Order Amiiformes: Bowfin — Amiidae — Amia calva.
 - (B) Order Cypriniformes:
 - (i) Piranha or Caribe — Characidae subfamily Serrasalminae commonly known as caribe or piranha — All species and hybrids except carnivorous species of Pygocentrus, Serrasalmus or Pristobrycon pursuant to ORS 498.242;
 - (ii) Walking catfish (ORS 498.242) — Clariidae — All species and hybrids;
 - (iii) Oriental weatherfish — Cobitidae — Misgurnus anguillicaudatus;
 - (iv) Ide — Cyprinidae — Leuciscus idus;
 - (v) Rudd — Cyprinidae — Scardinius erythrophthalmus.
 - (vi) Asian carp — Cyprinidae — Hypophthalmichthys All species and hybrids;
 - (vii) Black carp — Cyprinidae — Mylopharyngodon piceus
 - (C) Order Lepisosteiformes: Gar — Lepisosteidae — All species and hybrids.
 - (D) Order Perciformes:
 - (i) Snakehead — Channidae — Channa All species and hybrids;
 - (ii) Round goby — Gobiidae — Neogobius melanostomus;
 - (iii) Ruffe — Percidae — Gymnocephalus cernuus;
 - (iv) Zander or Pike-perch — Percidae — Sander lucioperca.
 - (E) Order Salmoniformes: Pikes, Pickerel, Muskellunge — Esocidae — All species and hybrids except tiger muskellunge (Esox lucius X Esox masquinongy) in Phillips Reservoir located in Baker County
 - (f) Prohibited Mollusks Common Name — Family — Genus/species:
 - (A) Order Bivalvia:
 - (i) Asian clam — Corbiculidae — All species;
 - (ii) Zebra mussel, Quagga mussel — Dreissenidae — All species (whether live or dead).
 - (B) Order Neogastropoda: Japanese oyster drill — Muricidae — Ceratostoma inornatum.
 - (C) Order Architaenioglossa:
 - (i) Chinese mystery snail — Viviparidae — Cipangopaludina chinensis.

ADMINISTRATIVE RULES

(ii) Japanese mystery snail — Viviparidae — Cipangopaludina japonica

(g) Prohibited Crustaceans Common Name — Family — Genus/species: Order Decapoda:

(A) Chinese mitten crab — Grapsidae — Eriocheir All species;

(B) Blue crab — Portunidae — Callinectes sapidus;

(2) The department may issue a permit for the importation, possession, sale, purchase, exchange or intrastate transportation of prohibited species and those species not yet classified if the department finds that the following standards have been met:

(a) The facility is constructed to minimize escape of prohibited species;

(b) There are adequate security and safety programs and procedures which minimize the possibility of escape;

(c) There is adequate record keeping to aid in tracking of confined animals or recovery of escaped animals;

(d) There are adequate procedures, equipment and trained staff to maximize capture of escaped animals;

(e) Adequate veterinary care is provided to identify and minimize the spread of diseases; and

(f) The applicant has a good reputation for care of animals and compliance with the wildlife laws.

(g) Using forms provided by the department, persons or entities may apply for a permit under subsection (2) as follows:

(A) Facilities accredited by the American Zoo and Aquarium Association (AZA). Because the department finds that the current AZA accreditation process holds these facilities to standards equivalent to those in subsection (2), AZA accreditation shall be evidence that the department's standards for importation, possession, sale, purchase, exchange or intrastate transportation of prohibited species are met. To obtain a permit for these activities, AZA accredited facilities shall submit a completed application form and proof of accreditation.

(B) Universities and colleges. To obtain a permit, universities and colleges shall submit:

(i) A completed application form;

(ii) A written description of escape avoidance procedures and facilities; and

(iii) Identification of the time period(s) during which prohibited species will be held.

(C) Others. To apply for a permit, persons and entities other than universities, colleges and AZA accredited facilities shall submit:

(i) A completed application form; and

(ii) A completed Prohibited Species Questionnaire.

(h) Satisfactory facilities inspections may be required prior to issuance of any permit.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Hist.: FWC 69-1996, f. & cert. ef. 12-20-96; FWC 16-1997(Temp), f. & cert. ef. 3-13-97; FWC 41-1997(Temp), f. & cert. ef. 7-23-97; FWC 59-1997, f. & cert. ef. 9-3-97; FWC 59-1997, f. & cert. ef. 9-3-97; FWC 72-1997, f. & cert. ef. 12-29-97; DFW 21-1998, f. & cert. ef. 3-13-98; DFW 63-1998, f. & cert. ef. 8-10-98; DFW 96-1998, f. & cert. ef. 11-25-98; DFW 99-1998, f. & cert. ef. 12-22-98; DFW 94-1999, f. & cert. ef. 12-23-99; DFW 79-2000, f. & cert. 12-22-00; DFW 116-2001, f. & cert. ef. 12-18-01; DFW 114-2008, f. & cert. ef. 9-19-08; DFW 15-2011, f. & cert. ef. 2-15-11; DFW 69-2011, f. 6-15-11, cert. ef. 7-1-11; DFW 115-2012(Temp), f. & cert. ef. 8-31-12 thru 2-26-13; DFW 148-2012, f. & cert. ef. 12-18-12; DFW 20-2014, f. & cert. ef. 3-11-14; DFW 131-2014, f. & cert. ef. 9-11-14

635-056-0060

Noncontrolled Species

Except as otherwise provided in these rules or other rules of the commission, wildlife listed below may be imported, possessed, sold, purchased, exchanged or transported in the state without a permit:

(1) Noncontrolled Mammals: Common Name — Family — Genus/species:

(a) Order Artiodactyla:

(A) Antelope and buffalo — Bovidae — All species except subfamily Caprinae and Procprapa species;

(B) Giraffe and okapi — Giraffidae — All species;

(C) Pygmy hippopotamus — Hippopotamidae — Hexaprotodon liberiensis;

(D) Hippopotamus — Hippopotamidae — Hippopotamus amphibius;

(E) Peccary — Tayassuidae — All species;

(F) Chevrotains — Tragulidae — All species.

(b) Order Carnivora:

(A) Aardwolf — Hyaenidae — Proteles cristatus;

(B) Seals and sea lions — Otariidae — All nonnative species.

(C) Red/Lesser Panda — Procyonidae — Ailurus fulgens;

(D) Olingos — Procyonidae — Bassaricyon All species;

(E) Coatimundis — Procyonidae — Nasua All species;

(F) Kinkajou — Procyonidae — Potos flavus;

(G) Binturong — Viverridae — Arctictis binturong.

(c) Order Cetacea: Whales and dolphins — All families — All species.

(d) Order Chiroptera: Old World fruit bats — Pteropodidae — All species.

(e) Order Dasyuromorphia: Numbat — Myrmecobiidae — Myrmecobius fasciatus.

(f) Order Dermoptera: Flying lemurs or colugos — Cynocephalidae — All species.

(g) Order Didelphimorphia: Short-tailed opossums — Didelphinae — Monodelphis All species.

(h) Order Diprotodontia:

(A) Feathertail glider — Acrobatidae — Acrobatus pygmaeus;

(B) Kangaroos and wallabies — Macropodidae — All species;

(C) Striped possums — Petauridae — Dactylopsila All species;

(D) Sugar glider — Petauridae — Petaurus breviceps;

(E) Cuscuses — Phalangeridae — Phalanger All species.

(i) Order Erinaceomorpha: Four-toed hedgehog — Erinaceidae — Atelerix albigentris.

(j) Order Hyracoidea: Hyraxes — Procaviidae — All species.

(k) Order Monotremata: Echidnas — Tachyglossidae — All species.

(l) Order Peramelemorphia:

(A) Dry country bandicoots — Peramelidae — All species except Isoodon obesulus, Perameles gunnii, and P. nasuta;

(B) Rainforest bandicoots — Peramelidae — All species.

(m) Order Perissodactyla:

(A) Zebra and Asses — Equidae — Equus All species;

(B) Rhinoceros — Rhinocerotidae — All species;

(C) Tapirs — Tapiridae — All species.

(n) Order Pholidota: Pangolins — Manidae — All species.

(o) Order Pilosa:

(A) Three-toed tree sloths — Bradypodidae — All species;

(B) Two-toed tree sloths — Megalonychidae — All species;

(C) Anteaters — Myrmecophagidae — All species.

(p) Order Proboscidea: Elephants — Elephantidae — All species.

(q) Order Rodentia:

(A) Scaly-tailed squirrels — Anomaluridae — All species;

(B) Hutias — Capromyidae — All species;

(C) Mara (Patagonian hare) — Caviidae — Dolichotis All species;

(D) Mountain viscachas — Chinchillidae — Lagidium All species;

(E) Dwarf hamsters — Cricetidae — Phodopus All species

(F) Paca — Cuniculidae — Cuniculus paca;

(G) Agoutis — Dasyproctidae — Dasyprocta All species;

(H) Acouchis — Dasyproctidae — Myoprocta All species;

(I) Pacarana — Dinomyidae — Dinomys branickii;

(J) Prehensile-tailed Porcupines — Erethizontidae — Coendou All species;

(K) Kangaroo Rats — Heteromyidae — Dipodomys deserti and D. spectabilis;

(L) Brush-tailed porcupines — Hystricidae — Atherurus All species;

(M) Old world porcupines — Hystricidae — Hystrix All species except H. africaeustralis, H. cristata, and H. indica;

(N) Spiny mice — Muridae — Acomys All species;

(O) Crateromys (Bushy tailed cloud rats) — Muridae — Crateromys All species;

(P) African giant pouched rats — Muridae — Cricetomys All species;

(Q) African White-tailed rat — Muridae — Mystromys albicaudatus;

(R) Phloeomys (Slender tailed rats) — Muridae — Phloeomys All species;

(S) Degus — Octodontidae — Octodon All species;

(T) South African Springhare — Pedetidae — Pedetes capensis;

(U) Prevost's squirrel — Sciuridae — Callosciurus prevostii;

(V) African palm squirrels — Sciuridae — Epixerus All species;

(W) Pygmy flying squirrels — Sciuridae — Petaurillus All species;

(X) Oil palm squirrels — Sciuridae — Protoxerus All species;

(Y) Giant squirrels — Sciuridae — Ratufa All species.

(r) Order Sirenia:

(A) Manatees — All families — All species.

(s) Order Tubulidentata: Aardvark — Orycteropodidae — Orycteropus afer.

ADMINISTRATIVE RULES

(2) Noncontrolled Birds: Nothing in this subsection authorizes the importation, possession, sale, confinement or transportation of birds protected by the federal Migratory Bird Treaty Act: Common Name — Family — Genus/species:

(a) Order Charadriiformes:

- (A) Senegal thick-knee — Burhinidae — *Burhinus senegalensis*;
- (B) Water thick-knee — Burhinidae — *Burhinus vermiculatus*.

(b) Order Coliiformes: Mousebirds and Collies — Coliidae — All species.

(c) Order Coraciiformes:

- (A) Blue-winged kookaburra — Alcedinidae — *Dacelo leachii*;
- (B) Woodland kingfisher — Alcedinidae — *Halcyon senegalensis*;
- (C) African pygmy kingfisher — Alcedinidae — *Ispidina picta*;
- (D) Hornbills — Bucerotidae — All species;
- (E) Rollers — Coraciidae — All species;
- (F) Bee-eaters — Meropidae — All species except *Merops apiaster*,

M. oreobates, *M. pusillus*, and *Nyctornis athertoni*;

(G) Motmots — Momotidae — All species.

(d) Order Cuculiformes:

(A) White browed coucal — Centropodidae — *Centropus superciliosus burchelli*;

- (B) Pheasant coucal — Centropodidae — *Centropus phasianinus*;
- (C) Senegal coucal — Centropodidae — *Centropus senegalensis*;
- (D) Greater coucal — Centropodidae — *Centropus sinensis*.
- (E) Turacos, Plaintain eaters and Go-away birds — Musophagidae —

All Species

(e) Order Galliformes:

(A) Curassows, guans, and chachalacas — Cracidae — All species except *Chamaepetes goudotii*, *Penelope montagnii*, and *P. supercilii*;

(B) Megapodes — Megapodiidae — All species.

(f) Order Gruiformes:

- (A) Trumpeters — Psophiidae — All species;
- (B) Buttonquails and hemipodes — Turnicidae — All species.

(g) Order Passeriformes:

(A) Orange-breasted bunting — Cardinalidae — *Passerina leclancherii*;

- (B) Cotingas — Cotingidae — All species;
- (C) Red-crested finch — Emberizidae — *Coryphospingus cucullatus*;
- (D) Pileated finch — Emberizidae — *Coryphospingus pileatus*;
- (E) Yellow-breasted bunting — Emberizidae — *Emberiza aureola*;
- (F) Golden-breasted bunting — Emberizidae — *Emberiza flaviventris*;

tris;

- (G) Cinnamon-breasted bunting — Emberizidae — *Emberiza tahapisi*;
- (H) Yellow cardinal — Emberizidae — *Gubernatrix cristata*;
- (I) Black-crested finch — Emberizidae — *Lophospingus pusillus*;
- (J) Crested bunting — Emberizidae — *Melophus lathamii*;
- (K) Yellow-billed cardinal — Emberizidae — *Paroaria capitata*;
- (L) Red-crested cardinal — Emberizidae — *Paroaria coronata*;
- (M) Black-capped warbling finch — Emberizidae — *Poospiza melanoleuca*;

(N) Saffron finch — Emberizidae — *Sicalis flaveola*;

(O) Double-collared seedeater — Emberizidae — *Sporophila caerulescens*;

- (P) Rusty-collared seedeater — Emberizidae — *Sporophila collaris*;
- (Q) Parrot-billed seedeater — Emberizidae — *Sporophila peruviana*;
- (R) Slate-colored seedeater — Emberizidae — *Sporophila schistacea*;
- (S) Swallow tanager — Emberizidae — *Tersina viridis*;
- (T) Cuban grassquit — Emberizidae — *Tiaris canorus*;
- (U) Blue-back grassquit — Emberizidae — *Volatinia jacarina*;
- (V) Waxbills, mannikins, munias — Estrilidae — All species;
- (W) Broadbills — Eurylaimidae — All species;
- (X) Black siskin — Fringillidae — *Carduelis atrata*;
- (Y) Linnet — Fringillidae — *Carduelis cannabina*;
- (Z) European goldfinch — Fringillidae — *Carduelis carduelis*;
- (AA) Red siskin — Fringillidae — *Carduelis cucullata*;
- (BB) Hooded siskin — Fringillidae — *Carduelis magellanica*;
- (CC) Yellow-breasted greenfinch — Fringillidae — *Carduelis spinoides*;

- (DD) European siskin — Fringillidae — *Carduelis spinus*;
- (EE) Yellow-rumped siskin — Fringillidae — *Carduelis uropygialis*;
- (FF) Yellow-bellied siskin — Fringillidae — *Carduelis xanthogastra*;
- (GG) Yellow-billed grosbeak — Fringillidae — *Eophona migratoria*;
- (HH) Japanese grosbeak — Fringillidae — *Eophona personata*;
- (II) Oriole finch — Fringillidae — *Linurgus olivaceus*;
- (JJ) Brown bullfinch — Fringillidae — *Pyrrhula nipalensis*;

(KK) Eurasian bullfinch — Fringillidae — *Pyrrhula pyrrhula*;

(LL) Black-throated island canary — Fringillidae — *Serinus atrogularis*;

(MM) Island canary — Fringillidae — *Serinus canaria*;

(NN) Yellow crowned canary — Fringillidae — *Serinus flaviventris*;

(OO) White-rumped seedeater — Fringillidae — *Serinus leucopygius*;

- (PP) Yellow-fronted canary — Fringillidae — *Serinus mozambicus*;
- (QQ) European serin — Fringillidae — *Serinus serinus*;
- (RR) Long-tailed rosefinch — Fringillidae — *Uragus sibiricus*;
- (SS) Troupials and Allies — Icteridae — All nonnative species;
- (TT) Leafbirds and fairy bluebirds — Irenidae — All species;
- (UU) Honeyeaters — Meliphagidae — All species;
- (VV) Old World Flycatchers — Muscipapidae — *Copsychus* All species;

(WW) Sunbirds — Nectariniidae — All species;

(XX) Sudan sparrow — Passeridae — *Passer leuteus*;

(YY) Red-headed weaver — Ploceidae — *Anaplectes rubriceps*;

(ZZ) Yellow-crowned bishop — Ploceidae — *Euplectes afer*;

(AAA) Red-collared widowbird — Ploceidae — *Euplectes ardens*;

(BBB) Black-winged bishop — Ploceidae — *Euplectes hordeaceus*;

(CCC) Jackson's widowbird — Ploceidae — *Euplectes jacksoni*;

(DDD) Yellow-shouldered widowbird — Ploceidae — *Euplectes macrourus*;

(EEE) Red bishop — Ploceidae — *Euplectes orix*;

(FFF) Long-tailed widowbird — Ploceidae — *Euplectes progne*;

(GGG) Red fody — Ploceidae — *Foudia madagascariensis*;

(HHH) Orange weaver — Ploceidae — *Ploceus aurantius*;

(III) Village weaver — Ploceidae — *Ploceus cucullatus*;

(JJJ) Lesser masked weaver — Ploceidae — *Ploceus intermedius*;

(KKK) Little weaver — Ploceidae — *Ploceus luteolus*;

(LLL) Baya weaver — Ploceidae — *Ploceus philippinus*;

(MMM) Vitelline-masked weaver — Ploceidae — *Ploceus vitellinus*;

(NNN) Speckle-fronted weaver — Ploceidae — *Sporopipes frontalis*;

(OOO) Scaly weaver — Ploceidae — *Sporopipes squamifrons*;

(PPP) Sugarbirds — Promeropidae — All species;

(QQQ) Golden-crested myna — Sturnidae — *Ampeliceps coronatus*;

(RRR) Violet-backed starling — Sturnidae — *Cinnyricinclus leucogaster*;

(SSS) Emerald starling — Sturnidae — *Lamprotornis iris*;

(TTT) Golden-breasted starling — Sturnidae — *Lamprotornis regius*;

(UUU) Common hill myna — Sturnidae — *Gracula religiosa*;

(VVV) Long-tailed glossy-starling — Sturnidae — *Lamprotornis caudatus*;

(WWW) Bronze-tailed glossy-starling — Sturnidae — *Lamprotornis chalcurus*;

(XXX) Greater blue-eared glossy-starling — Sturnidae — *Lamprotornis chalybaeus*;

(YYY) Lesser blue-eared glossy-starling — Sturnidae — *Lamprotornis chloropterus*;

(ZZZ) Hildebrandt's starling — Sturnidae — *Lamprotornis hildebrandti*;

(AAAA) Chestnut-bellied starling — Sturnidae — *Lamprotornis pulcher*;

(BBBB) Purple-headed glossy-starling — Sturnidae — *Lamprotornis purpureiceps*;

(CCCC) Purple glossy-starling — Sturnidae — *Lamprotornis purpureus*;

(DDDD) Rueppell's glossy-starling — Sturnidae — *Lamprotornis purproptera*;

(EEEE) Splendid glossy-starling — Sturnidae — *Lamprotornis splendidus*;

(FFFF) Superb starling — Sturnidae — *Lamprotornis superbus*;

(GGGG) Bali myna — Sturnidae — *Leucopsar rothschildi*;

(HHHH) Golden myna — Sturnidae — *Mino anais*;

(IIII) Yellow-faced myna — Sturnidae — *Mino dumontii*;

(JJJJ) Tanagers and Allies — Thraupidae — All nonnative species;

(KKKK) Babblers — Timaliidae — All species;

(LLLL) White-eyes — Zosteropidae — All species.

(h) Order Piciformes:

(A) Barbets — Capitonidae — All species;

(B) Toucans — Ramphastidae — All species.

(i) Order Sphenisciformes: Penguins — Spheniscidae — All species.

(j) Order Tinamiformes: Tinamous — Tinamidae — All species.

(k) Order Trogoniformes: Trogons — Trogonidae — All species.

ADMINISTRATIVE RULES

(3) Noncontrolled Amphibians: Common Name — Family — Genus/species:
(a) Order Anura:
(A) Allophrynid tree frog — Allophryidae — Allophryne All species;
(B) Hairy frogs — Arthroleptidae — Trichobatrachus All species;
(C) Cane toad — Bufonidae — Bufo marinus;
(D) African tree toads — Bufonidae — Nectophryne All species;
(E) Live-bearing toads — Bufonidae — Nectophrynoides All species;
(F) Glass frogs — Centrolenidae — All species;
(G) Poison arrow frogs — Dendrobatidae — All species;
(H) Ghost frogs — Heleophryinae — Heleophryne All species;
(I) Shovel-nosed frogs — Hemisotidae — Hemisus All species;
(J) Leaf frogs — Hylidae — Agalychnis All species;
(K) Casque-headed frogs — Hylidae — Aparashpenodon All species;
(L) Water-holding frogs — Hylidae — Cyclorana All species;
(M) Marsupial frogs — Hylidae — Gastrotheca All species;
(N) Marbled tree frogs — Hylidae — Hyla marmorata
(O) Australian giant tree frogs — Hylidae — Litoria chlorus and L. infrafrenata;
(P) Slender-legged tree frogs — Hylidae — Osteocephalus All species;
(Q) Cuban tree frogs — Hylidae — Osteopilus All species;
(R) White's tree frog — Hylidae — Pelodytes caerulea;
(S) Golden-eyed tree frogs — Hylidae — Phrynosoma All species;
(T) Monkey frogs — Hylidae — Phyllomedusa All species;
(U) Burrowing frogs — Hylidae — Pterohyla All species;
(V) Casque-headed tree frogs — Hylidae — Trachycephalus All species;
(W) Shovel-headed tree frogs — Hylidae — Triprion All species;
(X) Banana frogs — Hyperoliidae — Afrixalus All species;
(Y) Reed frogs — Hyperoliidae — Hyperolius All species;
(Z) Running frogs — Hyperoliidae — Kassina All species;
(AA) Forest tree frogs — Hyperoliidae — Leptopelis All species;
(BB) New Zealand frogs — Leiopelmatidae — Leiopelma All species;
(CC) Common horned frogs — Leptodactylidae — Ceratophrys All species;
(DD) Rain or robber frogs — Leptodactylidae — Eleutherodactylus All species;
(EE) Paraguay horned toads — Leptodactylidae — Lepidobatrachus All species
(FF) Asian horned toad — Megophryidae — Megophrys montana (nasuta);
(GG) Tomato frogs — Microhylidae — Dyscophus All species;
(HH) Narrow-mouthed frogs — Microhylidae — Gastrophryne All species;
(II) Sheep frogs — Microhylidae — Hypopachus All species;
(JJ) Malaysian narrowmouth toad — Microhylidae — Kaloula pulchra;
(KK) Tusked frog — Myobatrachidae — Adelotus brevis;
(LL) Pouched frog — Myobatrachidae — Assa darlingtoni;
(MM) Giant burrowing frogs — Myobatrachidae — Heleioporus All species;
(NN) Cannibal frogs — Myobatrachidae — Lechriodus All species;
(OO) Turtle frog — Myobatrachidae — Myobatrachus gouldii;
(PP) Australian spadefoot toads — Myobatrachidae — Notaden All species;
(QQ) Crowned toadlets — Myobatrachidae — Pseudophryne All species;
(RR) Gastric brooding frog — Myobatrachidae — Rheobatrachus All species;
(SS) Torrent frogs — Myobatrachidae — Taudactylus All species;
(TT) Australian toadlets — Myobatrachidae — Uperoleia All species;
(UU) Parsley frogs — Pelodytidae — Pelodytes All species;
(VV) Dwarf clawed frogs — Pipidae — Hymenochirus All species;
(WW) Surinam frogs — Pipidae — Pipa All species;
(XX) Mantella frogs — Ranidae — Mantella All species;
(YY) Foam nest tree frogs — Rhacophoridae — Chirromantis All species;
(ZZ) Gliding or flying frogs — Rhacophoridae — Rhacophorus All species;
(AAA) Tonkin Bug-eyed frog — Rhacophoridae — Theloderma corticale;

(BBB) Mexican burrowing frog — Rhinodermatidae — Rhinophrynus dorsalis;
(CCC) Seychelles frogs — Sooglossidae — All species.
(b) Order Caudata:
(A) Axolotl — Ambystomatidae — Ambystoma mexicanum;
(B) Gold-striped salamander — Salamandridae — Chioglossa lusitanica;
(C) Black-spotted and striped newts — Salamandridae — Notophthalmus meridionalis and N. perstriatus;
(D) Spectacled salamander — Salamandridae — Salamandrina terdigitata.
(c) Order Gymnophiona: Caecilians — All species.
(4) Noncontrolled Reptiles: Common Name — Family — Genus/species:
(a) Order Squamata (Suborder Amphisbaenia): Worm lizards — All species.
(b) Order Squamata (Suborder Lacertilia):
(A) Pricklenapes — Agamidae — Acanthosaura All species;
(B) Common or rainbow agama — Agamidae — Agama agama;
(C) Frilled dragon — Agamidae — Chlamydosaurus kingii;
(D) Humphead forest dragons — Agamidae — Gonocephalus All species;
(E) Sailfin lizards — Agamidae — Hydrosaurus All species;
(F) Anglehead forest dragons — Agamidae — Hyspilurus All species;
(G) Splendid Japalure — Agamidae — Japalura splendida;
(H) Water dragons — Agamidae — Lophognathus All species;
(I) Water dragons — Agamidae — Physignathus All species;
(J) Bearded dragons — Agamidae — Pogona All species;
(K) Mastigures — Agamidae — Uromastyx All species;
(L) Strange Agamas — Agamidae — Xenagama All species;
(M) Chameleons — Chamaeleonidae — All species;
(N) Plated lizards — Cordylidae — Gerrhosaurus All species;
(O) Flat lizards — Cordylidae — Platysaurus All species;
(P) Geckos — Gekkonidae — All species;
(Q) Gila monster, beaded lizard — Helodermatidae — All species;
(R) Iguanid lizards — Iguanidae — All nonnative species except: Crotophytus spp., Gambelia spp., Sceloporus spp., Uta spp., Phrynosoma spp.;
(S) Asian Grass Lizard — Lacertidae — Takydromus sexlineatus;
(T) Skinks — Scincidae — All nonnative species except Eumeces spp.;
(U) Ameivas — Teiidae — Ameiva All species;
(V) Tegus — Teiidae — Tupinambis All species;
(W) Monitor lizards — Varanidae — All species except Varanus griseus;
(X) Night lizards — Xantusiidae — All species;
(Y) American knob-scaled lizards — Xenosauridae — Xenosaurus All species.
(c) Order Squamata (Suborder Serpentes):
(A) File snakes — Acrochordidae — All species;
(B) Pythons and Boas — Boidae — All nonnative species;
(C) Milk, Pine, Corn, Rat, Garter snakes — Colubridae — All nonnative species except Boiga irregularis, Lampropeltis getula, L. zonata, and Pituophis catenifer;
(D) Kingsnakes and gopher (bull) snakes — Colubridae — Individuals of Lampropeltis getula, L. zonata and Pituophis catenifer that are morphologically distinct from native species.
(E) Egyptian cobra — Elapidae — Naja haje;
(F) Black & white cobra — Elapidae — Naja melanoleuca;
(G) Indian cobra — Elapidae — Naja naja;
(H) Red spitting cobra — Elapidae — Naja pallida;
(I) King cobra — Elapidae — Ophiophagus hannah;
(J) Bush vipers — Viperidae — Atheris All species;
(K) Gaboon viper — Viperidae — Bitis gabonica;
(L) Rhinoceros viper — Viperidae — Bitis nasicornis;
(M) Horned vipers — Viperidae — Cerastes All species;
(N) Rattlesnakes — Viperidae — Crotalus aquilus, C. basiliscus, C. durissus, C. intermedius, C. polystictus, C. pusillus, C. tortugensis, C. triseriatus, C. unicolor, and C. vegrandis;
(O) Saw-scaled vipers — Viperidae — Echis All species;
(P) Bushmaster — Viperidae — Lachesis muta;
(Q) False horned vipers — Viperidae — Pseudocerastes All species;
(R) Pygmy rattlesnakes — Viperidae — Sistrurus miliarius and S. ravus.
(d) Order Testudines:

ADMINISTRATIVE RULES

- (A) Pignose turtles — Carettochelyidae — All species;
- (B) Austro — American side-necked turtles — Chelidae — All species;
- (C) Marine turtles — Cheloniidae — All species;
- (D) River turtles — Dermatemydidae — All species;
- (E) Leatherback turtles — Dermochelyidae — All species;
- (F) Pond and box turtles — Emydidae — All nonnative species except *Pseudemys* spp., *Trachemys* spp., *Chinemys* spp., *Clemmys* spp., *Chrysemys* spp., *Graptemys* spp., *Emys orbicularis*, *Emydoidea blandingii* and *Mauremys* spp.;
- (G) American mud and musk turtles — Kinosternidae — All species except *Kinosternon subrubrum* and *K. odoratum*;
- (H) Afro-American side-necked turtles — Pelomedusidae — All species;
- (I) Bighead turtles — Platysternidae — All species;
- (J) Tortoises — Testudinidae — All species;
- (K) Softshell turtles — Trionychidae — All species except *Apolone* spp. and *Trionyx triunguis*.
- (5) Noncontrolled Fish: Common Name — Family — Genus/species: Aquaria fish and Live Foodfish — All species.
Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242
Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242
Hist.: FWC 69-1996, f. & cert. ef. 12-20-96; FWC 59-1997, f. & cert. ef. 9-3-97; Administrative correction 10-27-97; FWC 72-1997, f. & cert. ef. 12-29-97; DFW 21-1998, f. & cert. ef. 3-13-98; DFW 63-1998, f. & cert. ef. 8-10-98; DFW 99-1998, f. & cert. ef. 12-22-98; DFW 94-1999, f. & cert. ef. 12-23-99; DFW 79-2000, f. & cert. ef. 12-22-00; DFW 116-2001, f. & cert. ef. 12-18-01; DFW 15-2011, f. & cert. ef. 2-15-11; DFW 69-2011, f. 6-15-11, cert. ef. 7-1-11; DFW 20-2014, f. & cert. ef. 3-11-14; DFW 30-2014(Temp), f. 4-15-14, cert. ef. 4-16-14 thru 10-10-14; DFW 131-2014, f. & cert. ef. 9-11-14

635-056-0075

Controlled Fish Species

(1) Controlled Fish.

(a) Grass carp (*Ctenopharyngodon idella*): Grass carp may be released into water bodies within Oregon only pursuant to the issuance of a permit from the Department. Complete permit applications shall be submitted to Department headquarters at least 60 days before proposed stocking. A fee of \$100.00 (plus a \$2.00 license agent fee) shall be charged for each Grass carp permit issued.

The following restrictions and standards will govern the issuance of grass carp permits:

(A) Stocking will occur only in water bodies which are:

- (i) Completely within private land; or
- (ii) On land owned or controlled by irrigation districts or drainage districts.

(B) Stocking will occur only in the following types of water bodies:

- (i) Lakes, ponds, or reservoirs less than 10 acres; or
- (ii) Ditches and canals.

(C) Public use of the water body must be restricted to prevent removal of grass carp (by angling or otherwise) by unauthorized persons. At a minimum, the water body must be closed to angling and other use by the general public.

(D) Stocking shall not detrimentally affect any population of species listed as threatened or endangered by the federal or state government.

(E) Stocking shall occur only in water bodies with fish screens approved by the Department. Such screens shall have screen openings 1 inch or less for fish 12–19 inches total length and screen openings 2 inches or less for fish over 19 inches total length. Screens shall be inspected and approved by the Department before a permit will be issued. The applicant must comply with fish passage requirements (OAR 635, division 412); given grass carp screening requirements, this entails applying for and receiving a waiver or exemption from passage requirements if grass carp will be stocked into waters where native migratory fish are or were historically present.

(F) Stocking will not be allowed in water bodies within 100-year floodplains (as delineated by the Federal Emergency Management Agency on federal Flood Insurance Rate Maps) during times of potential flood. Times of potential flood are January 1 through July 31 in watersheds east of the Cascades and October 15 through May 31 in watersheds west of the Cascades. Grass carp will be removed from water bodies in a 100-year floodplain and held or disposed of during times of potential flood. If grass carp will be held and not disposed of, they shall be held at a permitted site outside the 100-year floodplain. Applications for sites within a 100-year floodplain shall contain a detailed removal plan which shall receive Department approval.

(G) Grass carp may only be purchased and imported from approved suppliers outside Oregon. Grass carp may not be propagated or held for further distribution within Oregon. Department pathologists shall approve suppliers. Approval will be based on ability to provide grass carp free of Asian tapeworms and meet health and disease requirements according to OAR 635-007-0555 through 635-007-0585.

(H) Grass carp imported into Oregon shall be:

(i) Sterile triploids. Documentation from the U.S. Fish and Wildlife Service that each fish is triploid must be submitted to the Department prior to release;

(ii) At least 12 inches long;

(iii) Tagged with a Passive Integrated Transponder (PIT) tag of frequency 134.2-kilohertz. Each tag shall be programmed with a unique identification number. A list of unique tag numbers shall be submitted to the Department prior to release; and

(iv) Stocked at a rate not exceeding 22 per affected acre.

(I) In addition to documentation relating to the restrictions above, each permit application shall include:

(i) Applicant's name, address and daytime telephone number. All property owners of the water body to which grass carp will have unrestricted access must be party to the application and permit;

(ii) Location of the water body, including township, range, section and quarter section, with map including written directions for access;

(iii) Map of the water body including, vegetation present in the water body, all inlets and outlets, and screen locations;

(iv) Description of emergency procedures for responding to fish escapes from approved sites;

(v) Description of how fish will be removed and disposed of at the end of the proposed project.

(J) An application becomes the management plan upon approval. Permits and management plans shall be specific to particular sites and particular stocking projects. Permittees shall not deviate from permit conditions and management plans without prior written approval from the Department. No person may remove grass carp from one site (as identified in a management plan) and transport them to any other site without prior written approval from the Department.

(K) An Oregon Department of Fish and Wildlife fish transport permit shall accompany grass carp imported into and transported within Oregon. If transport is required within the management plan and occurs entirely on the permittee's property, a transport permit is not needed. Any other permit or documentation required for fish import, transport, or stocking shall also be obtained prior to importation and stocking.

(L) Permittees shall, as a condition of the permit, allow employees of the Department or the Oregon State Police to inspect at reasonable times the permitted water body, permit, and associated records. Inspection may take place without warrant or notice, but, unless prompted by emergency or other exigent circumstances, shall be limited to regular and usual business hours, including weekends. Nothing in these rules is intended to authorize or allow the warrantless search or inspection of property other than the water bodies or fish holding facilities on the permittee's property.

(M) Permits are revocable at any time for violation of any wildlife statute or rule of the Department. Upon revocation, if stocking has already occurred, the permittee shall remove all grass carp within two weeks at her/his own cost.

(N) Grass carp which escape a permitted water body are subject to seizure or destruction by the Department at the expense of the permit holder. The permit holder shall be held liable for incidental kill of any other species due to or during destruction of escaped grass carp.

(O) The Commission may grant an exception to OAR 635-056-0075(2)(a)(B) or (2)(a)(F). Exception requests must be submitted in writing in addition to the normal application and must address the requirements in this section. Unless the Commission determines that an alternative provides equivalent protection to fish and wildlife resources and their habitats, exceptions shall have the following additional requirements:

(i) If the water body into which grass carp will be stocked is greater than or equal to 10 acres a professional topographic survey by a licensed surveyor must be provided for the entire perimeter of the water body showing all points of water movement in and out of the water body. A topographic survey completed by a state or federal agency within five years from the date of application for the water body may be used. The Department shall determine screening requirements from the survey;

(ii) Grass carp may remain in a water body within the 100-year floodplain year-round if a professional plan or drawing that is certified by a licensed engineer is provided which indicates that the entire perimeter of the water body is protected from 100-year floods. In order to prevent grass

ADMINISTRATIVE RULES

carp escape, screens, dikes, and devices protecting the water body must be able to remain structurally sound within 100-year floods and not be overtopped by a 100-year flood. The Department reserves the right to have a licensed engineer retained by the agency review and approve or deny the plan or drawing submitted by the applicant.

(b) Tilapia (Mozambique tilapia *Oreochromis mossambicus*, Nile tilapia *O. niloticus*, Wami tilapia *O. urolepis*, Blackchin tilapia *Sarotherodon melanotheron*, and hybrids thereof): The possession, propagation, transportation, sale, purchase, exchange and disposition of these tilapia is controlled according to the following restrictions and standards:

(A) A person intending to sell, barter or exchange must apply for and receive an approved propagation license from the Oregon Department of Fish and Wildlife Fish Propagation Program prior to commencing production. A person may raise tilapia in-doors (a house, greenhouse, or other enclosed structure capable of excluding predators) for personal consumption without an Oregon Department of Fish and Wildlife-Fish Propagation license;

(B) Propagation outdoors must occur in ponds or tanks covered with nets or screens adequate to prevent the capture or transport of cultured fish by predators or other animals;

(C) Access to production facilities must be through secure locked gates;

(D) Only animals certified as disease-free by the vendor may be purchased;

(E) Permittees must provide adequate veterinary care to identify and minimize the spread of diseases originating from the animals being held;

(F) No live tilapia or their gametes, fertilized eggs, or larvae may be released into waters of this State, as defined in ORS 506.006; and

(G) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live tilapia imported into and transported within Oregon. If transport occurs entirely on the permittee's property, a transport permit is not needed.

(c) Tiger muskellunge (*Esox lucius* X *Esox masquinongy*): tiger muskellunge are classified as a controlled species for the specific purpose of stocking into Phillips Reservoir (Baker County) for fish management purposes according to the following restrictions and standards:

(A) Stocking will occur only in Phillips Reservoir located in Baker County. No other public or private water bodies will be stocked with tiger muskellunge unless approved by the Commission. Tiger muskellunge will be stocked into Phillips Reservoir at a rate not to exceed the adult density required to achieve the objectives of the introduction; control abundance of yellow perch to restore the rainbow trout fishery.

(B) Tiger muskellunge may only be obtained and imported from approved suppliers outside of Oregon. Tiger muskellunge may not be propagated or held for further distribution within Oregon. Department pathologists shall approve suppliers. Approval will be based on the ability to provide tiger muskellunge which meet health and disease requirements according to OAR 635-007-0960 through 635-007-0995.

(C) Allowable catch and release only based on management objectives.

(D) Department will establish a monitoring plan and program prior to release which shall include:

(i) Creel monitor

(ii) Population monitoring.

(iii) Plans to eradicate or suppress any illegal introductions of pike or muskellunge introductions to Phillips Reservoir.

(iv) Education and outreach

(E) In conjunction with fish monitoring activities all live tiger muskellunge handled of suitable marking size shall be tagged with a Passive Integrated Transponder (PIT) tag. Each tag shall be programmed with identification number. A list of the PIT tag identification numbers shall be maintained by the District Fish Biologist and submitted to the Invasive Species Wildlife Integrity Coordinator.

(F) Any permit(s) or documentation(s) required for fish import, transport, or stocking shall be obtained prior to and accompany importation and stocking.

(G) Department will develop an environmental monitoring plan for Phillips Reservoir which should include:

(i) Basic limnological characterization of the reservoir (nutrient concentrations, light penetration, vertical profiles of physical and chemical characteristics of reservoir water, zooplankton, and phytoplankton composition and densities).

(ii) Barramundi (*Lates calcarifer*) the possession, propagation, transportation, sale, purchase, exchange and disposition of Barramundi are controlled according to the following restrictions and standards:

(A) A person must apply for and receive an approved propagation license from the Oregon Department of Fish and Wildlife Fish Propagation Program prior to commencing production;

(B) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live Barramundi imported into and transported within Oregon. If transport occurs entirely on the permittee's property, a transport permit is not needed;

(C) Fish health certification must be reviewed and found acceptable by ODFW Fish Health personnel or veterinary staffs before fish are purchased or transported;

(D) Possession of live Barramundi outside of an approved facility or without a transport permit is prohibited;

(E) No live Barramundi or their gametes, fertilized eggs, or larvae may be released into water of the State, as defined in ORS 506.006;

(F) Propagation must occur indoors (enclosed structure capable of excluding predators) and only in closed recirculating systems;

(G) Access to production facilities must be through secure locked gates;

(H) Permittee must provide adequate veterinary care as directed by a veterinarian and adhere to Fish Health Management Policy OAR 635-007-0960 through 635-007-0995 to identify and minimize the spread of disease originating from the animals being held;

(I) Effluent water may not be discharged directly into any waters of the state.

(2) Controlled Mollusks

(a) Suminoe oysters (*Crassostrea ariakensis*), Pacific oysters (*C. gigas*), Kumamoto oysters (*C. sikamea*), Eastern oysters (*C. virginica*), and European flat oysters (*Ostrea edulis*) may be purchased and imported from outside Oregon (or from other estuaries within Oregon) for release into estuaries in Oregon pursuant to the terms of a permit issued by the department. Complete permit applications must be submitted to the department's Marine Resources Program Headquarters (2040 SE Marine Science Drive, Newport, Oregon 97365) at least 15 days before proposed stocking. Oysters may be commercially harvested and sold pursuant to OAR 635-005.

(b) Softshell clam (*Mya arenaria*), Japanese varnish clam (*Nuttallia obscurata*), and Japanese littleneck clam (*Venerupis philippinarum*) may be harvested, possessed and sold commercially pursuant to OAR 635-005 or harvested and possessed recreationally pursuant to OAR 635-039.

(3) Controlled Crustaceans:

(a) Green crabs (*Carcinus maenas*) may be harvested recreationally pursuant to OAR 635-039. Once harvested, it is unlawful to return green crab to state waters. It is unlawful to take green crab for commercial purposes.

(b) Whiteleg shrimp (*Litopenaeus vannamei*): The possession, propagation, transportation, sale, purchase, exchange and disposition of whiteleg shrimp is controlled according to the following restrictions and standards:

(A) A person must apply for and receive an approved propagation license from the Oregon Department of Fish and Wildlife Fish Propagation Program prior to commencing production;

(B) Propagation must occur in ponds covered with nets or screens adequate to prevent the capture or transport of cultured shrimp by predators or other animals;

(C) Access to production facilities must be through secure locked gates;

(D) Only animals certified as disease-free by the vendor may be purchased;

(E) Permittees must provide adequate veterinary care to identify and minimize the spread of diseases originating from the animals being held;

(F) No live whiteleg shrimp or their gametes, fertilized eggs, or larvae may be released into waters of this State, as defined in ORS 506.006; and

(G) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live whiteleg shrimp imported into and transported within Oregon. If transport occurs entirely on the permittee's property, a transport permit is not needed.

(c) Giant river prawns (*Macrobrachium rosenbergii*): The possession, propagation, transportation, sale, purchase, exchange and disposition of giant river prawns is controlled according to the following restrictions and standards:

(A) A person must apply for and receive an approved propagation license from the Oregon Department of Fish and Wildlife Fish Propagation Program prior to commencing production;

ADMINISTRATIVE RULES

(B) Propagation must occur in ponds covered with nets or screens adequate to prevent the capture or transport of cultured prawns by predators or other animals;

(C) Access to production facilities must be through secure locked gates;

(D) Only animals certified as disease-free by the vendor may be purchased;

(E) Permittees must provide adequate veterinary care to identify and minimize the spread of diseases originating from the animals being held;

(F) No giant river prawns or their gametes, fertilized eggs, or larvae may be released into waters of this State, as defined in ORS 506.006; and

(G) An Oregon Department of Fish and Wildlife fish transport permit shall accompany live giant river prawns imported into and transported within Oregon. If transport occurs entirely on the permittee's property, a transport permit is not needed.

(d) Crayfish — Cambaridae and Parastacidae — All species: The importation, possession, propagation, transportation, sale, purchase, exchange and disposition of non-native crayfish is controlled according to the following restrictions and standards.

(A) Non-native crayfish may be harvested, possessed and sold commercially pursuant to OAR 635-005-0855 through 635-005-0885 or harvest recreationally pursuant to ORS 496.162 from waters of the State as defined in ORS 503.006;

(B) Live non-native crayfish may not be used as bait except in the waterbody in which they were taken;

(C) Non-native crayfish or their gametes, fertilized eggs, or larvae may not be released into waters of the State, as defined in ORS 503.006;

(D) Propagation is not allowed;

(E) Non-native crayfish may not be imported except by recognized educational institutions or for immediate consumption (Immediate consumption means within one week from date of delivery):

(i) Prior to purchase and importation; must apply for and receive authorization from Oregon Department of Fish and Wildlife;

(ii) Crayfish must be euthanized after educational section is completed.

(iii) Non-native crayfish must remain in an indoor secure facility and can only be removed when transporting for immediate preparation for consumption;

(iv) An Oregon Department of Fish and Wildlife fish transport permit shall accompany non-native crayfish imported into Oregon.

(F) Fish health certification must be reviewed, found acceptable and be on file by ODFW Fish Health personnel or veterinary staffs before crayfish are imported into the State.

Stat. Auth.: ORS 496.012, 496.138 & 496.146

Stats. Implemented: ORS 497.308, 497.318, 498.022, 498.052 & 498.222

Hist.: DFW 63-1998, f. & cert. ef. 8-10-98; DFW 94-1999, f. & cert. ef. 12-23-99; DFW 79-2000, f. & cert. ef. 12-22-00; DFW 116-2001, f. & cert. ef. 12-18-01; DFW 64-2003, f. & cert. ef. 7-17-03; DFW 53-2008(Temp), f. & cert. ef. 5-28-08 thru 9-19-08; DFW 114-2008, f. & cert. ef. 9-19-08; DFW 142-2009, f. 11-12-09, cert. ef. 1-1-10; DFW 15-2011, f. & cert. ef. 2-15-11; DFW 131-2012, f. & cert. ef. 10-11-12; DFW 148-2012, f. & cert. ef. 12-18-12; DFW 26-2014(Temp), f. 3-21-14, cert. ef. 4-1-14 thru 8-31-14; DFW 131-2014, f. & cert. ef. 9-11-14

635-056-0130

Classification Requests

(1) For species that are not listed in these rules, no person may possess, import, purchase, sell, exchange, or offer to purchase, sell or exchange the species in Oregon.

(2) Species may be classified as Prohibited, Controlled or Noncontrolled. The classification may vary by activity (e.g., possession allowed, but sale prohibited). If a specific nonnative species, subspecies or hybrid is not classified as either Prohibited, Controlled or Noncontrolled, or is classified but not for a particular activity (e.g., import, sale, possession, transport), any person may either:

(a) Petition the commission to classify the species or allow the particular activity pursuant to OAR 137-001-0070; or

(b) Request the director to classify the species as Noncontrolled, pursuant to OAR 635-056-0140.

(c) Any person petitioning or requesting classification shall provide information illustrating that the requested action will not harm, nor has the potential to harm, any native species or its habitat. The information should be scientific in nature, in written form and include an appropriate literature cited section.

(3) In evaluating a request to classify a species, subspecies or hybrid, the commission may consider the following factors, when appropriate:

(a) Potential to introduce disease or parasites to native wildlife populations;

(b) Potential for interbreeding or hybridizing with native wildlife;

(c) Possible competition with native wildlife for habitat, food, water, etc.;

(d) Impacts on the habitat of native wildlife;

(e) Potential predation on native wildlife;

(f) Feasibility of capturing and eradicating escaped animals;

(g) Cost of capturing and eradicating escaped animals; or

(h) Any other factor or consideration the commission considers necessary to protect and maintain native wildlife.

(i) How is the species categorized in "The IUCN Red List of Threatened Species?"

(j) Is the species commercially propagated? Unknown, rarely, moderate, common

(4) The director may appoint a Wildlife Integrity Review Panel to consider the information presented by the petitioner as appropriate. The director may, in appointing the panel, consider scientific expertise, professional background, and other qualifications needed to make sound decisions. The director may seek commission recommendations in making Wildlife Integrity Review Panel appointments. If convened, the panel shall make a recommendation to the commission on the classification of the species, subspecies or hybrid and what conditions, if any, should apply to the proposed activity (e.g., import, sale, possession, transfer).

(5) The director may call for scientific based studies or other verifiable information useful in placing the requested species in the appropriate classification category.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Hist.: FWC 69-1996, f. & cert. ef. 12-20-96; FWC 59-1997, f. & cert. ef. 9-3-97; DFW 99-1998, f. & cert. ef. 12-22-98; DFW 116-2001, f. & cert. ef. 12-18-01; DFW 15-2011, f. & cert. ef. 2-15-11; DFW 20-2014, f. & cert. ef. 3-11-14; DFW 131-2014, f. & cert. ef. 9-11-14

635-056-0140

Noncontrolled Classification

(1) Upon a request pursuant to OAR 635-056-0130(3)(b), the director may classify a species as Noncontrolled if the director determines, based upon scientific information, that the species presents a low risk of harm to native wildlife. In evaluating the risk, the director shall determine the relative risk (high, medium, low, unknown) for each of the following criteria:

(a) Whether the species' natural range and habitat is similar to Oregon's climate and habitat;

(b) Whether the species has an invasive history;

(c) Whether the species can survive in Oregon;

(d) Whether the species has the potential to prey upon native wildlife;

(e) Whether the species can potentially degrade the habitat of native wildlife;

(f) Whether the species has the potential to pass disease or parasites to native wildlife;

(g) What types of disease or parasites could be passed on to native wildlife;

(h) Whether the species has the potential to compete for food, water, shelter, or space with native wildlife;

(i) Whether the species has the potential to hybridize with native wildlife; and

(j) Whether the species can be readily distinguished from a native species, or a prohibited or controlled species.

(k) How is the species categorized in "The IUCN Red List of Threatened Species?"

(1) Is the species commercially propagated? Unknown, rarely, moderate, common

(2) If the director determines that the risk for all of the above criteria is low, or that the risk for one of the criterion is medium and the risk for the remaining criteria is low, then the director may classify the species as Noncontrolled. If the director determines that the risk for any of the criteria is high or unknown, or that the risk for two or more of the criteria is medium, the director shall refer the petition to the commission for a decision.

(3) The director shall notify the petitioner in writing of any decision and the rationale for that decision. If the petitioner or an affected person disagrees with the director's decision to list a species as Noncontrolled, the person may request the commission to review the director's decision.

(4) The director shall maintain a list of those species classified as Noncontrolled, and shall make the list available to the public.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

ADMINISTRATIVE RULES

Hist.: FWC 69-1996, f. & cert. ef. 12-20-96; FWC 59-1997, f. & cert. ef. 9-3-97; DFW 79-2000, f. & cert. ef. 12-22-00; DFW 20-2014, f. & cert. ef. 3-11-14; DFW 131-2014, f. & cert. ef. 9-11-14

Rule Caption: Adopt Rules for Confederated Tribes of Grand Ronde; Approval of Fish and Wildlife Management Plan

Adm. Order No.: DFW 132-2014

Filed with Sec. of State: 9-11-2014

Certified to be Effective: 9-11-14

Notice Publication Date: 8-1-2014

Rules Adopted: 635-043-0130

Subject: The rule delegates management authority within certain specified limits for fish and wildlife resources to the Confederated Tribes of Grand Ronde (CTGR) on CTGR Reservation and Trust lands pursuant to the CTGR Fish and Wildlife Management Plan, and authorizes the take of animals by species and number. The delegation authority would implement a provision of a 2007 Proclamation signed by the Governor, Chair of the Fish and Wildlife Commission and Chair of the Tribal Council.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-043-0130

Grand Ronde Reservation and Trust Lands Wildlife Management

(1) The Commission authorizes the take of the following wildlife, to be allocated by the Confederated Tribes of the Grand Ronde Community of Oregon (Tribe, for purposes of this rule) for the purposes of accomplishing the goals of the "Confederated Tribes of the Grand Ronde Fish and Wildlife Management Plan," (Management Plan) dated September 5, 2014, and delegates to the Tribe the management of fish and wildlife resources on the Tribe's reservation and trust lands, in accordance with the Management Plan.

(2) The Department authorizes the Tribe to annually take the following number of animals and shall provide tags annually, where applicable:

- (a) Columbia Black-tailed Deer: 200 animals
- (b) Roosevelt Elk: 200 animals
- (c) Cougar: 50 animals.
- (d) Bear: 50 animals.
- (e) Crayfish: no annual limit.
- (f) Pacific Lamprey: 100 animals.
- (g) Cutthroat trout: no annual limit.
- (h) Spring Chinook: 100 animals.
- (i) Coho: 100 animals.
- (j) Upland Game Birds (Blue (Sooty) Grouse, Ruffed Grouse, Mountain Quail, California Quail and wild Turkey): no annual limit.
- (k) Bobcat: 100 animals.

(3) Harvesters exercising take authorized by subsection (2) must possess the applicable state-issued permits, licenses and tags and a tribally issued hunting tag, however a valid tribal license issued pursuant to the Consent Decree (OAR 635-041-0600) along with a tag issued under subsection (2) of this rule may be used in lieu of any otherwise required state license, tag or permit. The Tribe may impose such conditions upon the take of this wildlife, which must occur on reservation or trust lands, as the Tribes determine will effect the purposes of the Management Plan.

(4) The Tribe shall report actual take to the Department under this authority by January 30 of the year following the take.

(5) This rule does not delegate any authority with respect to fish hatcheries or fish supplementation programs. Any proposal to build a fish hatchery or implement a hatchery supplementation program would require additional agreement between the Tribe and the Commission.

(6) Nothing in this rule authorizes or alters any legal restriction on the sale, barter, trade or exchange of wildlife or wildlife parts.

(7) No additional tribal legal or treaty entitlement is created, conveyed or implied, nor is any existing agreement, treaty or court decree modified by the adoption of these rules or the Management Plan.

Stat. Auth.: ORS 183 & 496
Stats Implemented: ORS 183 & 496
Hist.: DFW 132-2014, f. & cert. ef. 9-11-14

Department of Geology and Mineral Industries

Chapter 632

Rule Caption: OAR 632-030-0025 — Requirements for an Operating Permit and Reclamation Plan

Adm. Order No.: DGMI 2-2014(Temp)

Filed with Sec. of State: 9-10-2014

Certified to be Effective: 9-10-14 thru 3-9-15

Notice Publication Date:

Rules Amended: 632-030-0025

Subject: At present, entities engaged in mine land reclamation under the Division 30 rules are not able to take advantage of ODEQ's beneficial use determination procedures to use this lightly contaminated fill. The Department has been advised by ODEQ and construction project developers that there is waste material being excavated at major construction projects that likely could satisfy the beneficial use requirements for backfill in reclamation sites. These amendments to the rule requires that all imported fill used as reclamation backfill or other subsurface placement must meet the Oregon Department of Environmental Quality definition of clean fill as provided in OAR 340-093-0030, or the use must be specifically allowed by Department of Environmental Quality by rule, permit or other written authorization. Additionally, these amendments to the rule would require a reclamation site accepting imported fill must have a written plan that has been approved by the Department. The plan must show the locations for stockpiling and permanent placement of the imported fill and provide for monitoring of the quality and quantity of the imported fill. Documentation showing compliance with the approved plan must be provided to the Department upon request.

Rules Coordinator: Gary Lynch—(541) 967-2053

632-030-0025

Requirements for an Operating Permit and Reclamation Plan

(1) An applicant for an operating permit shall submit a reclamation plan to the Department as required in OAR 632-030-0020. The information that the Department may require in a reclamation plan includes, but is not limited to, the following:

(a) The name(s) and address(es) of all owners of the surface estate and mineral estate;

(b) The legal structure (e.g., corporation, partnership, individual) of the applicant;

(c) The name and mailing address for correspondence;

(d) The name and mailing address of the applicant's resident agent;

(e) A description of the present land use and planned beneficial use of the site following mining. The applicant must demonstrate that the planned beneficial use is compatible with the affected local government's acknowledged comprehensive plan and land-use regulations;

(f) The identification and characterization of the soils present, including any areas that have wetlands and hydric soils;

(g) The identification of any fish or wildlife species that may be present that is listed or proposed for listing by either federal or state as sensitive, threatened, or endangered or otherwise may require buffers for protection;

(h) A general list of equipment to be used and a description of mining methods including interim slope angles during the life of the mine;

(i) Provisions for the backfilling, recontouring, decompaction, topsoil replacement, seedbed preparation, mulching, fertilizing, selection of plant species, seeding or planting rates, weed control, and schedules;

(j) The characterization of the ground and surface water based on available wells, drill logs, location of springs, and surface drainages within one mile of the proposed operation may be required. The Department may also require the collection and submission of additional hydrologic data to evaluate the mine development and reclamation plan;

(k) Stream hydrology and other hydrologic information for floodplain sites;

(l) Ground water characterization and/or measures to prevent significant adverse impacts to surface or ground water quantity or quality;

(m) Other baseline information necessary to evaluate the mine development and reclamation plan;

(n) A list and procedures for the handling and use of any materials toxic to plant and/or animal life, acid forming materials or radioactive material which will be at the mine site. The Department may also require an analysis of process water, reagents, wastes, or other materials involved in the mining and processing operations;

(o) Procedures for the salvage, storage, and replacement of topsoil or acceptable substitute. The Department may require the applicant to submit a chemical and physical analysis of the seedbed and subsoil;

(p) Procedures for the stable storage of overburden. This may include a description of the pre-mine topography, method for placement of overburden, height of lifts, compaction standards, final height, and slope

ADMINISTRATIVE RULES

configurations, and/or a geotechnical design and construction plans for a storage pile or fill proposed as a final reclamation feature;

(q) Provisions for adequate setbacks to protect adjacent property and public safety;

(r) Provisions to protect and maintain access to utilities when a utility company right-of-way exists;

(s) Visual screening of the proposed operation may be required when the operating area is visible from a public road or residential area. Techniques for visual screening include, but are not limited to, vegetation, fencing, berms, setbacks, or buffer strips along the property boundary;

(t) Procedures for surface water, stream, and floodplain protection and operational and post-mine hydrologic controls may include, but are not limited to:

(A) Procedures to protect surface water quality and to control erosion include the following:

(i) Rock lined ditches, rock lined haul roads, or work areas;

(ii) Detention ponds and sedimentation basins;

(iii) Rock check dams and grade control structures;

(iv) Temporary diversions;

(v) Flocculation systems and/or surface disposal systems;

(vi) Runoff and pond sizing calculations.

(B) Procedures to protect or reconstruct waterways or drainage patterns impacted by mine related disturbances or reclamation by the design and construction of a post-mine drainage control plan to convey storm water and surface water off the property in a manner that will provide long-term stability to the reclaimed land.

(C) Procedures to protect natural resources. The Department may determine it is in the best interest of protection of natural resources and final reclamation to require procedures to integrate flood water passage plans, storm water controls, or fish ingress/egress plans at adjoining mine sites. Such a requirement by the Department is not considered a permit amendment.

(D) Procedures to promote final reclamation and floodplain stability or protection of streams, riparian buffers, and operational setbacks may require detailed engineering and planning for:

(i) Pond bank and channel bank weirs or other headcut protection plans;

(ii) Floodwater conveyance channels or structures;

(iii) Flood berms;

(iv) Protection of channel migration zone;

(v) Protection or stabilization of stream channel buffers.

(u) A proposed time schedule for surface mining and reclamation and a description of how concurrent reclamation, if applicable, will be accomplished during the life of mine.

(v) Additional steps planned to enhance fish or wildlife habitat or to create wetlands for sites where fish or wildlife habitat or wetland construction is part of the designated post-mining land use;

(w) Procedures for the removal or disposal of all equipment, refuse, structures, and foundations from the permit area except permanent structures that are part of an approved reclamation plan;

(x) Final slope configurations and how they will be stabilized;

(y) A plan for the control of noxious weeds may be required;

(z) Provisions to protect fish and wildlife species by providing operational setbacks;

(aa) Fish ingress/egress plans for floodplain sites; and

(bb) Procedures for placement of imported fill and the protection of fill quality.

(A) All imported fill used as reclamation backfill or other subsurface placement must meet the Oregon Department of Environmental Quality definition of clean fill as provided in OAR 340-093-0030 or the use must be specifically allowed by Department of Environmental Quality by rule, permit or other written authorization.

(B) A reclamation site accepting imported fill must have a written plan that has been approved by the Department. The plan must show the locations for stockpiling and permanent placement of the imported fill and provide for monitoring of the quality and quantity of the imported fill. Documentation showing compliance with the approved plan must be provided to the Department upon request.

(cc) If the affected local government designates a post-mine land use or uses through a comprehensive plan amendment or zone change, or requires a conservation easement to be established after reclamation, the plan submitted to the Department must specifically address how the post-mine land use(s) will be established.

(2) In addition to the requirements set out in OAR 632-030-0015(2), the Department may require maps, aerial photographs, or design drawings

of appropriate scale. Information that typically may be required on maps, aerial photographs or design drawings includes but is not limited to:

(a) Permit area boundary, property lines, and property line setbacks;

(b) Maximum extraction boundary delineating mine phases and reclamation sequence;

(c) Waste rock, rejects, overburden, and soil storage areas and stockpiles;

(d) Processing plant and location of existing or proposed visual screens;

(e) Ancillary facilities location;

(f) Haul roads;

(g) Typical pre- and post-mine cross sections and topographic plan views;

(h) Existing watercourses, including irrigation ditches, streams, rivers, and ponds;

(i) Setback and buffer strips for wetlands and stream drainages;

(j) Storm and/or wastewater control structures, ponds, and ditches;

(k) Location of any engineered structures or engineered fill;

(l) Reconstructed watercourses, ponds, and location of fish egress/ingress channels;

(m) Location of the 100-year FEMA floodplain boundary or a site-specific hydrologic study that identifies the 100-year floodplain boundary based on hydraulic modeling;

(n) Proposed and existing mine areas and backfill locations;

(o) Location of existing and proposed dikes and berms;

(p) Post-mining topography;

(q) Location of any well within 1,000 feet of permit boundary. Where dewatering is proposed, location of any well within 1,500 feet of permit boundary;

(r) Land-use authority boundary; and

(s) Nest setbacks, to the extent they limit mineral extraction, for eagles or other species specifically protected by city or county land-use conditions or state or federal laws.

(3) The applicant should contact the Department for recommendations regarding scale and amount of detail required. The applicant may be required to submit extra copies of materials to be circulated to other agencies.

(4) The applicant must provide proof of ownership of surface and mineral rights or document to the satisfaction of the Department that the requirements of ORS 517.790(3) are met.

Stat. Auth.: ORS 183.341, 197.180, 516.090(2)(a), 517.740 & 517.840(1)(d)

Stats. Implemented: ORS 517.790

Hist.: GMI 5, f. 12-20-73, ef. 1-11-74; GMI 7, f. 11-7-74, ef. 12-11-74; GMI 2-1985, f. 11-19-85, ef. 11-20-85; GMI 2-1986, f. 9-19-86, ef. 9-22-86; GMI 1-1988, f. 3-30-88, cert. ef. 3-11-88; GMI 1-1992, f. & cert. ef. 6-17-92DGMI 1-1999, f. & cert. ef. 1-7-99; DGMI 1-2009, f. & cert. ef. 5-15-09; DGMI 2-2014(Temp), f. & cert. ef. 9-10-14 thru 3-9-15

Department of Human Services, Aging and People with Disabilities and Developmental Disabilities Chapter 411

Rule Caption: Children's Intensive In-Home Services (Behavior Program and Medically Fragile Children's Services)

Adm. Order No.: APD 31-2014(Temp)

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Rules Suspended: 411-300-0140, 411-300-0155, 411-300-0210, 411-350-0118

Subject: The Department of Human Services (Department) is immediately updating the children's intensive in-home services (CIIS) rules in OAR chapter 411, division 300 for the CIIS Behavior Program and OAR chapter 411, division 350 for medically fragile children's services.

The temporary rules in OAR chapter 411, divisions 300 and 350:

ADMINISTRATIVE RULES

Incorporate the general definitions in OAR 411-317-0000, update the definitions to reflect correct terminology, and include definitions for terms created by the temporary rulemaking;

Incorporate the expenditure guidelines;

Account for changes in Medicaid service eligibility;

Clarify when a child may be exited from CIIS and reiterate the requirement for a Notification of Planned Action in the instance services are terminated;

Include a timeframe for when a functional needs assessment must be completed and clarify service planning;

Update the language to reflect the completion of the transition period for implementation of the Community First Choice 1915(k) state plan amendment and update the available supports to reflect changes to the proposed Behavioral and Hospital Model Waivers;

Adopt standards for employers to assure the proper authority exists to withdraw employer authority in cases where it is necessary to protect a child, parent, or an employee from its misuse. The rule defines indications of misuse of employer authority, the steps that must be taken to remove employer authority, and appeals of the removal;

Expand provider types to include personal support workers, independent providers, provider organizations, and general business providers, and specify the qualifications;

Implement Senate Bill 22 by updating the rights of a child and providing a uniform dispute resolution process by incorporating the individual rights, complaint, Notification of Planned Action, and hearing rules adopted in OAR chapter 411, division 318; and

Remove the sanctions for providers and include termination of provider enrollment.

Rules Coordinator: Kimberly Colkitt-Hallman—(503) 945-6398

411-300-0110

Definitions

Unless the context indicates otherwise, the following definitions and the definitions in OAR 411-317-0000 apply to the rules in OAR chapter 411, division 300:

(1) "Abuse" means "abuse" of a child as defined in ORS 419B.005.

(2) "ADL" means "activities of daily living". ADL are basic personal everyday activities such as eating, using the restroom, grooming, dressing, bathing, and transferring.

(3) "Administrator Review" means the Director of the Department reviews a decision upon request, including the documentation related to the decision, and issues a determination.

(4) "Assistive Devices" mean the devices, aids, controls, supplies, or appliances described in OAR 411-300-0150 that are necessary to enable a child to increase the ability of the child to perform ADL and IADLs or to perceive, control, or communicate with the environment in which the child lives.

(5) "Assistive Technology" means the devices, aids, controls, supplies, or appliances described in OAR 411-300-0150 that are purchased to provide additional security for a child and replace the need for direct interventions to enable self-direction of care and maximize independence of the child.

(6) "Attendant Care" means assistance with ADL, IADL, and health-related tasks through cueing, monitoring, reassurance, redirection, set-up, hands-on, standby assistance, and reminding as described in OAR 411-300-0150.

(7) "Background Check" means a criminal records check and abuse check as defined in OAR 407-007-0210.

(8) "Behavior Consultant" means a contractor with specialized skills who meets the requirements of OAR 411-300-0170 and provides the services described in OAR 411-300-0150.

(9) "Behavior Criteria" means the criteria used by the Department to evaluate the intensity of the challenges and service needs of a child.

(10) "Behavior Support Plan" means the written strategy based on person-centered planning and a functional assessment that outlines specific instructions for a provider to follow to cause the challenging behaviors of a child to become unnecessary and to change the behavior of a provider, adjust environment, and teach new skills.

(11) "Behavior Support Services" mean the services consistent with positive behavioral theory and practice that are provided to assist with behavioral challenges due to the intellectual or developmental disability of a child that prevents the child from accomplishing ADL, IADL, health-

related tasks, and cognitive supports to mitigate behavior. Behavior support services are provided in the home or community.

(12) "Case Management" means the functions performed by a services coordinator. Case management includes determining service eligibility, developing a plan of authorized services, and monitoring the effectiveness of services and supports.

(13) "CDDP" means "Community Developmental Disability Program" as defined in OAR 411-320-0020.

(14) "Child" means an individual who is less than 18 years of age, eligible for developmental disability services, and applying for or accepted for CIIS under the ICF/ID Behavioral Waiver.

(15) "Chore Services" mean the services described in OAR 411-300-0150 that are needed to restore a hazardous or unsanitary situation in the family home to a clean, sanitary, and safe environment.

(16) "CIIS" means "children's intensive in-home services". CIIS include the services described in these rules.

(17) "Community First Choice (K Plan)" means Oregon's state plan amendment authorized under section 1915(k) of the Social Security Act.

(18) "Community Nursing Services" mean the nursing services described in OAR 411-300-0150 that focus on the chronic and ongoing health and safety needs of a child living in the family home. Community nursing services include an assessment, monitoring, delegation, training, and coordination of services. Community nursing services are provided according to the rules in OAR chapter 411, division 048 and the Oregon State Board of Nursing rules in OAR chapter 851.

(19) "Community Transportation" means the services described in OAR 411-300-0150 that enable a child to gain access to community-based state plan and waiver services, activities, and resources. Community transportation is provided in the area surrounding the family home that is commonly used by people in the same area to obtain ordinary goods and services. The area is not determined by the social or recreational groups or activities of a child.

(20) "Complaint" means "complaint" as defined in OAR 411-318-0005.

(21) "Cost Effective" means being responsible and accountable with Department resources by offering less costly alternatives when providing choices that adequately meet the support needs of a child. Less costly alternatives include other programs available from the Department, the utilization of assistive devices, natural supports, environmental modifications, and alternative resources. Less costly alternatives may include resources not paid for by the Department.

(22) "Daily Activity Log" means the record of services provided to a child. The content and form of a daily activity log is agreed upon by both the parent and the services coordinator and documented in the ISP for the child.

(23) "Delegation" means that a registered nurse authorizes an unlicensed person to perform nursing tasks and confirms that authorization in writing. Delegation may occur only after a registered nurse follows all steps of the delegation process as outlined in OAR chapter 851, division 047.

(24) "Department" means the Department of Human Services.

(25) "Developmental Disability" means "developmental disability" as defined in OAR 411-320-0020 and described in OAR 411-320-0080.

(26) "Director" means the Director of the Department of Human Services, Office of Developmental Disability Services, or the designee of the Director.

(27) "Employer" means, for the purposes of obtaining CIIS through an independent provider as described in these rules, the parent or a person selected by the parent to act on the behalf of the parent to provide the employer responsibilities described in OAR 411-300-0165.

(28) "Environmental Modifications" mean the physical adaptations described in OAR 411-300-0150 that are necessary to ensure the health, welfare, and safety of a child in the family home, or that are necessary to enable a child to function with greater independence around the family home.

(29) "Environmental Safety Modifications" mean the physical adaptations described in OAR 411-300-0150 that are made to the exterior of a family home as identified in the ISP for a child to ensure the health, welfare, and safety of the child or to enable the child to function with greater independence around the family home.

(30) "Exit" means termination or discontinuance of CIIS.

(31) "Expenditure Guidelines" mean the guidelines that describe allowable uses for Medicaid funds. The Department incorporates the expenditure guidelines into these rules by this reference. The expenditure guidelines are maintained by the Department at: <http://www.oregon.gov/dhs/dd/>. Printed copies may be obtained by calling

ADMINISTRATIVE RULES

(503) 945-6398 or writing the Department of Human Services, Developmental Disabilities, ATTN: Rules Coordinator, 500 Summer Street NE, E-48, Salem, Oregon 97301.

(32) "Family Home" means the primary residence for a child that is not under contract with the Department to provide services as a certified foster home or a licensed or certified residential care facility, assisted living facility, nursing facility, or other residential support program site.

(33) "Family Training" means the training services described in OAR 411-300-0150 that are provided to a family to increase the capacity of the family to care for, support, and maintain a child in the family home.

(34) "Founded Report" means the determination by the Department or Law Enforcement Authority (LEA), based on the evidence, that there is reasonable cause to believe that conduct in violation of the child abuse statutes or rules has occurred and such conduct is attributable to the person alleged to have engaged in the conduct.

(35) "Functional Needs Assessment":

(a) Means the comprehensive assessment or re-assessment that:

(A) Documents physical, mental, and social functioning;

(B) Identifies risk factors, choices and preferences, service and support needs, strengths, and goals; and

(C) Determines the service level.

(b) The functional needs assessment for a child is known as the Child Needs Assessment (CNA). The Department incorporates Version B of the CNA dated July 1, 2014 into these rules by this reference. The CNA is maintained by the Department at: www.dhs.state.or.us/spd/tools/dd/cm/CNA_Child_In-home.xls. Printed copies of a blank CNA may be obtained by calling (503) 945-6398 or writing the Department of Human Services, Developmental Disabilities, ATTN: Rules Coordinator, 500 Summer Street NE, E-48, Salem, OR 97301.

(36) "General Business Provider" means an organization or entity selected by a parent and paid with CIIS funds that:

(a) Is primarily in business to provide the service chosen by the parent to the general public;

(b) Provides services for the child through employees, contractors, or volunteers; and

(c) Receives compensation to recruit, supervise, and pay the person who actually provides support for the child.

(37) "Hearing" means "hearing" as defined in OAR 411-318-0005.

(38) "IADL" means "instrumental activities of daily living". IADL include activities other than ADL required to enable a child to remain in the family home such as:

(a) Meal planning and preparation;

(b) Budgeting;

(c) Shopping for food, clothing, and other essential items;

(d) Performing essential household chores;

(e) Communicating by phone or other media; and

(f) Participating in the community.

(39) "ICF/ID Behavioral Waiver" means the waiver program granted by the federal Centers for Medicare and Medicaid Services that allows Medicaid funds to be spent on a child living in the family home who otherwise would have to be served in an intermediate care facility for individuals with intellectual or developmental disabilities if the waiver was not available.

(40) "Independent Provider" means a person selected by a parent and paid with CIIS funds to directly provide services to a child.

(41) "Individual-Directed Goods and Services" mean the services, equipment, or supplies described in OAR 411-300-0150, not otherwise provided through other waiver or state plan services, that address an identified need in an ISP. Individual-directed goods and services may include services, equipment, or supplies that improve and maintain the full membership of a child in the community.

(42) "Intellectual Disability" means "intellectual disability" as defined in OAR 411-320-0020 and described in 411-320-0080.

(43) "ISP" means "Individual Support Plan". An ISP includes the written details of the supports, activities, and resources required for a child to achieve and maintain personal goals and health and safety. The ISP is developed at least annually to reflect decisions and agreements made during a person-centered process of planning and information gathering. The ISP reflects the services and supports that are important for the child to meet the needs of the child identified through a functional needs assessment as well as the preferences of the child for service providers, delivery, and frequency of services and supports. The ISP is the plan of care for Medicaid purposes and reflects whether services are provided through a waiver, state plan, or natural supports.

(44) "Level of Care" means a child meets the following institutional level of care for an intermediate care facility for individuals with intellectual or developmental disabilities:

(a) The child has a condition of an intellectual disability or a developmental disability as defined in OAR 411-320-0020 and meets the eligibility criteria in OAR 411-320-0080 for developmental disability services; and

(b) The child has a significant impairment in one or more areas of adaptive behavior as determined in OAR 411-320-0080.

(45) "Mandatory Reporter" means any public or private official as defined in OAR 407-045-0260 who comes in contact with a child with or without an intellectual or developmental disability and has reasonable cause to believe the child has suffered abuse, or comes in contact with any person whom the public or private official has reasonable cause to believe abused a child, regardless of whether or not the knowledge of the abuse was gained in the official capacity of the public or private official. Nothing contained in ORS 40.225 to 40.295 affects the duty to report imposed by this definition, except that a psychiatrist, psychologist, clergy, attorney, or guardian ad litem appointed under 419B.231 is not required to report if the communication is privileged under 40.225 to 40.295.

(46) "Natural Supports" mean the parental responsibilities for a child who is less than 18 years of age and the voluntary resources available to the child from relatives, friends, neighbors, and the community that are not paid for by the Department.

(47) "Nursing Service Plan" means the plan that is developed by a registered nurse based on an initial nursing assessment, reassessment, or an update made to a nursing assessment as the result of a monitoring visit.

(a) The Nursing Service Plan is specific to a child and identifies the diagnoses and health needs of the child and any service coordination, teaching, or delegation activities.

(b) The Nursing Service Plan is separate from the ISP and any service plans developed by other health professionals.

(48) "OHP" means the Oregon Health Plan.

(49) "OIS" means the "Oregon Intervention System". OIS is the system of providing training to people who work with designated individuals to provide elements of positive behavior support and non-aversive behavior intervention. OIS uses principles of pro-active support and describes approved protective physical intervention techniques that are used to maintain health and safety.

(50) "OSIPM" means "Oregon Supplemental Income Program-Medical" as described in OAR 461-001-0030. OSIPM is Oregon Medicaid insurance coverage for individuals who meet the eligibility criteria described in OAR chapter 461.

(51) "Parent" means the biological parent, adoptive parent, stepparent, or legal guardian of a child.

(52) "Person-Centered Planning":

(a) Means a timely and formal or informal process that is driven by a child, includes people chosen by the child, ensures that the child directs the process to the maximum extent possible and the child is enabled to make informed choices and decisions consistent with CFR 441.540.

(b) Person centered planning includes gathering and organizing information to reflect what is important to and for the child and to help:

(A) Determine and describe choices about personal goals, activities, services, service providers, and lifestyle preferences;

(B) Design strategies and networks of support to achieve goals and a preferred lifestyle using individual strengths, relationships, and resources; and

(C) Identify, use, and strengthen naturally occurring opportunities for support at home and in the community.

(c) The methods for gathering information vary, but all are consistent with the cultural considerations, needs, and preferences of the child.

(53) "Personal Support Worker" means "personal support worker" as defined in OAR 411-375-0010.

(54) "Positive Behavioral Theory and Practice" means a proactive approach to behavior and behavior interventions that:

(a) Emphasizes the development of functional alternative behavior and positive behavior intervention;

(b) Uses the least intervention possible;

(c) Ensures that abusive or demeaning interventions are never used; and

(d) Evaluates the effectiveness of behavior interventions based on objective data.

(55) "Primary Caregiver" means the parent, legal guardian, relative, or other non-paid parental figure of a child that provides direct care at the times that a paid provider is not available.

ADMINISTRATIVE RULES

(56) "Protective Physical Intervention" means any manual physical holding of, or contact with, a child that restricts freedom of movement.

(57) "Provider" means a person, organization, or business selected by a parent and paid with CIIS funds to provide support to a child according to the ISP for the child.

(58) "Provider Organization" means an entity selected by a parent and paid with CIIS funds that:

(a) Is primarily in business to provide supports for children with intellectual or developmental disabilities;

(b) Provides supports for a child through employees, contractors, or volunteers; and

(c) Receives compensation to recruit, supervise, and pay the person who actually provides support for the child.

(59) "Relief Care" means the intermittent services described in OAR 411-300-0150 that are provided on a periodic basis for the relief of, or due to the temporary absence of, a primary caregiver.

(60) "Service Level" means the amount of attendant care, hourly relief care, or skills training services determined necessary by a functional needs assessment and made available to meet the identified support needs of a child.

(61) "Services Coordinator" means an employee of a CDDP, the Department, or other agency that contracts with the county or the Department who provides case management services including, but not limited to, planning, procuring, coordinating, and monitoring services. A services coordinator acts as a proponent for children with intellectual or developmental disabilities and their families, and is the person-centered plan coordinator for a child as defined in the Community First Choice state plan amendment.

(62) "Skills Training" means the activities described in OAR 411-300-0150 that are intended to maximize the independence of a child through training, coaching, and prompting the child to accomplish ADL, IADL, and health-related skills.

(63) "Social Benefit" means the service or financial assistance provided to a family solely intended to assist a child to function in society on a level comparable to that of a child who does not have an intellectual or developmental disability. Social benefits are pre-authorized by a services coordinator and provided according to the description and limits written in an ISP.

(a) Social benefits may not:

(A) Duplicate benefits and services otherwise available to a child regardless of intellectual or developmental disability;

(B) Replace normal parental responsibilities for the services, education, recreation, and general supervision of a child;

(C) Provide financial assistance with food, clothing, shelter, and laundry needs common to a child with or without a disability; or

(D) Replace other governmental or community services available to a child.

(b) Assistance provided as a social benefit is reimbursement for an expense previously authorized in an ISP or prior payment in anticipation of an expense authorized in a previously authorized ISP.

(c) Assistance provided as a social benefit may not exceed the actual cost of the support required by a child to be supported in the family home.

(64) "Special Diet" means the specially prepared food or particular types of food described in OAR 411-300-0150 that are specific to the medical condition or diagnosis of a child and in support of an evidence-based treatment regimen.

(65) "Specialized Medical Supplies" mean the medical and ancillary supplies described in OAR 411-300-0150 such as:

(a) Necessary medical supplies specified in an ISP that are not available under the state plan;

(b) Ancillary supplies necessary to the proper functioning of items necessary for life support or to address physical conditions; and

(c) Supplies necessary for the continued operation of augmentative communication devices or systems.

(66) "Substantiated" means an abuse investigation has been completed by the Department or the designee of the Department and the preponderance of the evidence establishes the abuse occurred.

(67) "Supplant" means take the place of.

(68) "Support" means the assistance that a child and a family requires, solely because of the effects of an intellectual or developmental disability on the child, to maintain or increase age-appropriate independence of the child, achieve age-appropriate community presence and participation of the child, and to maintain the child in the family home. Support is subject to change with time and circumstances.

(69) "These Rules" mean the rules in OAR chapter 411, division 300.

(70) "Transition Costs" mean the expenses described in OAR 411-300-0150 required for a child to make the transition to the family home from a nursing facility or intermediate care facility for individuals with intellectual or developmental disabilities.

(71) "Unacceptable Background Check" means a check that produces information related to the background of a person that precludes the person from being an independent provider for one or more of the following reasons:

(a) The person applying to be an independent provider has been disqualified under OAR 407-007-0275;

(b) The person was enrolled as an independent provider for the first time, or after any break in enrollment, after July 28, 2009 and has been disqualified under OAR 407-007-0275; or

(c) A background check and fitness determination has been conducted resulting in a "denied" status, as defined in OAR 407-007-0210.

(72) "Vehicle Modifications" mean the adaptations or alterations described in OAR 411-300-0150 that are made to the vehicle that is the primary means of transportation for a child in order to accommodate the service needs of the child.

(73) "Waiver Services" mean the menu of disability related services and supplies that are specifically identified by the ICF/ID Behavioral Waiver.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 19-2003(Temp), f. & cert. ef. 12-11-03 thru 6-7-04; SPD 13-2004, f. & cert. ef. 6-1-04; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 20-2013(Temp), f. & cert. ef. 7-1-13 thru 12-28-13; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0120

Eligibility

(1) ELIGIBILITY. In order to be eligible for CIIS, a child must:

(a) Be under the age of 18;

(b) Be an Oregon resident who meets the citizenship and alien status requirements of OAR 461-120-0110;

(c) Be receiving Medicaid Title XIX benefits under OSIPM;

(d) Be determined eligible for developmental disability services by the CDDP of the county of origin as described in OAR 411-320-0080;

(e) Meet level of care as defined in OAR 411-300-0110;

(f) Be accepted by the Department by scoring greater than 200 on the behavior criteria within two months prior to starting services and maintain a score above 150 as determined during an annual eligibility reassessment;

(g) Reside in the family home; and

(h) Be safely served in the family home. This includes, but is not limited to, a qualified primary caregiver demonstrating the willingness, skills, and ability to provide direct care as outlined in an ISP in a cost effective manner, as determined by a services coordinator within the limitations of OAR 411-300-0150, and participate in planning, monitoring, and evaluation of the CIIS provided.

(2) INELIGIBILITY. A child is not eligible for CIIS if the child:

(a) Resides in a medical hospital, psychiatric hospital, school, subacute facility, nursing facility, intermediate care facility for individuals with intellectual or developmental disabilities, foster home, or other 24-hour residential program;

(b) Does not require waiver services or Community First Choice state plan services as evidenced by a functional needs assessment;

(c) Has sufficient family, government, or community resources available to provide for his or her care; or

(d) Is not safely served in the family home as described in section (1)(h) of this rule.

(3) TRANSITION. A child whose score on the behavior criteria remains at 150 or less is transitioned out of CIIS within 90 days. The child must exit from CIIS at the end of the 90 day transition period.

(a) When possible and agreed upon by the parent and the services coordinator, CIIS may be incrementally reduced during the 90 day transition period.

(b) The services coordinator must coordinate and attend a transition planning meeting at least 30 days prior to the end of the transition period. The transition planning meeting must include a CDDP representative, the parent, and any other person at the request of the parent.

(4) EXIT.

(a) CIIS may be terminated:

(A) At the oral or written request of a parent to end the service relationship; or

(B) In any of the following circumstances:

ADMINISTRATIVE RULES

(i) A child no longer meets the eligibility criteria in section (1) of this rule;

(ii) A child does not require waiver services or Community First Choice state plan services;

(iii) There are sufficient family, government, or community resources available to provide for the care of a child;

(iv) A child is not able to be safely served in the family home as described in section (1)(h) of this rule;

(v) A parent either cannot be located or has not responded after 30 days of repeated attempts by a services coordinator to complete ISP development or monitoring activities;

(vi) A child is incarcerated or admitted to a medical hospital, psychiatric hospital, sub-acute facility, nursing facility, intermediate care facility for individuals with intellectual or developmental disabilities, foster home, or other 24-hour residential program and it is determined that the child is not returning to the family home or is not returning to the family home after 90 consecutive days; or

(vii) A child does not reside in Oregon.

(b) In the event CIIS are terminated, a written Notification of Planned Action must be provided as described in OAR chapter 411, division 318.

(5) WAIT LIST. If the maximum number of children allowed on the ICF/ID Behavioral Model Waiver are enrolled and being served, the Department may place a child eligible for CIIS on a wait list. A child on the wait list may access other Medicaid-funded services for which the child is determined eligible such as waiver services, state plan personal care, or Community First Choice state plan services.

(a) The date of the initial completed application for CIIS determines the order on the wait list. A child who previously received CIIS, exited CIIS, reapplies for CIIS, and currently meets all other criteria for eligibility as described in section (1) of this rule, is put on the wait list as of the date the original application for CIIS was complete.

(b) The date the application for CIIS is complete is the date that the Department has the required demographic data for the child and a statement of eligibility for developmental disability services. A re-evaluation is completed prior to enrollment to determine current eligibility.

(c) Children on the wait list are served on a first come, first served basis as space on the ICF/ID Behavioral Waiver allows.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 20-2013(Temp), f. & cert. ef. 7-1-13 thru 12-28-13; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0130

Service Planning

(1) FUNCTIONAL NEEDS ASSESSMENT. To assess the service needs of a child, a services coordinator must complete a functional needs assessment using a person-centered planning approach.

(a) The functional needs assessment must be conducted face-to-face with the child and the services coordinator must interview the parent, other caregivers, and when appropriate, any other person at the request of the parent.

(b) The functional needs assessment must be completed:

(A) Within 30 days of entry into the CIIS program;

(B) Within 60 days prior to the annual renewal of an ISP; and

(C) Within 45 days from the date the parent requests a functional needs reassessment.

(c) The services coordinator must notify the parent of the need for a reassessment at least 14 days prior to the expiration of the most recent assessment.

(d) The parent must participate in the functional needs assessment and provide information necessary to complete the functional needs assessment within the time frame required by the Department.

(A) Failure to participate in the functional needs assessment or provide information necessary to complete the functional needs assessment within the applicable time frame results in a denial of service eligibility. In the event service eligibility is denied, a written Notification of Planned Action must be provided as described in OAR 411-318-0020.

(B) The Department may allow additional time if circumstances beyond the control of the parent prevent timely participation in the functional needs assessment or timely submission of information necessary to complete the functional needs assessment.

(2) INDIVIDUAL SUPPORT PLAN.

(A) An individual who is accessing waiver or Community First Choice state plan services must have an authorized ISP.

(A) The ISP must be facilitated, developed, and authorized by a services coordinator.

(B) The initial ISP must be authorized;

(i) No more than 90 days from the date of eligibility determination made by the CDDP according to OAR 411-320-0080; or

(ii) No later than the end of the month following the month in which the level of care determination was made.

(b) The services coordinator must prepare, with the input of the parent and any other person at the request of the parent, a written ISP that identifies:

(A) The service needs of the child;

(B) The most cost effective services for safely and appropriately meeting the service needs of the child; and

(C) The methods, resources, and strategies that address the service needs of the child;

(c) The ISP must include:

(A) The name of the child and the parent or legal guardian of the child;

(B) A description of the supports required that is consistent with the support needs identified in the assessment of the child, including the reason the support is necessary;

(C) The projected dates of when specific supports are to begin and end;

(D) A list of personal, community, and public resources that are available to the child and how the resources may be applied to provide the required supports. Sources of support may include waiver services, state plan services, or natural supports;

(E) The manner in which services are delivered and the frequency of services;

(F) The maximum hours or units of provider services determined necessary by a functional needs assessment;

(G) The providers of supports to be purchased with CIIS funds or the type of provider, such as an independent provider, provider organization, or general business provider, when the provider is unknown or is likely to change frequently;

(H) Additional services authorized by the Department for the child;

(I) The projected date of when specific services are to begin and end, as well as the end date of the period of service covered by the ISP;

(J) Projected costs with sufficient detail to support estimates;

(K) The strengths and preferences of the child;

(L) Individually identified goals and desired outcomes of the child;

(M) The services and supports (paid and unpaid) to assist the child to achieve identified goals and the providers of the services and supports, including voluntarily provided natural supports;

(N) The risk factors and the measures in place to minimize the risk factors, including back-up plans and frequency of risk monitoring;

(O) The identity of the person responsible for case management and monitoring the ISP;

(P) The date of the next ISP review that, at a minimum, must be completed within 12 months of the previous ISP;

(Q) A provision to prevent unnecessary or inappropriate services; and

(R) Any changes in service needs identified through a functional needs assessment.

(d) An ISP must be reviewed with the parent prior to implementation. The parent and the services coordinator must sign the ISP. A copy of the ISP must be provided to the parent.

(e) The ISP must be understandable to the family and the people important in supporting the individual. An ISP is translated, as necessary, upon request.

(f) Changes in services authorized in the ISP must be consistent with needs identified in a functional needs assessment and documented in an amendment to the ISP that is signed by the parent and the services coordinator.

(g) An ISP must be renewed at least every 12 months. Each new plan year begins on the anniversary date of the initial or previous ISP.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 20-2013(Temp), f. & cert. ef. 7-1-13 thru 12-28-13; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0140

Rights of the Child

(1) When interventions in the behavior of a child are necessary, the interventions must be done in accordance with positive behavioral theory and practice as defined in OAR 411-300-0110.

(2) The least intrusive intervention to keep the child and others safe must be used.

(3) Abusive or demeaning interventions must never be used.

ADMINISTRATIVE RULES

(4) When protective physical interventions are required, the protective physical intervention must only be used as a last resort and providers must be appropriately trained as per the child's Behavior Support Plan.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 20-2013(Temp), f. & cert. ef. 7-1-13 thru 12-28-13; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; Suspended by APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0150

Scope of CIIS and Limitations

(1) CIIS are intended to support, not supplant, the naturally occurring care provided by a legally responsible primary caregiver and enable the primary caregiver to meet the disability-related needs of the child. CIIS are not meant to replace other available governmental or community services and supports.

(2) The functional needs assessment determines the total number of hours needed to meet the identified needs of a child. The amount of hours may not be exceeded without prior approval from the Department. The types of services that contribute to the total of hours used include attendant care, skills training, and hourly relief care.

(3) CIIS are only authorized to enable a child's primary caregiver to meet the needs of caring for a child on the ICF/ID Behavioral Waiver. All services funded by the Department must be provided in accordance with the expenditure guidelines and based on the actual and customary costs related to best practice standards of care for children with similar disabilities.

(4) To be authorized and eligible for payment by the Department, all CIIS supports and services must be:

- (a) Directly related to the disability of a child;
- (b) Required to maintain the health and safety of a child;
- (c) Cost effective;
- (d) Considered not typical for a parent to provide to a child of the same age;
- (e) Required to help the parent to continue to meet the needs of caring for a child; and
- (f) Included in an approved ISP.

(5) CIIS may include a combination of the following services based upon the needs of a child as determined by a services coordinator and consistent with a functional needs assessment and an initial or annual ISP:

- (a) Community First Choice state plan services:
 - (A) Behavior support services as described in section (6) of this rule;
 - (B) Community nursing services as described in section (7) of this rule;
- (C) Environmental modifications as described in section (8) of this rule;
- (D) Attendant care as described in section (9) of this rule;
- (E) Skills training as described in section (10) of this rule;
- (F) Relief care as described in section (11) of this rule;
- (G) Assistive devices as described in section (12) of this rule;
- (H) Assistive technology as described in section (13) of this rule;
- (I) Chore services as described in section (14) of this rule;
- (J) Community transportation as described in section (15) of this rule;

and

- (K) Transition costs as described in section (16).
- (b) Waiver services:
 - (A) Case management as defined in OAR 411-300-0110;
 - (B) Family training as described in section (17) of this rule;
 - (C) Special diet as described in section (18) of this rule;
 - (D) Individual-directed goods and services as described in section (19) of this rule;
 - (E) Specialized medical supplies as described in section (20) of this rule;
 - (F) Environmental safety modifications as described in section (21) of this rule; and
 - (G) Vehicle modifications as described in section (22) of this rule.
- (c) State plan personal care services as described in OAR chapter 411, division 034.

(6) BEHAVIOR SUPPORT SERVICES. Behavior support services may be authorized to support a primary caregiver in their caregiving role and to respond to specific problems identified by a child, primary caregiver or a services coordinator. Positive behavior support services are used to allow a child to develop, maintain, or enhance skills to accomplish ADLs, IADLs, and health-related tasks.

(a) A behavior consultant must:

- (A) Work with the child and primary caregiver to identify:
 - (i) Areas of the family home life that are of most concern for the child and the parent;

(ii) The formal or informal responses the family or the provider has used in those areas; and

(iii) The unique characteristics of the child and family that may influence the responses that may work with the child.

(B) Assess the child. The assessment must include:

- (i) Specific identification of the behaviors or areas of concern;
- (ii) Identification of the settings or events likely to be associated with, or to trigger, the behavior;
- (iii) Identification of early warning signs of the behavior;
- (iv) Identification of the probable reasons that are causing the behavior and the needs of the child that are met by the behavior, including the possibility that the behavior is:

(I) An effort to communicate;

(II) The result of a medical condition;

(III) The result of an environmental cause; or

(IV) The symptom of an emotional or psychiatric disorder.

(v) Evaluation and identification of the impact of disabilities (i.e. autism, blindness, deafness, etc.) that impact the development of strategies and affect the child and the area of concern; and

(vi) An assessment of current communication strategies.

(C) Develop a variety of positive strategies that assist the primary caregiver and the provider to help the child use acceptable, alternative actions to meet the needs of the child in the safest, most positive, and cost effective manner. These strategies may include changes in the physical and social environment, developing effective communication, and appropriate responses by the primary caregiver and the provider to early warning signs.

(i) When interventions in behavior are necessary, the interventions must be done in accordance with positive behavioral theory and practice as defined in OAR 411-300-0110.

(ii) The least intrusive intervention possible to keep the child and others safe must be used.

(iii) Abusive or demeaning interventions must never be used.

(iv) The strategies must be adapted to the specific disabilities of the child and the style or culture of the family.

(D) Develop a written Behavior Support Plan using clear, concrete language that is understandable to the primary caregiver and the provider that describes the assessment, strategies, and procedures to be used;

(E) Develop emergency and crisis procedures to be used to keep the child and the primary caregiver and the provider safe. When interventions in the behavior of the child are necessary, positive, preventative, non-aversive interventions that conform to OIS must be utilized. The use of protective physical intervention must be part of the Behavior Support Plan for the child. When protective physical intervention is required, the protective physical intervention must only be used as a last resort and the provider must be appropriately trained in OIS;

(F) Teach the primary caregiver and the provider the strategies and procedures to be used; and

(G) Monitor and revise the Behavior Support Plan as needed.

(b) Behavior support services may include:

(A) Training, modeling, and mentoring the family of a child;

(B) Developing a visual communication system as a strategy for behavior support; and

(C) Communicating, as authorized by a parent, with school, medical, or other professionals about the strategies and outcomes of the Behavior Support Plan.

(c) Behavior support services exclude:

(A) Mental health therapy or counseling;

(B) Health or mental health plan coverage;

(C) Educational services including, but not limited to, consultation and training for classroom staff;

(D) Adaptations to meet the needs of a child at school;

(E) An assessment in a school setting;

(F) Attendant care; or

(G) Relief care.

(7) COMMUNITY NURSING SERVICES.

(a) Community nursing services include:

(A) Nursing assessments, including medication reviews;

(B) Care coordination;

(C) Monitoring;

(D) Development of a Nursing Services Plan;

(E) Delegation and training of nursing tasks to a provider and primary caregiver;

(F) Teaching and education of the parent and provider and identifying supports that minimize health risks while promoting the autonomy of a child and self-management of healthcare; and

ADMINISTRATIVE RULES

(G) Collateral contact with a services coordinator regarding the community health status of a child to assist in monitoring safety and well-being and to address needed changes to the ISP for the child.

(b) Community nursing services exclude direct nursing care.

(c) A Nursing Service Plan must be present when CIIS funds are used for community nursing services. A services coordinator must authorize the provision of community nursing services as identified in an ISP.

(d) After an initial nursing assessment, a nursing reassessment must be completed every six months or sooner if a change in a medical condition requires an update to the Nursing Service Plan.

(8) ENVIRONMENTAL MODIFICATIONS.

(a) Environmental modifications include, but are not limited to:

(A) Installation of shatter-proof windows;

(B) Hardening of walls or doors;

(C) Specialized, hardened, waterproof, or padded flooring;

(D) An alarm system for doors or windows;

(E) Protective covering for smoke alarms, light fixtures, and appliances;

(F) Sound and visual monitoring systems;

(G) Installation of ramps, grab-bars, and electric door openers;

(H) Adaptation of kitchen cabinets and sinks;

(I) Widening of doorways;

(J) Handrails;

(K) Modification of bathroom facilities;

(L) Individual room air conditioners for a child whose temperature sensitivity issues create behaviors or medical conditions that put the child or others at risk;

(M) Installation of non-skid surfaces;

(N) Overhead track systems to assist with lifting or transferring;

(O) Specialized electric and plumbing systems that are necessary to accommodate the medical equipment and supplies necessary for the welfare of the child; and

(P) Adaptations to control lights, heat, stove, etc.

(b) Environmental modifications may include the cost of a professional consultation if required to determine the appropriate type of modification to ensure the health, welfare, and safety of the child. The cost of professional consultation may be included in the purchase price.

(c) Environmental modifications exclude:

(A) Adaptations or improvements to the family home that are of general utility and are not for the direct safety, remedial, or long term benefit to the child such as carpeting, roof repair, and central air conditioning;

(B) Adaptations that add to the total square footage of the family home;

(C) Adaptations outside of the family home, except for ramps that attach to the family home for the purpose of entering and exiting the family home; and

(D) General repair or maintenance and upkeep required for the family home, including repair of damage caused by the child.

(d) Environmental modifications are limited to \$5,000 per modification. A services coordinator may request approval for additional expenditures through the Department prior to expenditure. Approval is based on the service needs and goals of the child and the determination by the Department of appropriateness and cost-effectiveness.

(e) Environmental modifications must be tied to supporting ADL, IADL, and health-related tasks as identified in the ISP.

(f) Environmental modifications must be completed by a state licensed contractor. Any modification requiring a permit must be inspected by a local inspector and certified as in compliance with local codes. Certification of compliance must be filed in the file for the contractor prior to payment.

(g) Environmental modifications must be made within the existing square footage of the family home, except for external ramps, and may not add to the square footage of the family home.

(h) Payment to the contractor is to be withheld until the work meets specifications.

(i) Environmental modifications that are provided in a rental structure must be authorized in writing by the owner of the rental structure prior to initiation of the work. This does not preclude any reasonable accommodations required under the Americans with Disabilities Act.

(9) ATTENDANT CARE. Attendant care services include direct support provided to a child in the family home or community by a qualified independent provider or provider organization. ADL and IADL services provided through attendant care must support the child to live as independently as appropriate for the age of the child, support the family in their primary caregiver role, and be based on the identified needs of the child. The

primary caregiver is expected to be present or available during the provision of attendant care.

(a) ADL services include, but are not limited to:

(A) Basic personal hygiene — providing or assisting with needs such as bathing (tub, bed, bath, shower), hair care, grooming, shaving, nail care, foot care, dressing, skin care, or oral hygiene;

(B) Toileting, bowel, and bladder care — assisting to and from the bathroom, on and off toilet, commode, bedpan, urinal, or other assistive device used for toileting, changing incontinence supplies, following a toileting schedule, cleansing a child or adjusting clothing related to toileting, emptying a catheter, drainage bag, or assistive device, ostomy care, or bowel care;

(C) Mobility, transfers, and repositioning — assisting with ambulation or transfers with or without assistive devices, turning a child or adjusting padding for physical comfort or pressure relief, or encouraging or assisting with range-of-motion exercises;

(D) Nutrition — assisting with adequate fluid intake or adequate nutrition, assisting with food intake (feeding), monitoring to prevent choking or aspiration, assisting with adaptive utensils, cutting food, and placing food, dishes, and utensils within reach for eating;

(E) Medication and medical equipment — assisting with ordering, organizing, and administering medications (including pills, drops, ointments, creams, injections, inhalers, and suppositories), monitoring a child for choking while taking medications, assisting with the administration of medications, maintaining equipment, or monitoring for adequate medication supply;

(F) Delegated nursing tasks;

(G) Cognitive assistance or emotional support provided to a child due to an intellectual or developmental disability - helping the child cope with change and assisting the child with decision-making, reassurance, orientation, memory, or other cognitive functions;

(H) First aid and handling emergencies — addressing medical incidents related to the conditions of a child, such as seizure, aspiration, constipation, or dehydration, responding to the call of the child for help during an emergent situation, or for unscheduled needs requiring immediate response;

(I) Assistance with necessary medical appointments — help scheduling appointments, arranging medical transportation services, accompaniment to appointments, follow up from appointments, or assistance with mobility, transfers, or cognition in getting to and from appointments; and

(J) Observation of the status of a child and reporting of significant changes to a physician, health care professional, or other appropriate person.

(b) IADL services include, but are not limited to, the following services provided solely for the benefit of the child:

(A) Light housekeeping tasks necessary to maintain the child in a healthy and safe environment — cleaning surfaces and floors, making the child's bed, cleaning dishes, taking out the garbage, dusting, and laundry;

(B) Grocery and other shopping necessary for the completion of other ADL and IADL tasks;

(C) Meal preparation and special diets;

(D) Cognitive assistance or emotional support provided to a child due to an intellectual or developmental disability — helping the child cope with change and assisting the child with decision-making, reassurance, orientation, memory, or other cognitive functions;

(E) Social support in the community around socialization and participation in the community:

(i) Support with socialization - assisting a child in acquiring, retaining, and improving self-awareness and self-control, social responsiveness, social amenities, and interpersonal skills;

(ii) Support with community participation assisting a child in acquiring, retaining, and improving skills to use available community resources, facilities, or businesses; and

(iii) Support with communication - assisting a child in acquiring, retaining, and improving expressive and receptive skills in verbal and non-verbal language and the functional application of acquired reading and writing skills.

(c) Assistance with ADLs and IADLs may include cueing, monitoring, reassurance, redirection, set-up, hands-on, or standby assistance. Assistance may be provided through human assistance or the use of electronic devices or other assistive devices. Assistance may also require verbal reminding to complete any of the IADL tasks described in subsection (b) of this section.

(A) "Cueing" means giving verbal, audio, or visual clues during an activity to help a child complete the activity without hands-on assistance.

ADMINISTRATIVE RULES

(B) "Hands-on" means a provider physically performs all or parts of an activity because a child is unable to do so.

(C) "Monitoring" means a provider observes a child to determine if assistance is needed.

(D) "Reassurance" means to offer a child encouragement and support.

(E) "Redirection" means to divert a child to another more appropriate activity.

(F) "Set-up" means the preparation, cleaning, and maintenance of personal effects, supplies, assistive devices, or equipment so that a child may perform an activity.

(G) "Stand-by" means a provider is at the side of a child ready to step in and take over the task if the child is unable to complete the task independently.

(d) Attendant care services must:

(A) Be previously authorized by the services coordinator before services begin;

(B) Be delivered through the most cost effective method as determined by the services coordinator; and

(C) Only be provided when the child is present to receive services.

(e) Attendant care services exclude:

(A) Hours that supplant parental responsibilities or other natural supports and services as defined in this rule available from the family, community, other government or public services, insurance plans, schools, philanthropic organizations, friends, or relatives;

(B) Hours solely to allow the primary caregiver to work or attend school;

(C) Hours that exceed what is necessary to support the child based on the functional needs assessment;

(D) Support generally provided for a child of similar age without disabilities by the parent or other family members;

(E) Educational and supportive services provided by schools as part of a free and appropriate public education for children and young adults under the Individuals with Disabilities Education Act;

(F) Services provided by the family; and

(G) Home schooling.

(f) Attendant care services may not be provided on a 24-hour shift-staffing basis.

(10) **SKILLS TRAINING.** Skills training is specifically tied to accomplishing ADL, IADL, and other health-related skills as identified by the functional needs assessment and ISP and is a means for a child to acquire, maintain, or enhance independence.

(a) Skills training may be applied to the use and care of assistive devices and technologies.

(b) Skills training is authorized when:

(A) The anticipated outcome of the skills training, as documented in the ISP, is measurable;

(B) Timelines for measuring progress towards the anticipated outcome are established in the ISP; and

(C) Progress towards the anticipated outcome are measured and the measurements are evaluated by a services coordinator no less frequently than every six months, based on the start date of the initiation of the skills training.

(c) When anticipated outcomes are not achieved, the services coordinator must reassess the use of skills training with the individual.

(d) Skills training do not replace the responsibilities of the school system.

(11) **RELIEF CARE.**

(a) Relief care includes two types of care, neither of which may be characterized as daily or periodic services.

(A) Twenty-four hour relief care must be provided in segments of 24-hour units that may be sequential but may not exceed seven consecutive days without permission from the Department.

(B) Hourly relief care is substitute care for the care provided by the primary caregiver.

(b) Relief care may include both day and overnight services that may be provided in:

(A) The family home;

(B) A setting licensed or certified by the Department;

(C) The home of a provider. If overnight relief care is provided in the home of a provider, the services coordinator and the parent must document that the home of the provider is a safe setting for the child; or

(D) The community, during the provision of ADL, IADL, health-related tasks, and other supports identified in the ISP for the child.

(c) Relief care services are not authorized for the following:

(A) Solely to allow the primary caregiver of the child to attend school or work;

(B) For more than 14 consecutive overnight stays;

(C) For more than 10 days per individual plan year when provided at a camp;

(D) For vacation, travel, and lodging expenses; or

(E) To pay for room and board.

(12) **ASSISTIVE DEVICES.** Assistive devices are primarily and customarily used to meet an ADL, IADL, or health-related support need. The purchase, rental, or repair of an assistive device must be limited to the types of equipment that are not excluded under OAR 410-122-0080.

(a) Assistive devices may be purchased with CHS funds when the intellectual or developmental disability of a child prevents or limits the independence of the child to assist in areas identified in a functional needs assessment.

(b) Assistive devices that may be purchased for the purpose described in section (a) of this rule must be of direct benefit to the child and may include:

(A) Electronic devices to secure assistance in an emergency in the community and other reminders such as medication minders, alert systems for ADL or IADL supports, or mobile electronic devices.

(i) Expenditures for electronic devices are limited to \$500 per plan year.

(ii) A services coordinator may request approval for additional expenditures through the Department prior to expenditure.

(B) Assistive devices not covered by other Medicaid programs to assist and enhance the independence of a child in performing ADLs or IADLs such as durable medical equipment, mechanical apparatus, or electronic devices.

(i) Expenditures for assistive devices are limited to \$5,000 per plan year. A services coordinator may request approval for additional expenditures through the Department prior to expenditure.

(ii) Any single device or assistance costing more than \$500 must be approved by the Department prior to expenditure.

(c) Assistive devices may include the cost of a professional consultation if required to assess, identify, adapt, or fit specialized equipment. The cost of professional consultation may be included in the purchase price.

(d) To be authorized by a services coordinator, assistive devices must be:

(A) Not covered by the Medicaid State Plan, OHP, or private insurance;

(B) Determined necessary to the daily functions of a child; and

(C) Directly related to the disability of a child.

(e) Assistive devices exclude:

(A) Items that are not necessary or of direct medical or remedial benefit to the child;

(B) Items intended to supplant similar items furnished under OHP or private insurance;

(C) Items available through the family, community, or other governmental resources;

(D) Items that are considered unsafe for a child;

(E) Toys or outdoor play equipment; and

(F) Equipment and furnishings of general household use.

(f) Funding for assistive devices with an expected life of more than one year is one time funding that is not continued in subsequent plan years. Assistive devices may only be included in an ISP when all other public and private resources have been exhausted.

(g) A services coordinator must secure use of assistive devices costing more than \$500 through a written agreement between the Department and the parent that specifies the time period the item is to be available to the child and the responsibilities of all parties if the item is lost, damaged, or sold within that time period. The Department may immediately recover any assistive devices purchased with CHS funds that are not used according to the ISP for the child or according to the written agreement between the Department and the parent.

(h) Assistive devices must meet applicable standards of manufacture, design, and installation.

(13) **ASSISTIVE TECHNOLOGY.**

(a) Assistive technology includes, but is not limited to, motion or sound sensors, two-way communication systems, automatic faucets and soap dispensers, incontinent and fall sensors, or other electronic backup systems.

(A) Expenditures for assistive technology are limited to \$5,000 per plan year. A services coordinator may request approval for additional expenditures through the Department prior to expenditure.

ADMINISTRATIVE RULES

(B) Any single device or assistance costing more than \$500 must be approved by the Department prior to expenditure.

(b) Assistive technology may include the cost of a professional consultation if required to assess, identify, adapt, or fit specialized equipment. The cost of professional consultation may be included in the purchase price.

(c) To be authorized by a services coordinator, assistive technology must be:

(A) Not covered by the Medicaid State Plan, OHP, or private insurance;

(B) Determined necessary to the daily functions of a child; and

(C) Directly related to the disability of a child.

(d) Assistive technology excludes:

(A) Items that are not necessary or of direct medical or remedial benefit to the child;

(B) Items intended to supplant similar items furnished under OHP or private insurance;

(C) Items available through the family, community, or other governmental resources;

(D) Items that are considered unsafe for a child; and

(E) Equipment and furnishings of general household use.

(e) Funding for assistive technology with an expected life of more than one year is one time funding that is not continued in subsequent plan years. Assistive technology may only be included in an ISP when all other public and private resources have been exhausted.

(f) A services coordinator must secure use of assistive technology costing more than \$500 through a written agreement between the Department and the parent that specifies the time period the item is to be available to the child and the responsibilities of all parties if the item is lost, damaged, or sold within that time period. The Department may immediately recover any assistive technology purchased with CHS funds that is not used according to the ISP of the child or according to the written agreement between the Department and the parent.

(g) Assistive technology must meet applicable standards of manufacture, design, and installation.

(14) CHORE SERVICES. Chore services may be provided only in situations where no one else in the family home is able of either performing or paying for the services and no other relative, caregiver, landlord, community, volunteer agency, or third-party payer is capable of, or responsible for, providing these services.

(a) Chore services include heavy household chores such as:

(A) Washing floors, windows, and walls;

(B) Tacking down loose rugs and tiles; and

(C) Moving heavy items of furniture for safe access and egress.

(b) Chore services may include yard hazard abatement to ensure the outside of the family home is safe for the child to traverse and enter and exit the home.

(15) COMMUNITY TRANSPORTATION.

(a) Community transportation services include, but are not limited to:

(A) Community transportation provided by a common carrier, taxicab, or bus in accordance with standards established for these entities;

(B) Reimbursement on a per-mile basis for transporting a child to accomplish ADL, IADL, or a health-related task as identified in an ISP; or

(C) Assistance with the purchase of a bus pass.

(b) Mileage reimbursement must be limited to those destinations where other members of the local community of the child would typically get similar services.

(c) Community transportation must be prior authorized by a services coordinator and documented in an ISP. The Department does not pay any provider under any circumstances for more than the total number of hours, miles, or rides prior authorized by the services coordinator and documented in the ISP. Personal support workers who use their own personal vehicle for community transportation are reimbursed as described in OAR chapter 411, division 375.

(d) Community transportation excludes:

(A) Transportation provided by family members;

(B) Transportation used for behavioral intervention or calming;

(C) Transportation normally provided by schools;

(D) Transportation normally provided by a primary caregiver for a child of similar age without disabilities;

(E) Transportation to obtain medical or non-medical items that may be delivered by a supplier or sent by mail order without cost;

(F) Purchase or lease of a vehicle;

(G) Routine vehicle maintenance and repair;

(H) Reimbursement for out-of-state travel expenses;

(I) Ambulance services or medical transportation;

(J) Transportation services that may be obtained through other means such as OHP or other public or private resources available to the child; and

(K) Costs for transporting a person other than the child.

(16) TRANSITION COSTS.

(a) Transition costs are limited to a child transitioning to the family home from a nursing facility, intermediate care facility for individuals with intellectual or developmental disabilities, or acute care hospital.

(b) Transition costs are based on the assessed need of a child determined during the person-centered service planning process and must support the desires and goals of the child receiving services and supports. Final approval for transition costs must be through the Department prior to expenditure. The approval of the Department is based on the need of the child and the determination of appropriateness and cost-effectiveness.

(c) Financial assistance for transition costs is limited to:

(A) Moving and move-in costs including movers, cleaning and security deposits, payment for background or credit checks (related to housing), or initial deposits for heating, lighting, and phone;

(B) Payment of previous utility bills that may prevent the child from receiving utility services and basic household furnishings such as a bed; and

(C) Other items necessary to re-establish a home.

(d) Transition costs are provided no more than twice annually.

(e) Transition costs for basic household furnishings and other items are limited to one time per year.

(17) FAMILY TRAINING. Family training services are provided to the family of a child to increase the abilities of the family to care for, support, and maintain the child in the family home.

(a) Family training services include:

(A) Instruction about treatment regimens and use of equipment specified in an ISP;

(B) Information, education, and training about the disability, medical, and behavioral conditions of a child; and

(C) Registration fees for organized conferences and workshops specifically related to the intellectual or developmental disability of the child or the identified, specialized, medical, or behavioral support needs of the child.

(i) Conferences and workshops must be prior authorized by a services coordinator, directly relate to the intellectual or developmental disability of a child, and increase the knowledge and skills of the family to care for and maintain the child in the family home.

(ii) Conference and workshop costs exclude:

(I) Registration fees in excess of \$500 per family for an individual event;

(II) Travel, food, and lodging expenses;

(III) Services otherwise provided under OHP or available through other resources; or

(IV) Costs for individual family members who are employed to care for the child.

(b) Family training services exclude:

(A) Mental health counseling, treatment, or therapy;

(B) Training for a paid provider;

(C) Legal fees;

(D) Training for a family to carry out educational activities in lieu of school;

(E) Vocational training for family members; and

(F) Paying for training to carry out activities that constitute abuse of a child.

(18) SPECIAL DIET.

(a) A special diet is a supplement and is not intended to meet the complete, daily nutritional requirements for a child.

(b) A special diet must be ordered at least annually by a physician licensed by the Oregon Board of Medical Examiners and periodically monitored by a dietician or physician.

(c) The maximum monthly purchase for special diet supplies may not exceed \$100 per month.

(d) Special diet supplies must be in support of an evidence-based treatment regimen.

(e) A special diet excludes restaurant and prepared foods, vitamins, and supplements.

(19) INDIVIDUAL-DIRECTED GOODS AND SERVICES.

(a) Individual-directed goods and services provide adaptive play equipment and materials that are not otherwise available through another source such as waiver services or state plan services.

ADMINISTRATIVE RULES

(b) Individual-directed goods and services are therapeutic in nature and must be recommended by at least one licensed health professional or by a behavior consultant.

(c) Individual-directed goods and services must directly address the disability related needs of a child.

(d) Individual-directed goods and services must:

- (A) Decrease the need for other Medicaid services;
- (B) Promote inclusion of a child in the community; or
- (C) Increase the safety of a child in the family home.

(e) Individual-directed goods and services may not be:

(A) Otherwise available through another source such as waiver services or state plan services;

(B) Experimental or prohibited treatment; or

(C) Goods or services that are normally purchased by a family for a typically developing child of the same age.

(f) Individual-directed goods and services purchased must be the most cost effective option available to meet the needs of the child.

(20) **SPECIALIZED MEDICAL SUPPLIES.** Specialized medical supplies do not cover services which are otherwise available to a child under section 110 of the Rehabilitation Act of 1973 or the IDEA (20 U.S.C. 1401 et seq.). Specialized medical supplies may not overlap, supplant, or duplicate other services provided through the waiver, OHP, or Medicaid state plan services.

(21) **ENVIRONMENTAL SAFETY MODIFICATIONS.**

(a) Environmental safety modifications must be made from materials of the most cost effective type and may not include decorative additions.

(b) Fencing may not exceed 200 linear feet without approval from the Department.

(c) Environmental safety modifications exclude:

- (A) Large gates such as automobile gates;
- (B) Costs for paint and stain;

(C) Adaptations or improvements to the family home that are of general utility and are not for the direct safety, remedial, or long term benefit to the child; and

(D) Adaptations that add to the total square footage of the family home.

(d) Environmental safety modifications are limited to \$5,000 per modification. A services coordinator may request approval for additional expenditures through the Department prior to expenditure. Approval is based on the service needs and goals of the child and the determination by the Department of appropriateness and cost-effectiveness.

(e) Environmental safety modifications must be tied to supporting ADL, IADL, and health-related tasks as identified in the ISP.

(f) Environmental safety modifications must be completed by a state licensed contractor. Any modification requiring a permit must be inspected by a local inspector and certified as in compliance with local codes. Certification of compliance must be filed in the file for the contractor prior to payment.

(g) Environmental safety modifications must be made within the existing square footage of the family home and may not add to the square footage of the family home.

(h) Payment to the contractor is to be withheld until the work meets specifications.

(i) Environmental safety modifications that are provided in a rental structure must be authorized in writing by the owner of the rental structure prior to initiation of the work. This does not preclude any reasonable accommodations required under the Americans with Disabilities Act.

(22) **VEHICLE MODIFICATIONS.**

(a) Vehicle modifications may only be made to the vehicle primarily used by a child to meet the unique needs of the child. Vehicle modifications may include a lift, interior alterations to seats, head and leg rests, belts, special safety harnesses, other unique modifications to keep the child safe in the vehicle, and the upkeep and maintenance of a modification made to the vehicle.

(b) Vehicle modifications exclude:

(A) Adaptations or improvements to a vehicle that are of general utility and are not of direct medical or remedial benefit to a child;

(B) The purchase or lease of a vehicle; or

(C) Routine vehicle maintenance and repair.

(c) Vehicle modifications are limited to \$5,000 per modification. A services coordinator may request approval for additional expenditures through the Department prior to expenditure. Approval is based on the service needs and goals of the child and the determination by the Department of appropriateness and cost-effectiveness.

(d) Vehicle modifications must meet applicable standards of manufacture, design, and installation.

(23) All CIIS authorized by the Department must be included in a written ISP in order to be eligible for payment. The ISP must use the most cost effective services for safely and appropriately meeting the service needs of a child as determined by a services coordinator.

(24) All requests for General Fund expenditures and expenditures exceeding limitations in the expenditure guidelines must be authorized by the Department. The approval of the Department is limited to 90 days unless re-authorized. A request for a General Fund expenditure or an expenditure exceeding limitations in the expenditure guidelines is only authorized in the following circumstances:

(a) The child is not safely served in the family home without the expenditure;

(b) The expenditure provides supports for the emerging or changing service needs or behaviors of the child;

(c) A significant medical condition or event occurs that prevents or seriously impedes the primary caregiver from providing services as documented by a physician; or

(d) The services coordinator determines, with a behavior consultant, that the child needs two staff present at one time to ensure the safety of the child and others. Prior to approval, the services coordinator must determine that a caregiver, including the parent, has been trained in behavior management and that all other feasible recommendations from the behavior consultant and the services coordinator have been implemented.

(25) The Department does not pay for CIIS services that are:

(a) Notwithstanding abuse as defined in ORS 419B.005, abusive, aversive, or demeaning;

(b) Experimental;

(c) Illegal including crimes identified in OAR 407-007-0275;

(d) Determined unsafe for the general public by recognized child and consumer safety agencies;

(e) Not necessary or cost effective;

(f) Educational services for school-age children including professional instruction, formal training, and tutoring in communication, socialization, and academic skills;

(g) Activities, materials, or equipment that are not necessary, cost-effective, or do not meet the definition of support or social benefits as defined in OAR 411-300-0110; or

(h) Services or activities that the legislative or executive branch of Oregon government has prohibited use of public funds.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 20-2013(Temp), f. & cert. ef. 7-1-13 thru 12-28-13; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0155

Using Children's Intensive In-Home Services Funds for Certain Purchases is Prohibited

(1) Effective July 28, 2009, CIIS funds may not be used to support, in whole or in part, a provider in any capacity having contact with a recipient of CIIS who has been convicted of any of the disqualifying crimes listed in OAR 407-007-0275.

(2) Section (1) of this rule does not apply to employees of a child's parent or a billing provider who were hired prior to July 28, 2009 that remain in the current position for which the employee was hired.

(3) CIIS funds may not be used for:

(a) Services, supplies, or supports that are illegal, experimental, or determined unsafe for the general public by recognized child and consumer safety agencies;

(b) Services or activities that are carried out in a manner that constitutes abuse of a child;

(c) Services from a person who engages in verbal mistreatment and subjects a child to the use of derogatory names, phrases, profanity, ridicule, harassment, coercion, or intimidation by threatening injury or withholding of services or supports;

(d) Services that restrict a child's freedom of movement by seclusion in a locked room under any condition;

(e) Purchase of family vehicles;

(f) Purchase of service animals or costs associated with the care of service animals;

(g) Health and medical costs that the general public normally must pay, including but not limited to:

(A) Medical treatments;

(B) Health insurance co-payments and deductibles;

(C) Prescribed or over-the-counter medications;

ADMINISTRATIVE RULES

(D) Mental health treatments and counseling;
(E) Dental treatments and appliances;
(F) Dietary supplements and vitamins; or
(G) Treatment supplies not related to nutrition, incontinence, or infection control.

(h) Ambulance services;
(i) Legal fees, including but not limited to the costs of representation in educational negotiations, establishment of trusts, or creation of guardianship;

(j) Vacation costs for transportation, food, shelter, and entertainment that are not strictly required by the child's disability-created need for personal assistance in all home and community settings that are normally incurred by a person on vacation, regardless of disability;

(k) Services, training, or supervision that has not been arranged according to applicable state and federal wage and hour regulations;

(l) Unless under certain conditions and limits specified in the child's ISP, employee wages or contractor payments for services when the child is not present or available to receive services, including but not limited to employee paid time off, hourly "no show" charge, and contractor travel and preparation hours;

(m) Services, activities, materials, or equipment that are not necessary, cost effective, or do not meet the definition of support or social benefit as defined in OAR 411-300-0110;

(n) Education and services provided by schools as part of a free and appropriate education for children and young adults under the Individuals with Disabilities Education Act;

(o) Services, activities, materials, or equipment that the Department determines may be reasonably obtained by the child's family through other available means, such as private or public insurance, philanthropic organizations, or other governmental or public services;

(p) Services or activities for which the legislative or executive branch of Oregon government has prohibited use of public funds;

(q) Purchase of services when there is sufficient evidence to believe that the child's parent or guardian, or the provider chosen by the child's family, has engaged in fraud or misrepresentation, failed to use resources as agreed upon in the child's ISP, refused to cooperate with record keeping required to document use of CIIS funds, or otherwise knowingly misused public funds associated with CIIS; or

(r) Notwithstanding abuse as defined in ORS 419B.005, services that, in the opinion of the services coordinator, are characterized by failure to act or neglect that leads to, or is in imminent danger of causing, physical injury through negligent omission, treatment, or maltreatment of a child, including but not limited to the failure to provide a child with adequate food, clothing, shelter, medical services, supervision, or through condoning or permitting abuse of a child by any other person. However, no child may be considered neglected for the sole reason that the child's family relies on treatment through prayer alone in lieu of medical treatment.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 2-2010(Temp), f. & cert. ef. 3-18-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; Suspended by APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0165

Standards for Employers

(1) **EMPLOYEE — EMPLOYER RELATIONSHIP.** The relationship between an independent provider and a parent, or a person selected by the parent to act on the behalf of the parent to provide the employer responsibilities described in section (5)(a) of this rule, is that of employee and employer.

(a) A personal support worker who is not an independent contractor must have an employer of record. The Department may not act as the employer of record.

(b) Independent providers, including personal support workers, are not state, CDDP, or brokerage employees.

(2) **JOB DESCRIPTION.** The employer must create and maintain a job description for an independent provider that is in coordination with the services authorized in the ISP.

(3) **BENEFITS.** Only personal support workers qualify for benefits. The benefits provided to personal support workers are described in OAR chapter 411, division 375.

(4) **INTERVENTION.** For the purpose of this rule, "intervention" means the action the Department or the designee of the Department requires when an employer fails to meet the employer responsibilities described in this rule. Intervention includes, but is not limited to:

(a) A documented review of the employer responsibilities described in section (5) of this rule;

(b) Training related to employer responsibilities;

(c) Corrective action taken as a result of an independent provider filing a complaint with the Department, the designee of the Department, or other agency who may receive labor related complaints;

(d) Identifying an employer representative if a person is not able to meet the employer responsibilities described in section (5) of this rule; or

(e) Identifying another representative if the current employer representative is not able to meet the employer responsibilities described in section (5) of this rule.

(5) EMPLOYER RESPONSIBILITIES.

(a) For a child to be eligible for CIIS provided by an employed independent provider, an employer must demonstrate the ability to:

(A) Locate, screen, and hire a qualified independent provider;

(B) Supervise and train the independent provider;

(C) Schedule work, leave, and coverage;

(D) Track the hours worked and verify the authorized hours completed by the independent provider;

(E) Recognize, discuss, and attempt to correct, with the independent provider, any performance deficiencies and provide appropriate, progressive, disciplinary action as needed; and

(F) Discharge an unsatisfactory independent provider.

(b) Indicators that an employer may not be meeting the employer responsibilities described in subsection (a) of this section include, but are not limited to:

(A) Independent provider complaints;

(B) Multiple complaints from an independent provider requiring intervention from the Department as defined in section (4) of this rule;

(C) Frequent errors on time sheets, mileage logs, or other required documents submitted for payment that results in repeated coaching from the Department;

(D) Complaints to Medicaid Fraud involving the employer; or

(E) Documented observation by the Department of services not being delivered as identified in an ISP.

(c) The Department may require intervention as defined in section (4) of this rule when an employer has demonstrated difficulty meeting the employer responsibilities described in subsection (a) of this section.

(d) A child may not receive CIIS provided by an independent provider if, after appropriate intervention and assistance, an employer is not able to meet the employer responsibilities described in subsection (a) of this section. The child may receive CIIS provided by a provider organization or general business provider, when available.

(6) DESIGNATION OF EMPLOYER RESPONSIBILITIES.

(a) A parent not able to meet all of the employer responsibilities described in section (5)(a) of this rule must:

(A) Designate an employer representative in order for the child to receive or continue to receive CIIS provided by an independent provider; or

(B) Select a provider organization or general business provider to provide CIIS.

(b) A parent able to demonstrate the ability to meet some of the employer responsibilities described in section (5)(a) of this rule must:

(A) Designate an employer representative to fulfill the responsibilities the parent is not able to meet in order for the child to receive or continue to receive CIIS provided by an independent provider; and

(B) On a Department approved form, document the specific employer responsibilities to be performed by the parent and the employer responsibilities to be performed by the employer representative.

(c) When an employer representative is not able to meet the employer responsibilities described in section (5)(a) or the qualifications in section (7)(c) of this rule, the parent must:

(A) Designate a different employer representative in order for the child to receive or continue to receive CIIS provided by an independent provider; or

(B) Select a provider organization or general business provider to provide CIIS.

(7) EMPLOYER REPRESENTATIVE.

(a) A parent may designate an employer representative to act on behalf of the parent to meet the employer responsibilities described in section (5)(a) of this rule.

(b) If an independent provider is selected by the parent to act as the employer, the parent must seek an alternate employer for purposes of the employment of the independent provider. The alternate employer must:

ADMINISTRATIVE RULES

(A) Track the hours worked and verify the authorized hours completed by the independent provider; and

(B) Document the specific employer responsibilities performed by the employer on a Department approved form.

(c) The Department may suspend, terminate, or deny a request for an employer representative if the requested employer representative has:

(A) A founded report of child abuse or substantiated abuse;

(B) Participated in billing excessive or fraudulent charges; or

(C) Failed to meet the employer responsibilities in section (5)(a) or (7)(b) of this rule, including previous termination as a result of failing to meet the employer responsibilities in section (5)(a) or (7)(b).

(d) If the Department suspends, terminates, or denies a request for an employer representative for the reasons described in subsection (c) of this section, the parent may select another employer representative.

(8) NOTICE.

(a) The Department shall mail a notice to the parent when:

(A) The Department denies, suspends, or terminates an employer from performing the employer responsibilities described in sections (5)(a) or (7)(b) of this rule; and

(B) The Department denies, suspends, or terminates an employer representative from performing the employer responsibilities described in section (5)(a) or (7)(b) of this rule because the employer representative does not meet the qualifications in section (7)(c) of this rule.

(b) If the parent does not agree with the action taken by the Department, the parent may request an administrator review.

(A) The request for an administrator review must be made in writing and received by the Department within 45 days from the date of the notice.

(B) The determination of the Director is issued in writing within 30 days from the date the written request for an administrator review was received by the Department.

(C) The determination of the Director is the final response from the Department.

(c) When a denial, suspension, or termination of an employer results in the Department denying, suspending, or terminating a child from CIIS, the hearing rights in OAR chapter 411, division 318 apply.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0170

Standards for CIIS Providers

(1) PERSONAL SUPPORT WORKER QUALIFICATIONS. A personal support worker must meet the qualifications described in OAR chapter 411, division 375.

(2) INDEPENDENT PROVIDER QUALIFICATIONS. An independent provider who is not a personal support worker who is paid as a contractor or a self-employed person and selected to provide CIIS must:

(a) Be at least 18 years of age;

(b) Have approval to work based on current Department policy and a background check completed by the Department in accordance with OAR 407-007-0200 to 407-007-0370. A subject individual as defined in 407-007-0210 may be approved for one position to work in multiple homes within the jurisdiction of the qualified entity as defined in 407-007-0210. The Department's Background Check Request form must be completed by the subject individual to show intent to work at various homes;

(c) Effective July 28, 2009, not have been convicted of any of the disqualifying crimes listed in OAR 407-007-0275;

(d) Be legally eligible to work in the United States;

(e) Not be the primary caregiver, parent, stepparent, spouse, or legal guardian of a child;

(f) Demonstrate by background, education, references, skills, and abilities that he or she is capable of safely and adequately performing the tasks specified in an ISP, with such demonstration confirmed in writing by the parent, including:

(A) Ability and sufficient education to follow oral and written instructions and keep any required records;

(B) Responsibility, maturity, and reputable character exercising sound judgment;

(C) Ability to communicate with the parent; and

(D) Training of a nature and type sufficient to ensure that the provider has knowledge of emergency procedures specific to the child.

(g) Hold a current, valid, and unrestricted appropriate professional license or certification where services and supervision requires specific professional education, training, and skill;

(h) Understand requirements of maintaining confidentiality and safeguarding individual information;

(i) Not be on the Office of Inspector General's list of excluded or debarred providers (<http://exclusions.oig.hhs.gov/>);

(j) If providing transportation, have a valid driver's license and proof of insurance as well as any other license or certification that may be required under state and local law depending on the nature and scope of the transportation service; and

(k) Sign a Medicaid provider agreement and be enrolled as a Medicaid provider prior to delivery of any services.

(3) Section (2)(c) of this rule does not apply to employees of an employer as defined in OAR 411-300-0110, employees of general business providers, or employees of provider organizations, who were hired prior to July 28, 2009 that remain in the current position for which the employee was hired.

(4) All providers must self-report any potentially disqualifying condition as described in OAR 407-007-0280 and OAR 407-007-0290. The provider must notify the Department or the designee of the Department within 24 hours.

(5) If a provider is an independent contractor during the terms of a contract, the provider must maintain in force, at the expense of the provider, professional liability insurance with a combined single limit of not less than \$1,000,000 for each claim, incident, or occurrence. Professional liability insurance is to cover damages caused by error, omission, or negligent acts related to professional services.

(a) The provider must provide written evidence of insurance coverage to the Department prior to beginning work and at any time upon the request of the Department.

(b) There must be no cancellation of insurance coverage without 30 days written notice to the Department.

(6) A provider must immediately notify the parent and the services coordinator of injury, illness, accident, or any unusual circumstance that may have a serious effect on the health, safety, physical, emotional well-being, or level of service required by the child for whom CIIS are being provided.

(7) All providers are mandatory reporters and are required to report suspected child abuse to the local Department office or to the police in the manner described in ORS 419B.010.

(8) BEHAVIOR CONSULTANTS. Behavior consultants providing specialized consultations must:

(a) Have education, skills, and abilities necessary to provide behavior support services as outlined in OAR 411-300-0150;

(b) Have current certification demonstrating completion of OIS training; and

(c) Submit a resume or the equivalent to the Department indicating at least one of the following:

(A) A bachelor's degree in special education, psychology, speech and communication, occupational therapy, recreation, art or music therapy, or a behavioral science or related field, and at least one year of experience with individuals with disabilities who present difficult or dangerous behaviors; or

(B) Three years of experience with individuals with disabilities who present difficult or dangerous behaviors and at least one year of that experience includes providing the services of a behavior consultant as outlined in OAR 411-300-0150.

(d) Additional education or experience may be required to safely and adequately provide the services described in OAR 411-300-0150.

(9) COMMUNITY NURSE. A nurse providing community nursing services must be an enrolled Medicaid provider and meet the qualifications in OAR 411-048-0210.

(10) DIETICIANS. Dieticians providing special diets must be licensed according to ORS 691.415 through 691.465.

(11) PROVIDER ORGANIZATIONS WITH CURRENT LICENSE OR CERTIFICATION. A provider organization certified, licensed, and endorsed under OAR chapter 411, division 325 for 24-hour residential services, or licensed under OAR chapter 411, division 360 for adult foster homes, or certified and endorsed under OAR chapter 411, division 345 for employment and day support activities, or OAR chapter 411, division 328 for supported living services, or OAR 411-340-0170 for support services, may not require additional certification as an organization to provide relief care, attendant care, skills training, community transportation, or behavior support services.

(a) Current license, certification, or endorsement is considered sufficient demonstration of ability to:

(A) Recruit, hire, supervise, and train qualified staff;

(B) Provide services according to ISPs; and

ADMINISTRATIVE RULES

(C) Develop and implement operating policies and procedures required for managing an organization and delivering services including provisions for safeguarding individuals receiving services.

(b) Provider organizations must assure that all people directed by the provider organization as employees, contractors, or volunteers to provide services paid for with CIIS funds meet the standards for independent providers described in section (2) of this rule.

(12) General business providers providing services to children paid with CIIS funds including, but not limited to the following, must hold any current license appropriate to operate required by the state of Oregon or federal law or regulation.

(a) Home health agencies must be licensed under ORS 443.015.

(b) In-home care agencies must be licensed under ORS 443.315.

(c) For providers of environmental modifications involving building modifications or new construction, a current license and bond as a building contractor as required by either OAR chapter 812 (Construction Contractor's Board) or OAR chapter 808 (Landscape Contractors Board).

(d) For environmental accessibility consultants, a current license as a general contractor as required by OAR chapter 812, including experience evaluating homes, assessing the needs of an individual, and developing cost-effective plans to make homes safe and accessible.

(e) Public transportation providers must be regulated according to established standards and private transportation providers must have a business license, vehicle insurance in compliance with the laws of the Department of Motor Vehicles, and drivers with a valid license to drive.

(f) Vendors and medical supply companies providing specialized medical equipment and supplies must have a current retail business license and, if vending medical equipment, be enrolled as Medicaid providers through the Division of Medical Assistance Programs.

(g) Providers of personal emergency response systems must have a current retail business license.

(h) Vendors and supply companies providing specialized diets must have a current retail business license.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 13-2004, f. & cert. ef. 6-1-04; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 2-2010(Temp), f. & cert. ef. 3-18-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0190

CIIS Documentation Needs

(1) Accurate time sheets of CIIS must be dated and signed by the provider and the parent of the child after the services are provided and maintained and submitted to the Department with any request for payment for services.

(2) Requests for payment of CIIS must:

(a) Include the billing form indicating prior authorization for the services;

(b) Be signed by the provider acknowledging agreement with the terms and condition of the billing form and attesting that the hours were delivered as billed; and

(c) Be signed by the parent of the child after the services were delivered, verifying that the services were delivered as billed.

(3) Documentation of CIIS provided, including but not limited to daily activity logs as prescribed by the services coordinator, must be provided to the services coordinator upon request or as outlined in the ISP for the child and maintained in the family home or the place of business of the provider of services. The Department does not pay for services that are not outlined in the ISP for the child or unrelated to the disability of the child.

(4) Daily activity logs must be completed by the provider for each shift worked and the responsibility to complete daily activity logs must be listed in the job description for the provider.

(5) The Department retains billing forms and timesheets for at least five years from the date of CIIS.

(6) Behavior consultants must submit the following to the Department written in clear, concrete language understandable to the parent of the child and the provider:

(a) An evaluation of the child, the concerns of the parent, the environment of the child, current communication strategies used by the child and used by others with the child, and any other disability of the child that may impact the appropriateness of strategies to be used with the child; and

(b) Any behavior plan or instructions left with the parent or the provider that describes the suggested strategies to be used with the child.

(7) A Nursing Service Plan must be present when CIIS funds are used for community nursing services.

(8) Providers must maintain documentation of provided CIIS for at least seven years from the date of service.

(9) Providers must furnish requested documentation immediately upon the written request from the Department, the Oregon Department of Justice Medicaid Fraud Unit, Centers for Medicare and Medicaid Services, or their authorized representatives, or within the time frame specified in the written request. Failure to comply with the request may be considered by the Department as reason to deny or recover payments.

(10) Access to records by the Department, including but not limited to medical, nursing, behavior, psychiatric, or financial records, and specifically including daily activity logs and records by providers and vendors providing goods and services, does not require authorization or release by the child or the parent of the child.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0200

Payment for CIIS

(1) Payment is made after CIIS are delivered as authorized.

(2) Effective July 28, 2009, CIIS funds may not be used to support, in whole or in part, a provider in any capacity who has been convicted of any of the disqualifying crimes listed in OAR 407-007-0275.

(3) Section (2) of this rule does not apply to an employee of a parent or a provider who was hired prior to July 28, 2009 that remains in the current position for which the employee was hired.

(4) CIIS funds may not be used for:

(a) Services, supplies, or supports that are illegal, experimental, or determined unsafe for the general public by a recognized child or consumer safety agency;

(b) Services or activities that are carried out in a manner that constitutes abuse of a child;

(c) Services from a person who engages in verbal mistreatment and subjects a child to the use of derogatory names, phrases, profanity, ridicule, harassment, coercion, or intimidation by threatening injury or withholding of services or supports;

(d) Services that restrict the freedom of movement of a child by seclusion in a locked room under any condition;

(e) Purchase or lease of a vehicle;

(f) Purchase of a service animal or costs associated with the care of a service animal;

(g) Medical treatments;

(h) Health insurance co-payments and deductibles;

(i) Prescribed or over-the-counter medications;

(j) Mental health treatments and counseling;

(k) Dental treatments and appliances;

(l) Dietary supplements and vitamins;

(m) Supplies not related to nutrition, incontinence, or infection control;

(n) Ambulance service;

(o) Legal fees such as the cost of representation in educational negotiations, establishment of trusts, or creation of guardianship;

(p) Vacation costs or costs for recreation or leisure;

(q) Services, training, or supervision that has not been arranged according to applicable state and federal wage and hour regulations;

(r) Any purchase that is not generally accepted by the relevant mainstream professional or academic community as an effective means to address an identified support need;

(s) Unless under certain conditions and limits specified in an ISP, employee wages or contractor payments for services when a child is not present or available to receive services such as employee paid time off, hourly "no show" charge, or contractor travel and preparation hours;

(t) Services, activities, materials, or equipment that are not necessary, not in accordance with the expenditure guidelines, not cost effective, or do not meet the definition of support or social benefit as defined in OAR 411-300-0110;

(u) Education and services provided as part of a free and appropriate education for children and young adults under the Individuals with Disabilities Education Act;

(v) Services, activities, materials, or equipment that the Department determines may be reasonably obtained by a family through other available means such as private or public insurance, philanthropic organizations, or other governmental or public services;

(w) Services or activities for which the legislative or executive branch of Oregon government has prohibited use of public funds;

ADMINISTRATIVE RULES

(x) Purchase of services when there is sufficient evidence to believe that a parent or a provider chosen by a family has engaged in fraud or misrepresentation, failed to use resources as agreed upon in the ISP for a child, refused to cooperate with record keeping required to document use of CIIS funds, or otherwise knowingly misused public funds associated with CIIS; or

(y) Notwithstanding abuse as defined in ORS 419B.005, services that in the opinion of a services coordinator are characterized by failure to act or neglect that leads to or is in imminent danger of causing physical injury through negligent omission, treatment, or maltreatment of a child such as the failure to provide a child with adequate food, clothing, shelter, medical services, supervision, or through condoning or permitting abuse of a child by any other person. However, no child may be considered neglected for the sole reason that a family relies on treatment through prayer alone in lieu of medical treatment.

(5) Payment for CIIS is made in accordance with the expenditure guidelines.

(6) Service levels are based on the individual needs of a child as identified by a functional needs assessment and authorized in the ISP for the child.

(7) Authorization must be obtained prior to the delivery of any CIIS for the services to be eligible for payment.

(8) A provider must request payment authorization for CIIS provided during an unforeseeable emergency on the first business day following the emergency service. A services coordinator must determine if the service is eligible for payment.

(9) The Department makes payment to the employee of a parent on behalf of the parent. The Department pays the employer's share of the Federal Insurance Contributions Act tax (FICA) and withholds FICA as a service to the parent, who is the employer.

(10) The delivery of authorized CIIS must occur so that any employee of the parent does not exceed 40 hours per work week. The Department does not authorize services that require the payment of overtime without prior written authorization by the Department.

(11) The Department does not authorize or pay for any hours of CIIS provided by an individual provider beyond 16 hours in any 24-hour period without prior written authorization by the Department.

(12) Holidays are paid at the same rate as non-holidays.

(13) Travel time to reach the job site is not reimbursable.

(14) Payment by the Department for CIIS is considered full payment for the services rendered under Medicaid. A provider may not demand or receive additional payment for CIIS from the parent or any other source, under any circumstances.

(15) Medicaid funds are the payor of last resort. A provider must bill all third party resources until all third party resources are exhausted.

(16) The Department reserves the right to make a claim against any third party payer before or after making payment to the provider.

(17) The Department may void without cause prior authorizations that have been issued.

(18) Upon submission of the billing form for payment, a provider must comply with:

(a) All rules in OAR chapter 407 and OAR chapter 411;

(b) 45 CFR Part 84 which implements Title V, Section 504 of the Rehabilitation Act of 1973;

(c) Title II and Title III of the Americans with Disabilities Act of 1991; and

(d) Title VI of the Civil Rights Act of 1964.

(19) All billings must be for CIIS provided within the licensure and certification of the provider.

(20) The provider must submit true and accurate information on the billing form. Use of a provider organization does not replace the responsibility of the provider for the truth and accuracy of submitted information.

(21) A person may not submit the following to the Department:

(a) A false billing form for payment;

(b) A billing form for payment that has been, or is expected to be, paid by another source; or

(c) Any billing form for CIIS that have not been provided.

(22) The Department only makes payment to an enrolled provider who actually performs the CIIS or the enrolled provider organization. Federal regulations prohibit the Department from making payment to a collection agency.

(23) Payment is denied if any provisions of these rules are not complied with.

(24) The Department recoups all overpayments.

(a) The amount to be recovered:

(A) Is the entire amount determined or agreed to by the Department;
(B) Is not limited to the amount determined by criminal or civil proceedings; and

(C) Includes interest to be charged at allowable state rates.

(b) A request for repayment of the overpayment or notification of recoupment of future payments is delivered to the provider by registered or certified mail or in person.

(c) Payment schedules with interest may be negotiated at the discretion of the Department.

(d) If recoupment is sought from a parent, the parent has the right to request a hearing as provided in ORS chapter 183.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: SDDS 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 2-2010(Temp), f. & cert. ef. 3-18-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0205

Rights, Complaints, Notification of Planned Action, and Hearings

(1) RIGHTS OF THE CHILD.

(a) The rights of the child are described in OAR 411-318-0010.

(b) Upon enrollment, request, and annually thereafter, the individual rights described in OAR 411-318-0010 must be provided to the parent and the child.

(2) COMPLAINTS.

(a) Complaints must be addressed in accordance with OAR 411-318-0015.

(b) Upon enrollment, request, and annually thereafter, the policy and procedures for complaints as described in OAR 411-318-0015 must be explained and provided to the parent of each child.

(3) NOTIFICATION OF PLANNED ACTION. In the event CIIS are denied, reduced, suspended, or terminated, a written advance Notification of Planned Action (form SDS 0947) must be provided as described in OAR 411-318-0020.

(4) HEARINGS.

(a) Hearings must be addressed in accordance with ORS chapter 183 and OAR 411-318-0025.

(b) The parent of a child may request a hearing as provided in ORS chapter 183 and OAR 411-318-0025 for denials, reductions, suspensions, or terminations.

(c) Upon enrollment, request, and annually thereafter, a notice of hearing rights and the policy and procedures for hearings as described in OAR chapter 411, division 318 must be explained and provided to the parent of each child.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0210

Denial, Termination, Suspension, Reduction, or Eligibility for Services for Individual Medicaid Recipients

(1) HEARING RIGHTS. Each time the Department takes an action to deny, terminate, suspend, or reduce a child's access to services covered under Medicaid, the Department shall notify the child's parent of the right to a hearing and the method to request a hearing. The Department shall mail the notice by certified mail or personally serve the notice to the parent 10 days or more prior to the effective date of the action.

(a) The Department shall use the Notice of Hearing Rights or a comparable Department-approved form. A notice of hearing rights is not required if an action is part of, or fully consistent with, a child's ISP, or the child's parent has agreed with the action by signature to the ISP. The notice of hearing rights shall be given directly to the parent when the ISP is signed.

(b) The child's parent may appeal a denial of a request for additional or different services only if the request has been made in writing and submitted to the address on the notice to expedite the process.

(c) A notice required by this section of this rule must include:

(A) The action the Department intends to take;

(B) The reasons for the intended action;

(C) The specific Oregon administrative rules that supports, or the change in federal or state law that requires, the action;

(D) The appealing party's right to request a hearing in accordance with OAR chapter 137, Oregon Attorney General's Model Rules, ORS Chapter 183, and 42 CFR Part 431, Subpart E;

(E) A statement that the Department files on the subject of the hearing automatically becoming part of the hearing record upon default for the purpose of making a prima facie case;

ADMINISTRATIVE RULES

(F) A statement that the actions specified in the notice shall take effect by default if the Department representative does not receive a request for hearing from the party within 45 days from the date that the Department mails the notice of action;

(G) In cases of an action based upon a change in law, the circumstances under which a hearing shall be granted; and

(H) An explanation of the circumstances under which CIIS shall be continued if a hearing is requested.

(d) If the child's parent disagrees with the decision or proposed action of the Department to deny, terminate, suspend, or reduce a child's access to services covered under Medicaid, the parent may request a hearing as provided in ORS Chapter 183. The request for a hearing must be in writing on form DHS 443 and signed by the parent. The signed form (DHS 443) must be received by the Department within 45 days from the date of the Department's notice of action.

(e) The child's parent may request an expedited hearing if the parent feels that there is an immediate, serious threat to the child's life or health if the normal timing of the hearing process is followed.

(f) If the child's parent requests a hearing before the effective date of the proposed actions and requests that the existing services be continued, the Department shall continue the services.

(A) The Department shall continue the services until whichever of the following occurs first:

(i) The current authorization expires;

(ii) The administrative law judge issues a proposed order and the Department issues a final order; or

(iii) The child is no longer eligible for Medicaid benefits.

(B) The Department shall notify the child's parent that the Department is continuing the service. The notice shall inform the parent that if the hearing is resolved against the child, the Department may recover the cost of any services continued after the effective date of the continuation notice.

(g) The Department may reinstate services if:

(A) The Department takes an action without providing the required notice and the child's parent requests a hearing;

(B) The Department fails to provide the notice in the time required in this rule and the child's parent requests a hearing within 10 days of the mailing of the notice of action; or

(C) The post office returns mail directed to the child's parent but the location of the parent becomes known during the time that the child is still eligible for services.

(h) The Department shall promptly correct the action taken up to the limit of the original authorization, retroactive to the date the action was taken, if the hearing decision is favorable to the child or the Department decides in the child's favor before the hearing.

(i) The Department representative and the child's parent may have an informal conference, without the presence of the administrative law judge, to discuss any of the matters listed in OAR 137-003-0575. The informal conference may also be used to:

(A) Provide an opportunity for the Department and the child's parent to settle the matter;

(B) Ensure the child's parent understands the reason for the action that is the subject of the hearing request;

(C) Give the child's parent an opportunity to review the information that is the basis for that action;

(D) Inform the child's parent of the rules that serve as the basis for the contested action;

(E) Give the child's parent and the Department the chance to correct any misunderstanding of the facts;

(F) Determine if the child's parent wishes to have any witness subpoenas issued; and

(G) Give the Department an opportunity to review the Department's action.

(j) The child's parent may, at any time prior to the hearing date, request an additional conference with the Department representative. At the Department representative's discretion, the Department representative may grant an additional conference if the additional conference facilitates the hearing process.

(k) The Department may provide the child's parent the relief sought at any time before the final order is issued.

(l) A child's parent may withdraw a hearing request at any time prior to the issuance of a final order. The withdrawal shall be effective on the date the Department or the Office of Administrative Hearings receives the request for withdrawal. The Department shall issue a final order confirming the withdrawal to the last known address of the parent. The parent may

cancel the withdrawal up to 10 working days following the date the final order is issued.

(2) PROPOSED AND FINAL ORDERS.

(a) In a contested case, the administrative law judge must serve a proposed order on the child and the Department.

(b) If the administrative law judge issues a proposed order that is adverse to the child, the child's parent may file an exception to the proposed order to be considered by the Department. The exception must be in writing and must be received by the Department no later than 10 days after service of the proposed order. The parent may not submit additional evidence after this period unless the Department grants prior approval.

(c) After receiving the exception, the Department may adopt the proposed order as the final order or may prepare a new order. Prior to issuing the final order, the Department may issue an amended proposed order.

(3) The provider or billing provider must submit relevant documentation to the Department within five working days at the request of the Department when a hearing has been requested.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SDSL 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 13-2004, f. & cert. ef. 6-1-04;

SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13;

Suspended by APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-300-0220

CIIS Provider Termination

(1) PERSONAL SUPPORT WORKER. Provider enrollment for a personal support worker must be terminated consistent with OAR chapter 411, division 375.

(2) INDEPENDENT PROVIDER WHO IS NOT A PERSONAL SUPPORT WORKER.

(a) The provider enrollment for an independent provider who is not a personal support worker may be inactivated in the following circumstances:

(A) The provider has not provided any paid services to a child within the last previous 12 months;

(B) The provider informs the Department that the provider is no longer providing services in Oregon;

(C) The background check for a provider results in a closed case pursuant to OAR 407-007-0325;

(D) Services provided to a child are being investigated by Adult or Child Protective Services for suspected abuse that poses imminent danger to current or future children; or

(E) Provider payments, all or in part, for the provider have been suspended based on a credible allegation of fraud or a conviction of fraud pursuant to federal law under 42 CFR 455.23.

(b) An independent provider who is not a personal support worker may have their provider enrollment terminated when the Department determines that, at some point after the initial qualification and authorization of the provider to provide supports purchased with CIIS funds, the provider has:

(A) Been convicted of any crime that would have resulted in an unacceptable background check upon hiring or authorization of CIIS;

(B) Been convicted of unlawfully manufacturing, distributing, prescribing, or dispensing a controlled substance;

(C) Surrendered his or her professional license or had his or her professional license suspended, revoked, or otherwise limited;

(D) Failed to safely and adequately provide the authorized services;

(E) Had a founded report of child abuse or substantiated abuse;

(F) Failed to cooperate with any Department investigation or grant access to or furnish records or documentation, as requested;

(G) Billed excessive or fraudulent charges or been convicted of fraud;

(H) Made a false statement concerning conviction of a crime or substantiated abuse;

(I) Falsified required documentation;

(J) Been suspended or terminated as a provider by the Department or Oregon Health Authority;

(K) Violated the requirement to maintain a drug-free work place;

(L) Failed to provide services as required;

(M) Failed to provide a tax identification number or social security number that matches the legal name of the independent provider, as verified by the Internal Revenue Service or Social Security Administration; or

(N) Has been excluded or debarred by the Office of the Inspector General.

(c) If the Department makes a decision to terminate the provider enrollment of an independent provider who is not a personal support worker, the Department must issue a written notice.

(A) The written notice must include:

ADMINISTRATIVE RULES

- (i) An explanation of the reason for termination of the provider enrollment;
- (ii) The alleged violation as listed in section (a) or (b) of this rule; and
- (iii) The appeal rights for the independent provider, including how to file an appeal.

(B) For terminations based on substantiated protective services allegations, the notice may only contain the limited information allowed by law. In accordance with ORS 124.075, 124.085, 124.090, and OAR 411-020-0030, complainants, witnesses, the name of the alleged victim, and protected health information may not be disclosed.

(d) The provider may appeal a termination within 30 days of the date the termination notice was mailed to the provider. The provider must appeal a termination separately from any appeal of audit findings and overpayments.

(A) A provider of Medicaid services may appeal a termination by requesting an administrator review.

(B) For an appeal regarding provision of Medicaid services to be valid, written notice of the appeal must be received by the Department within 30 days of the date the termination notice was mailed to the provider.

(e) At the discretion of the Department, providers who have previously been terminated or suspended by the Department or by the Oregon Health Authority may not be authorized as providers of Medicaid services.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: SDSA 12-2002, f. 12-26-02, cert. ef. 12-28-02; SPD 13-2004, f. & cert. ef. 6-1-04; SPD 11-2009, f. 7-31-09, cert. ef. 8-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 53-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0020

Definitions

Unless the context indicates otherwise, the following definitions and the definitions in OAR 411-317-0000 apply to the rules in OAR chapter 411, division 350:

- (1) "Abuse" means "abuse" of a child as defined in ORS 419B.005.
- (2) "ADL" means "activities of daily living" ADL are personal everyday activities such as eating, using the restroom, grooming, dressing, bathing, and transferring.
- (3) "Administrator Review" means the Director of the Department reviews a decision upon request, including the documentation related to the decision, and issues a determination.
- (4) "Aide" means a non-licensed caregiver who may, or may not, be a certified nursing assistant.
- (5) "Assistive Devices" mean the devices, aids, controls, supplies, or appliances described in OAR 411-350-0050 that are necessary to enable a child to increase the ability of the child to perform ADL and IADLs or to perceive, control, or communicate with the environment in which the child lives.
- (6) "Assistive Technology" means the devices, aids, controls, supplies, or appliances described in OAR 411-350-0050 that are purchased to provide additional security for a child and replace the need for direct interventions to enable self-direction of care and maximize independence of the child.
- (7) "Attendant Care" means assistance with ADL, IADL, and health-related tasks through cueing, monitoring, reassurance, redirection, set-up, hands-on, standby assistance, and reminding as described in OAR 411-350-0050.
- (8) "Background Check" means a criminal records check and abuse check as defined in OAR 407-007-0210.
- (9) "Behavior Consultant" means a contractor with specialized skills who meets the requirements of OAR 411-350-0080 and provides the services described in OAR 411-350-0050.
- (10) "Behavior Support Plan" means the written strategy based on person-centered planning and a functional assessment that outlines specific instructions for a provider to follow to cause the challenging behaviors of a child to become unnecessary and to change the behavior of a provider, adjust environment, and teach new skills.
- (11) "Behavior Support Services" mean the services consistent with positive behavioral theory and practice that are provided to assist with behavioral challenges due to the intellectual or developmental disability of a child that prevents the child from accomplishing ADL, IADL, health-related tasks, and cognitive supports to mitigate behavior. Behavior support services are provided in the home or community.
- (12) "Case Management" means the functions performed by a service coordinator. Case management includes determining service eligibility, developing a plan of authorized services, and monitoring the effectiveness of services and supports.

(13) "CDDP" means "Community Developmental Disability Program" as defined in OAR 411-320-0020.

(14) "Child" means an individual who is less than 18 years of age applying for, or eligible for, medically fragile children's services.

(15) "Chore Services" mean the services described in OAR 411-350-0050 that are needed to restore a hazardous or unsanitary situation in a family home to a clean, sanitary, and safe environment.

(16) "Clinical Criteria" means the criteria used by the Department to evaluate the intensity of the challenges and care needs of medically fragile children.

(17) "Community First Choice (K Plan)" means Oregon's state plan amendment authorized under section 1915(k) of the Social Security Act.

(18) "Community Nursing Services" mean the nursing services described in OAR 411-350-0050 that focus on the chronic and ongoing health and safety needs of a child living in the family home. Community nursing services include an assessment, monitoring, delegation, training, and coordination of services. Community nursing services are provided according to the rules in OAR chapter 411, division 048 and the Oregon State Board of Nursing rules in OAR chapter 851.

(19) "Community Transportation" means the services described in OAR 411-350-0050 that enable a child to gain access to community-based state plan and waiver services, activities and resources. Community transportation is provided in the area surrounding the family home that is commonly used by people in the same area to obtain ordinary goods and services. The area is not determined by the social or recreational groups or activities of a child.

(20) "Complaint" means complaint as defined in OAR 411-318-0005.

(21) "Cost Effective" means being responsible and accountable with Department resources by offering less costly alternatives when providing choices that adequately meet the support needs of a child. Less costly alternatives include other programs available from the Department, the utilization of assistive devices, natural supports, environmental modifications, and alternative resources. Less costly alternatives may include resources not paid for by the Department.

(22) "Delegation" means that a registered nurse authorizes an unlicensed person to perform nursing tasks and confirms that authorization in writing. Delegation may occur only after a registered nurse follows all steps of the delegation process as outlined in OAR chapter 851, division 047.

(23) "Department" means the Department of Human Services.

(24) "Developmental Disability" means "developmental disability" as defined in OAR 411-320-0020 and described in OAR 411-320-0080.

(25) "Director" means the Director of the Department Human Services, Office of Developmental Disability Services, or the designee of the Director.

(26) "Employer" means, for the purpose of obtaining medically fragile children's services through an independent provider as described in these rules, the parent or a person selected by the parent to act on the behalf of the parent to provide the employer responsibilities described in OAR 411-350-0075.

(27) "Environmental Modifications" mean the physical adaptations described in OAR 411-350-0050 that are necessary to ensure the health, welfare, and safety of a child in the family home, or that are necessary to enable a child to function with greater independence around the family home.

(28) "Environmental Safety Modifications" mean the physical adaptations described in OAR 411-350-0050 that are made to the exterior of a family home as identified in the ISP for a child to ensure the health, welfare, and safety of the child or to enable the child to function with greater independence around the family home.

(29) "Exit" means termination or discontinuance of medically fragile children's services.

(30) "Expenditure Guidelines" mean the guidelines that describe allowable uses for Medicaid funds. The Department incorporates the expenditure guidelines into these rules by this reference. The expenditure guidelines are maintained by the Department at: <http://www.oregon.gov/dhs/dd/>. Printed copies of the expenditure guidelines may be obtained by calling (503) 945-6398 or writing the Department of Human Services, Developmental Disabilities, ATTN: Rules Coordinator, 500 Summer Street NE, E-48, Salem, Oregon 97301.

(31) "Family Home" means the primary residence for a child that is not under contract with the Department to provide services as a certified foster home or a licensed or certified residential care facility, assisted living facility, nursing facility, or other residential support program site.

ADMINISTRATIVE RULES

(32) "Family Training" means the training services described in OAR 411-350-0050 that are provided to a family to increase the capacity of the family to care for, support, and maintain a child in the family home.

(33) "Founded Report" means the determination by the Department or Law Enforcement Authority (LEA), based on the evidence, that there is reasonable cause to believe that conduct in violation of the child abuse statutes or rules has occurred and such conduct is attributable to the person alleged to have engaged in the conduct.

(34) "Functional Needs Assessment":

(a) Means the comprehensive assessment or reassessment that:

(A) Documents physical, mental, and social functioning;

(B) Identifies risk factors, choices and preferences, service and support needs, strengths, and goals; and

(C) Determines the service level.

(b) The functional needs assessment for a child is known as the Child Needs Assessment (CNA). The Department incorporates Version B of the CNA dated July 1, 2014 into these rules by this reference. The CNA is maintained by the Department at: www.dhs.state.or.us/spd/tools/dd/cm/CNA_Child_In-home.xls. Printed copies of a blank CNA may be obtained by calling (503) 945-6398 or writing the Department of Human Services, Developmental Disabilities, ATTN: Rules Coordinator, 500 Summer Street NE, E-48, Salem, OR 97301.

(35) "General Business Provider" means an organization or entity selected by a parent and paid with MFC funds that:

(a) Is primarily in business to provide the service chosen by the parent to the general public;

(b) Provides services for the child through employees, contractors, or volunteers; and

(c) Receives compensation to recruit, supervise, and pay the person who actually provides support for the child.

(36) "Hearing" means "hearing" as defined in OAR 411-318-0005.

(37) "Hospital Model Waiver" means the waiver program granted by the federal Centers for Medicare and Medicaid Services that allows Title XIX funds to be spent on children living in the family home who otherwise would have to be served in a hospital if the waiver program was not available.

(38) "IADL" means "instrumental activities of daily living". IADL include activities other than ADL required to enable a child to remain in the family home such as:

(a) Meal planning and preparation;

(b) Budgeting;

(c) Shopping for food, clothing, and other essential items;

(d) Performing essential household chores;

(e) Communicating by phone or other media; and

(f) Participating in the community.

(39) "Independent Provider" means a person selected by a parent and paid with MFC funds to directly provide services to a child.

(40) "Individual-Directed Goods and Services" mean the services, equipment, or supplies described in OAR 411-350-0050, not otherwise provided through other waiver or state plan services, that address an identified need in an ISP. Individual-directed goods and services may include services, equipment, or supplies that improve and maintain the full membership of a child in the community.

(41) "Intellectual Disability" means "intellectual disability" as defined in OAR 411-320-0020 and described in OAR 411-320-0080.

(42) "ISP" means "Individual Support Plan". The ISP includes the written details of the supports, activities, and resources required for a child to achieve and maintain personal goals and health and safety. The ISP is developed at least annually to reflect decisions and agreements made during a person-centered process of planning and information gathering. The ISP reflects the services and supports that are important for the child to meet the needs of the child identified through a functional needs assessment as well as the preferences of the child for service providers, delivery, and frequency of services and supports. The ISP is the plan of care for Medicaid purposes and reflects whether services are provided through a waiver, state plan, or natural supports.

(43) "Level of Care" means a child meets the following hospital level of care:

(a) The child has a documented medical condition and demonstrates the need for active treatment as assessed by the clinical criteria; and

(b) The child's medical condition requires the care and treatment of services normally provided in an acute medical hospital.

(44) "Mandatory Reporter" means any public or private official as defined in OAR 407-045-0260 who comes in contact with a child with or without an intellectual or developmental disability and has reasonable

cause to believe the child has suffered abuse, or comes in contact with any person whom the public or private official has reasonable cause to believe abused a child, regardless of whether or not the knowledge of the abuse was gained in the official capacity of the public or private official. Nothing contained in ORS 40.225 to 40.295 affects the duty to report imposed by this definition, except that a psychiatrist, psychologist, clergy, attorney, or guardian ad litem appointed under ORS 419B.231 is not required to report if the communication is privileged under ORS 40.225 to 40.295.

(45) "MFC" means "medically fragile children". Medically fragile children have a health impairment that requires long term, intensive, specialized services on a daily basis, who have been found eligible for medically fragile children's services by the Department.

(46) "MFCU" means the "medically fragile children's unit". The MFCU is the program for medically fragile children's services administered by the Department.

(47) "Natural Supports" mean the parental responsibilities for a child who is less than 18 years of age and the voluntary resources available to the child from the relatives, friends, neighbors, and the community that are not paid for by the Department.

(48) "Nursing Service Plan" means the plan that is developed by a registered nurse based on an initial nursing assessment, reassessment, or an update made to a nursing assessment as the result of a monitoring visit.

(a) The Nursing Service Plan is specific to a child and identifies the diagnoses and health needs of the child and any service coordination, teaching, or delegation activities.

(b) The Nursing Service Plan is separate from the ISP and any service plans developed by other health professionals.

(49) "Nursing Tasks" mean the care or services that require the education and training of a licensed professional nurse to perform. Nursing tasks may be delegated.

(50) "OHP" means the Oregon Health Plan.

(51) "OIS" means the "Oregon Intervention System". OIS is the system of providing training to people who work with designated individuals to provide elements of positive behavior support and non-aversive behavior intervention. OIS uses principles of pro-active support and describes approved protective physical intervention techniques that are used to maintain health and safety.

(52) "OSIPM" means "Oregon Supplemental Income Program-Medical" as described in OAR 461-001-0030. OSIPM is Oregon Medicaid insurance coverage for individuals who meet the eligibility criteria described in OAR chapter 461.

(53) "Parent" means the biological parent, adoptive parent, stepparent, or legal guardian.

(54) "Person-Centered Planning":

(a) Means a timely and formal or informal process that is driven by an individual, includes people chosen by the individual, ensures that the individual directs the process to the maximum extent possible and the individual is enabled to make informed choices and decisions consistent with CFR 441.540.

(b) Person-centered planning includes gathering and organizing information to reflect what is important to and for the individual and to help:

(A) Determine and describe choices about personal goals, activities, services, service providers, and lifestyle preferences;

(B) Design strategies and networks of support to achieve and a preferred lifestyle using individual strengths, relationships, and resources; and

(C) Identify, use, and strengthen naturally occurring opportunities for support at home and in the community.

(c) The methods for gathering information vary, but all are consistent with the cultural considerations, needs, and preferences of the individual.

(55) "Personal Support Worker" means "personal support worker" as defined in OAR 411-375-0010.

(56) "Positive Behavioral Theory and Practice" means a proactive approach to behavior and behavior interventions that:

(a) Emphasizes the development of functional alternative behavior and positive behavior intervention;

(b) Uses the least intervention possible;

(c) Ensures that abusive or demeaning interventions are never used; and

(d) Evaluates the effectiveness of behavior interventions based on objective data.

(57) "Primary Caregiver" means the parent, legal guardian, relative, or other non-paid parental figure of a child that provides direct care at the times that a paid provider is not available.

ADMINISTRATIVE RULES

(58) "Private Duty Nursing" mean the nursing services described in OAR 411-350-0050 that are determined medically necessary to support a child receiving medically fragile children's services in the family home.

(59) "Protective Physical Intervention" means any manual physical holding of, or contact with, a child that restricts freedom of movement.

(60) "Provider" means a person, organization, or business selected by a parent and paid with MFC funds to provide support to a child according to the ISP for the child.

(61) "Provider Organization" means an entity selected by a parent and paid with MFC funds that:

(a) Is primarily in business to provide supports for children with intellectual or developmental disabilities;

(b) Provides supports for a child through employees, contractors, or volunteers; and

(c) Receives compensation to recruit, supervise, and pay the person who actually provides support for the child.

(62) "Relief Care" means the intermittent services described in OAR 411-350-0050 that are provided on a periodic basis for the relief of, or due to the temporary absence of, a primary caregiver.

(63) "Service Level" means the amount of attendant care, hourly relief care, or skills training services determined necessary by a functional needs assessment and made available to meet the identified support needs of a child.

(64) "Services Coordinator" means an employee of a CDDP, the Department, or other agency that contracts with the county or the Department who provides case management services including, but not limited to, planning, procuring, coordinating, and monitoring services. A services coordinator acts as a proponent for children with intellectual or developmental disabilities and their families and is the person-centered plan coordinator for the child as defined in the Community First Choice state plan amendment.

(65) "Skills Training" means the activities described in OAR 411-350-0050 that are intended to maximize the independence of a child through training, coaching, and prompting the child to accomplish ADL, IADL, and health-related skills.

(66) "Social Benefit" means the service or financial assistance provided to a family solely intended to assist a child to function in society on a level comparable to that of a child who does not have an intellectual or developmental disability. Social benefits are pre-authorized by a services coordinator and provided according to the description and limits written in an ISP.

(a) Social benefits may not:

(A) Duplicate benefits and services otherwise available to a child regardless of intellectual or developmental disability;

(B) Replace normal parental responsibilities for the services, education, recreation, and general supervision of a child;

(C) Provide financial assistance with food, clothing, shelter, and laundry needs common to a child with or without a disability; or

(D) Replace other governmental or community services available to a child.

(b) Assistance provided as a social benefit is reimbursement for an expense previously authorized in an ISP or prior payment in anticipation of an expense authorized in a previously authorized ISP.

(c) Assistance provided as a social benefit may not exceed the actual cost of the support required by a child to be supported in the family home.

(67) "Special Diet" means the specially prepared food or particular types of food described in OAR 411-350-0050 that are specific to the medical condition or diagnosis of a child and in support of an evidence-based treatment regimen.

(68) "Specialized Medical Supplies" mean the medical and ancillary supplies described in OAR 411-350-0050 such as:

(a) Necessary medical supplies specified in an ISP that are not available under the state plan;

(b) Ancillary supplies necessary to the proper functioning of items necessary for life support or to address physical conditions; and

(c) Supplies necessary for the continued operation of augmentative communication devices or systems.

(69) "Substantiated" means an abuse investigation has been completed by the Department or the designee of the Department and the preponderance of the evidence establishes the abuse occurred.

(70) "Supplant" means take the place of.

(71) "Support" means the assistance that a child and a family requires, solely because of the effects of an intellectual or developmental disability or medical condition on the child, to maintain or increase the age-appropriate independence of the child, achieve age-appropriate community pres-

ence and participation of the child, and to maintain the child in the family home. Support is subject to change with time and circumstances.

(72) "These Rules" mean the rules in OAR chapter 411, division 350.

(73) "Transition Costs" mean the expenses described in OAR 411-350-0050 required for a child to make the transition to the family home from a nursing facility, acute care hospital, or intermediate care facility for individuals with intellectual or developmental disabilities.

(74) "Unacceptable Background Check" means a check that produces information related to the background of a person that precludes the person from being an independent provider for one or more of the following reasons:

(a) The person applying to be an independent provider has been disqualified under OAR 407-007-0275;

(b) The person was enrolled as an independent provider for the first time, or after any break in enrollment, after July 28, 2009 and has been disqualified under OAR 407-007-0275; or

(c) A background check and fitness determination has been conducted resulting in a "denied" status, as defined in OAR 407-007-0210.

(75) "Vehicle Modifications" mean the adaptations or alterations described in OAR 411-350-0050 that are made to the vehicle that is the primary means of transportation for a child in order to accommodate the service needs of the child.

(76) "Waiver Services" mean the menu of disability related services and supplies that are specifically identified by the MFC waiver.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0110, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 28-2013(Temp), f. & cert. ef. 7-2-13 thru 12-29-13; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0030

Eligibility

(1) ELIGIBILITY.

(a) In order to be eligible for MFC services, a child must:

(A) Be under the age of 18;

(B) Be an Oregon resident who meets the citizenship and alien status requirements of OAR 461-120-0110;

(C) Be receiving Medicaid Title XIX benefits under OSIPM;

(D) Meet the level of care as defined in OAR 411-350-0020;

(E) Be accepted by the Department by scoring 50 or greater on the clinical criteria prior to starting services and have a status of medical need that is likely to last for more than two months;

(F) Reside in the family home; and

(G) Be safely served in the family home. This includes, but is not limited to, a qualified primary caregiver demonstrating the willingness, skills, and ability to provide direct care as outlined in an ISP in a cost effective manner, as determined by a services coordinator within the limitations of OAR 411-350-0050, and participate in planning, monitoring and evaluation of the MFC services provided.

(b) A child that resides in a foster home that meets the eligibility criteria in subsection (a)(A) to (E) of this section is eligible for private duty nursing as described in OAR 411-350-0050.

(2) INELIGIBILITY. A child is not eligible for MFC services if the child:

(a) Resides in a medical hospital, psychiatric hospital, school, sub-acute facility, nursing facility, intermediate care facility for individuals with intellectual or developmental disabilities, residential facility, or other 24-hour residential program. A child that resides in a foster home is eligible for only private duty nursing as described in OAR 411-350-0050;

(b) Does not require waiver services or Community First Choice state plan services as evidenced by a functional needs assessment;

(c) Has sufficient family, government, or community resources available to provide for his or her care; or

(d) Is not safely served in the family home as described in section (1)(a)(G) of this rule.

(3) REDETERMINATION. The Department redetermines the eligibility of a child for MFC services using the clinical criteria at a minimum of every six months, or as the status of the child changes.

(4) TRANSITION. A child whose score on the clinical criteria remains at less than 30 is transitioned out of MFC services within 60 days. The child must exit from MFC services at the end of the 60 day transition period;

ADMINISTRATIVE RULES

(a) When possible and agreed upon by the parent and the services coordinator, MFC services may be incrementally reduced during the 60 day transition period.

(b) The services coordinator must coordinate and attend a transition planning meeting at least 30 days prior to the end of the transition period. The transition planning meeting must include a CDDP representative, the parent, and any other person at the request of the parent.

(5) EXIT.

(a) MFC may be terminated:

(A) At the oral or written request of a parent to end the service relationship; or

(B) In any of the following circumstances:

(i) A child no longer meets the eligibility criteria in section (1) of this rule;

(ii) A child does not require waiver services or Community First Choice state plan services;

(iii) There are sufficient family, government, or community resources available to provide for the care of a child;

(iv) A child is not able to be safely served in the family home as described in section (1)(a)(G) of this rule;

(v) A parent either cannot be located or has not responded after 30 days of repeated attempts by a services coordinator to complete ISP development or monitoring activities;

(vi) A child is incarcerated or admitted to a medical hospital, psychiatric hospital, sub-acute facility, nursing facility, intermediate care facility for individuals with intellectual or developmental disabilities, foster home, or other 24-hour residential program and it is determined that the child is not returning to the family home or is not returning to the family home after 90 consecutive days; or

(vii) A child does not reside in Oregon.

(b) In the event MFC are terminated, a written Notification of Planned Action must be provided as described in OAR chapter 411, division 318.

(6) WAIT LIST. If the maximum number of children allowed on the Hospital Model Waiver are enrolled and being served, the Department may place a child eligible for MFC services on a wait list. A child on the wait list may access other Medicaid-funded services for which the child is determined eligible such as waiver services, state plan personal care, or Community First Choice state plan services.

(a) The date of the initial completed application for MFC services determines the order on the wait list. A child who previously received MFC services that currently meets eligibility as described in section (1) of this rule is put on the wait list as of the date the original application for MFC services was complete.

(b) Children on the wait list are served on a first come, first served basis as space on the Hospital Model Waiver allows. A re-evaluation is completed prior to enrollment to determine current eligibility.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0120, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 28-2013(Temp), f. & cert. ef. 7-2-13 thru 12-29-13; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0040

Service Planning

(1) FUNCTIONAL NEEDS ASSESSMENT. To assess the service needs of a child, a services coordinator must complete a functional needs assessment using a person-centered planning approach.

(a) The functional needs assessment must be conducted face-to-face with the child and the services coordinator must interview the parent, other caregivers, and when appropriate, any other person at the request of the parent.

(b) The functional needs assessment must be completed:

(A) Within 30 days of entry into MFC services;

(B) Within 60 days prior to the annual renewal of an ISP; and

(C) Within 45 days from the date the parent requests a functional needs reassessment.

(c) The services coordinator must notify the parent of the need for a reassessment at least 14 days prior to the expiration of the most recent assessment.

(d) The parent must participate in the functional needs assessment and provide information necessary to complete the functional needs assessment within the time frame required by the Department.

(A) Failure to participate in the functional needs assessment or provide information necessary to complete the functional needs assessment within the applicable time frame results in a denial of service eligibility. In

the event service eligibility is denied, a written Notification of Planned Action must be provided as described in OAR 411-318-0020.

(B) The Department may allow additional time if circumstances beyond the control of the parent prevent timely participation in the functional needs assessment or timely submission of information necessary to complete the functional needs assessment.

(2) INDIVIDUAL SUPPORT PLAN.

(a) A child who is accessing waiver or Community First Choice state plan services must have an authorized ISP.

(A) The ISP must be facilitated, developed, and authorized by a services coordinator.

(B) The initial ISP must be authorized no later than the end of the month following the month in which the level of care determination was made.

(b) The services coordinator must prepare, with the input of the parent and any other person at the request of the parent, a written ISP that identifies:

(A) The service needs of the child;

(B) The most cost effective services for safely and appropriately meeting the service needs of the child; and

(C) The methods, resources, and strategies that address the service needs of the child.

(c) The ISP must include:

(A) The name of the child and the parent or legal guardian of the child;

(B) A description of the supports required that is consistent with the support needs identified in the assessment of the child, including the reason the support is necessary;

(C) The projected dates of when specific supports are to begin and end;

(D) A list of personal, community, and public resources that are available to the child and how the resources may be applied to provide the required supports. Sources of support may include waiver services, state plan services, or natural supports;

(E) The manner in which services are delivered and the frequency of services;

(F) The maximum hours of or units of provider services determined necessary by a functional needs assessment;

(G) The providers of supports to be purchased with MFC funds or the type of provider, such as an independent provider, provider organization, or general business provider, when the provider is unknown or is likely to change frequently;

(H) Additional services authorized by the Department for the child;

(I) The estimated number of hours that an aide is authorized and the number of hours that a licensed nurse is authorized;

(i) RN hours are not authorized when an LPN may safely perform the duties.

(ii) RN or LPN hours are not authorized when an aide may safely perform the duties.

(J) The projected date of when specific services are to begin and end, as well as the end date, if any, of the period of service covered by the ISP;

(K) Projected costs with sufficient detail to support estimates;

(L) The strengths and preferences of the child;

(M) Individually identified goals and desired outcomes of the child;

(N) The services and supports (paid and unpaid) to assist the child to achieve identified goals and the providers of the services and supports, including voluntarily provided natural supports;

(O) The risk factors and the measures in place to minimize the risk factors including back-up plans and frequency of risk monitoring;

(P) The identity of the person responsible for case management and monitoring the ISP;

(Q) The date of the next ISP review that, at a minimum, must be completed within 12 months of the previous ISP or more frequently if the medical status of the child changes;

(R) A provision to prevent unnecessary or inappropriate services; and

(S) Any changes in service needs identified through a functional needs assessment.

(d) An ISP must be reviewed with the parent prior to implementation. The parent and the services coordinator must sign the ISP. A copy of the ISP must be provided to the parent.

(e) The ISP must be understandable to the family and the people important in supporting the individual. An ISP is translated, as necessary, upon request.

(f) Changes in services authorized in the ISP must be consistent with needs identified in a functional needs assessment and documented in an

ADMINISTRATIVE RULES

amendment to the ISP that is signed by the parent and the services coordinator.

(g) An ISP must be renewed at least every 12 months. Each new plan year begins on the anniversary date of the initial or previous ISP.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0130, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 28-2013(Temp), f. & cert. ef. 7-2-13 thru 12-29-13; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0050

Scope of Medically Fragile Children's Services and Limitations

(1) MFC services are intended to support, not supplant, the naturally occurring care provided by a legally responsible primary caregiver and enable the primary caregiver to meet the disability-related needs of the child. MFC services are not meant to replace other available governmental or community services and supports.

(2) The functional needs assessment and MFC criteria determine the total number of hours needed to meet the identified needs of a child. The amount of hours may not be exceeded without prior approval from the Department. The types of services that contribute to the total of hours used include attendant care, skills training, and hourly relief care.

(3) MFC services are only authorized to enable the primary caregiver of a child to meet the needs of caring for a child on the Hospital Model Waiver. All services funded by the Department must be provided in accordance with the expenditure guidelines and based on the actual and customary costs related to best practice standards of care for children with similar disabilities.

(4) To be authorized and eligible for payment by the Department, all MFC supports and services must be:

- (a) Directly related to the disability of a child;
- (b) Required to maintain the health and safety of a child;
- (c) Cost effective;
- (d) Considered not typical for a parent to provide to a child of the same age;
- (e) Required to help the parent to continue to meet the needs of caring for a child; and
- (f) Included in an approved ISP.

(5) MFC services may include a combination of the following services based upon the needs of a child as determined by a services coordinator and consistent with a functional needs assessment and an initial or annual ISP:

- (a) Community First Choice state plan services:
 - (A) Behavior support services as described in section (6) of this rule;
 - (B) Community nursing services as described in section (7) of this rule;
- (C) Environmental modifications as described in section (8) of this rule;
- (D) Attendant care as described in section (9) of this rule;
- (E) Skills training as described in section (10) of this rule;
- (F) Relief care as described in section (11) of this rule;
- (G) Assistive devices as described in section (12) of this rule;
- (H) Assistive technology as described in section (13) of this rule;
- (I) Chore services as described in section (14) of this rule;
- (J) Community transportation as described in section (15) of this rule;

and

- (K) Transition costs as described in section (16).
- (b) WAIVER SERVICES:
 - (A) Case management as defined in OAR 411-350-0020;
 - (B) Family training as described in section (17) of this rule;
 - (C) Special diet as described in section (18) of this rule;
 - (D) Individual-directed goods and services as described in section (19) of this rule;

(E) Specialized medical supplies as described in section (20) of this rule;

(F) Environmental safety modifications as described in section (21) of this rule; and

(G) Vehicle modifications as described in section (22) of this rule.

(c) State Plan services, including private duty nursing as described in section (23) of this rule, and personal care services as described in OAR chapter 411, division 034.

(6) BEHAVIOR SUPPORT SERVICES. Behavior support services may be authorized to support a primary caregiver in their caregiving role and to respond to specific problems identified by a child, primary caregiver, or a services coordinator. Positive behavior support services are used to

allow a child to develop, maintain, or enhance skills to accomplish ADLs, IADLs, and health-related tasks.

(a) A behavior consultant must:

(A) Work with the child and primary caregiver to identify:

(i) Areas of the family home life that are of most concern for the child and the parent;

(ii) The formal or informal responses the family or the provider has used in those areas; and

(iii) The unique characteristics of the child and family that may influence the responses that may work with the child.

(B) Assess the child. The assessment must include:

(i) Specific identification of the behaviors or areas of concern;

(ii) Identification of the settings or events likely to be associated with, or to trigger, the behavior;

(iii) Identification of early warning signs of the behavior;

(iv) Identification of the probable reasons that are causing the behavior and the needs of the child that are met by the behavior, including the possibility that the behavior is:

(I) An effort to communicate;

(II) The result of a medical condition;

(III) The result of an environmental cause; or

(IV) The symptom of an emotional or psychiatric disorder.

(v) Evaluation and identification of the impact of disabilities (i.e. autism, blindness, deafness, etc.) that impact the development of strategies and affect the child and the area of concern; and

(vi) An assessment of current communication strategies.

(C) Develop a variety of positive strategies that assist the primary caregiver and the provider to help the child use acceptable, alternative actions to meet the needs of the child in the safest, most positive, and cost effective manner. These strategies may include changes in the physical and social environment, developing effective communication, and appropriate responses by the primary caregiver and the provider to the early warning signs.

(i) When interventions in behavior are necessary, the interventions must be done in accordance with positive behavioral theory and practice as defined in OAR 411-350-0020.

(ii) The least intrusive intervention possible to keep the child and others safe must be used.

(iii) Abusive or demeaning interventions must never be used.

(iv) The strategies must be adapted to the specific disabilities of the child and the style or culture of the family.

(D) Develop a written Behavior Support Plan using clear, concrete language that is understandable to the primary caregiver and the provider that describes the assessment, strategies, and procedures to be used;

(E) Develop emergency and crisis procedures to be used to keep the child and the primary caregiver and the provider safe. When interventions in the behavior of the child are necessary, positive, preventative, non-aversive interventions that conform to OIS must be utilized. The use of protective physical intervention must be part of the Behavior Support Plan for the child. When protective physical intervention is required, the protective physical intervention must only be used as a last resort and the provider must be appropriately trained in OIS;

(F) Teach the primary caregiver and the provider the strategies and procedures to be used; and

(G) Monitor and revise the Behavior Support Plan as needed.

(b) Behavior support services may include:

(A) Training, modeling, and mentoring the family of a child;

(B) Developing a visual communication system as a strategy for behavior support; and

(C) Communicating, as authorized by a parent, with school, medical, or other professionals about the strategies and outcomes of the Behavior Support Plan.

(c) Behavior support services exclude:

(A) Mental health therapy or counseling;

(B) Health or mental health plan coverage;

(C) Educational services including, but not limited to, consultation and training for classroom staff;

(D) Adaptations to meet the needs of a child at school;

(E) An assessment in a school setting;

(F) Attendant care; or

(G) Relief care.

(7) COMMUNITY NURSING SERVICES.

(a) Community nursing services include:

(A) Nursing assessments, including medication reviews;

(B) Care coordination;

ADMINISTRATIVE RULES

(C) Monitoring;
(D) Development of a Nursing Services Plan;
(E) Delegation and training of nursing tasks to a provider and primary caregiver;

(F) Teaching and education of the parent and provider and identifying supports that minimize health risks while promoting the autonomy of a child and self-management of healthcare; and

(G) Collateral contact with a services coordinator regarding the community health status of a child to assist in monitoring safety and well-being and to address needed changes to the ISP for the child.

(b) Community nursing services exclude private duty nursing care.

(c) A Nursing Service Plan must be present when MFC funds are used for community nursing services. A services coordinator must authorize the provision of community nursing services as identified in an ISP.

(d) After an initial nursing assessment, a nursing reassessment must be completed very six months or sooner if a change in a medical condition requires an update to the Nursing Service Plan.

(8) ENVIRONMENTAL MODIFICATIONS.

(a) Environmental modifications include, but are not limited to:

(A) Installation of shatter-proof windows;

(B) Hardening of walls or doors;

(C) Specialized, hardened, waterproof, or padded flooring;

(D) An alarm system for doors or windows;

(E) Protective covering for smoke alarms, light fixtures, and appliances;

(F) Sound and visual monitoring systems;

(G) Installation of ramps, grab-bars, and electric door openers;

(H) Adaptation of kitchen cabinets and sinks;

(I) Widening of doorways;

(J) Handrails;

(K) Modification of bathroom facilities;

(L) Individual room air conditioners for a child whose temperature sensitivity issues create behaviors or medical conditions that put the child or others at risk;

(M) Installation of non-skid surfaces;

(N) Overhead track systems to assist with lifting or transferring;

(O) Specialized electric and plumbing systems that are necessary to accommodate the medical equipment and supplies necessary for the welfare of the child; and

(P) Adaptations to control lights, heat, stove, etc.

(b) Environmental modifications may include the cost of a professional consultation if required to determine the appropriate type of modification to ensure the health, welfare, and safety of the child. The cost of professional consultation may be included in the purchase price.

(c) Environmental modifications exclude:

(A) Adaptations or improvements to the family home that are of general utility and are not for the direct safety, remedial, or long term benefit to the child such as carpeting, roof repair, and central air conditioning;

(B) Adaptations that add to the total square footage of the family home;

(C) Adaptations outside of the family home, except for ramps that attach to the family home for the purpose of entering and exiting the family home; and

(D) General repair or maintenance and upkeep required for the home, including repair of damage caused by the child.

(d) Environmental modifications are limited to \$5,000 per modification. A services coordinator may request approval for additional expenditures through the Department prior to expenditure. Approval is based on the service needs and goals of the child and the determination by the Department of appropriateness and cost-effectiveness.

(e) Environmental modifications must be tied to supporting ADL, IADL, and health-related tasks as identified in the ISP.

(f) Environmental modifications must be completed by a state licensed contractor. Any modification requiring a permit must be inspected by a local inspector and certified as in compliance with local codes. Certification of compliance must be filed in the file for the contractor prior to payment.

(g) Environmental modifications must be made within the existing square footage of the family home, except for external ramps, and may not add to the square footage of the family home.

(h) Payment to the contractor is to be withheld until the work meets specifications.

(i) Environmental modifications that are provided in a rental structure must be authorized in writing by the owner of the rental structure prior to

initiation of the work. This does not preclude any reasonable accommodations required under the Americans with Disabilities Act.

(9) ATTENDANT CARE. Attendant care services include direct support provided to a child in the family home or community by a qualified independent provider or provider organization. ADL and IADL services provided through attendant care must support the child to live as independently as appropriate for the age of the child, support the family in their primary caregiver role, and be based on the identified needs of the child. The primary caregiver is expected to be present or available during the provision of attendant care.

(a) ADL services include, but are not limited to:

(A) Basic personal hygiene — providing or assisting with needs such as bathing (tub, bed, bath, shower), hair care, grooming, shaving, nail care, foot care, dressing, skin care, or oral hygiene;

(B) Toileting, bowel, and bladder care — assisting to and from the bathroom, on and off toilet, commode, bedpan, urinal, or other assistive device used for toileting, changing incontinence supplies, following a toileting schedule, cleansing a child or adjusting clothing related to toileting, emptying a catheter, drainage bag, or assistive device, ostomy care, or bowel care;

(C) Mobility, transfers, and repositioning — assisting with ambulation or transfers with or without assistive devices, turning a child or adjusting padding for physical comfort or pressure relief, or encouraging or assisting with range-of-motion exercises;

(D) Nutrition - assisting with adequate fluid intake or adequate nutrition, assisting with food intake (feeding), monitoring to prevent choking or aspiration, assisting with adaptive utensils, cutting food, and placing food, dishes, and utensils within reach for eating;

(E) Medication and medical equipment - assisting with ordering, organizing, and administering medications (including pills, drops, ointments, creams, injections, inhalers, and suppositories), monitoring a child for choking while taking medications, assisting with the administration of medications, maintaining equipment, or monitoring for adequate medication supply;

(F) Delegated nursing tasks;

(G) First aid and handling emergencies - addressing medical incidents related to the conditions of a child, such as seizure, aspiration, constipation, or dehydration, responding to the call of the child for help during an emergent situation, or for unscheduled needs requiring immediate response;

(H) Assistance with necessary medical appointments - help scheduling appointments, arranging medical transportation services, accompaniment to appointments, follow up from appointments, or assistance with mobility, transfers, or cognition in getting to and from appointments; and

(I) Observation of the status of a child and reporting of significant changes to a physician, health care professional, or other appropriate person.

(b) IADL services include, but are not limited to, the following services provided solely for the benefit of the child:

(A) Light housekeeping tasks necessary to maintain a child in a healthy and safe environment — cleaning surfaces and floors, making the child's bed, cleaning dishes, taking out the garbage, dusting, and laundry;

(B) Grocery and other shopping necessary for the completion of other ADL and IADL tasks;

(C) Meal preparation and special diets;

(D) Cognitive assistance or emotional support provided to a child due to an intellectual or developmental disability - helping the child cope with change and assisting the child with decision-making, reassurance, orientation, memory, or other cognitive functions;

(E) Social support in the community around socialization and participation in the community:

(i) Support with socialization — assisting a child in acquiring, retaining, and improving self-awareness and self-control, social responsiveness, social amenities, and interpersonal skills;

(ii) Support with community participation — assisting a child in acquiring, retaining, and improving skills to use available community resources, facilities, or businesses; and

(iii) Support with communication — assisting a child in acquiring, retaining, and improving expressive and receptive skills in verbal and non-verbal language and the functional application of acquired reading and writing skills.

(c) Assistance with ADLs and IADLs may include cueing, monitoring, reassurance, redirection, set-up, hands-on, or standby assistance. Assistance may be provided through human assistance or the use of electronic devices or other assistive devices. Assistance may also require ver-

ADMINISTRATIVE RULES

bal reminding to complete any of the IADL tasks described in subsection (b) of this section.

(A) "Cueing" means giving verbal, audio, or visual clues during an activity to help a child complete the activity without hands-on assistance.

(B) "Hands-on" means a provider physically performs all or parts of an activity because a child is unable to do so.

(C) "Monitoring" means a provider observes a child to determine if assistance is needed.

(D) "Reassurance" means to offer a child encouragement and support.

(E) "Redirection" means to divert a child to another more appropriate activity.

(F) "Set-up" means the preparation, cleaning, and maintenance of personal effects, supplies, assistive devices, or equipment so that a child may perform an activity.

(G) "Stand-by" means a provider is at the side of a child ready to step in and take over the task if the child is unable to complete the task independently.

(d) Attendant care services must:

(A) Be previously authorized by the services coordinator before services begin;

(B) Be delivered through the most cost effective method as determined by the services coordinator; and

(C) Only be provided when the child is present to receive services.

(e) Attendant care services exclude:

(A) Hours that supplant parental responsibilities or other natural supports and services as defined in this rule available from the family, community, other government or public services, insurance plans, schools, philanthropic organizations, friends, or relatives;

(B) Hours solely to allow the primary caregiver to work or attend school;

(C) Hours that exceed what is necessary to support the child based on the functional needs assessment;

(D) Support generally provided for a child of similar age without disabilities by the parent or other family members;

(E) Educational and supportive services provided by schools as part of a free and appropriate public education for children and young adults under the Individuals with Disabilities Education Act;

(F) Services provided by the family; and

(G) Home schooling.

(f) Attendant care services may not be provided on a 24-hour shift-staffing basis.

(10) **SKILLS TRAINING.** Skills training is specifically tied to accomplishing ADL, IADL, and other health-related skills as identified by the functional needs assessment and ISP and is a means for a child to acquire, maintain, or enhance independence.

(a) Skills training may be applied to the use and care of assistive devices and technologies.

(b) Skills training is authorized when:

(A) The anticipated outcome of the skills training, as documented in the ISP, is measurable;

(B) Timelines for measuring progress towards the anticipated outcome are established in the ISP; and

(C) Progress towards the anticipated outcome are measured and the measurements are evaluated by a services coordinator no less frequently than every six months, based on the start date of the initiation of the skills training.

(c) When anticipated outcomes are not achieved, the services coordinator must reassess the use of skills training with the individual.

(d) Skills training do not replace the responsibilities of the school system.

(11) **RELIEF CARE.**

(a) Relief care includes two types of care, neither of which may be characterized as daily or periodic services.

(A) Twenty-four hour relief care must be provided in segments of 24-hour units that may be sequential but may not exceed seven consecutive days without permission from the Department.

(B) Hourly relief care is substitute care for the care provided by the primary caregiver.

(b) Relief care may include both day and overnight services that may be provided in:

(A) The family home;

(B) A setting licensed or certified by the Department;

(C) The home of a provider. If overnight relief care is provided in the home of a provider, the services coordinator and the parent must document that the home of the provider is a safe setting for the child; or

(D) The community, during the provision of ADL, IADL, health-related tasks, and other supports identified in the ISP for the child.

(c) Relief care services are not authorized for the following:

(A) Solely to allow the primary caregiver of the child to attend school or work;

(B) For more than 14 consecutive overnight stays;

(C) For more than 10 days per individual plan year when provided at a camp;

(D) For vacation, travel, and lodging expenses; or

(E) To pay for room and board.

(12) **ASSISTIVE DEVICES.** Assistive devices are primarily and customarily used to meet an ADL, IADL, or health-related support need. The purchase, rental, or repair of an assistive device must be limited to the types of equipment that are not excluded under OAR 410-122-0080.

(a) Assistive devices may be purchased with MFC funds when the intellectual or developmental disability of a child prevents or limits the independence of the child to assist in areas identified in a functional needs assessment.

(b) Assistive devices that may be purchased for the purpose described in section (a) of this rule must be of direct benefit to the child and may include:

(A) Electronic devices to secure assistance in an emergency in the community and other reminders such as medication minders, alert systems for ADL or IADL supports, or mobile electronic devices.

(i) Expenditures for electronic devices are limited to \$500 per plan year.

(ii) A services coordinator may request approval for additional expenditures through the Department prior to expenditure.

(B) Assistive devices not covered by other Medicaid programs to assist and enhance the independence of a child in performing ADLs or IADLs such as durable medical equipment, mechanical apparatus, or electronic devices.

(i) Expenditures for assistive devices are limited to \$5,000 per plan year. A services coordinator may request approval for additional expenditures through the Department prior to expenditure.

(ii) Any single device or assistance costing more than \$500 must be approved by the Department prior to expenditure.

(c) Assistive devices may include the cost of a professional consultation if required to assess, identify, adapt, or fit specialized equipment. The cost of professional consultation may be included in the purchase price.

(d) To be authorized by a services coordinator, assistive devices must be:

(A) Not covered by the Medicaid State Plan, OHP, or private insurance;

(B) Determined necessary to the daily functions of a child; and

(C) Directly related to the disability of a child.

(e) Assistive devices exclude:

(A) Items that are not necessary or of direct medical or remedial benefit to the child;

(B) Items intended to supplant similar items furnished under OHP or private insurance;

(C) Items available through the family, community, or other governmental resources;

(D) Items that are considered unsafe for a child;

(E) Toys or outdoor play equipment; and

(F) Equipment and furnishings of general household use.

(f) Funding for assistive devices with an expected life of more than one year is one time funding that is not continued in subsequent plan years. Assistive devices may only be included in an ISP when all other public and private resources have been exhausted.

(g) A services coordinator must secure use of assistive devices costing more than \$500 through a written agreement between the Department and the parent that specifies the time period the item is to be available to the child and the responsibilities of all parties if the item is lost, damaged, or sold within that time period. The Department may immediately recover any assistive devices purchased with CIIS funds that are not used according to the ISP for the child or according to the written agreement between the Department and the parent.

(h) Assistive devices must meet applicable standards of manufacture, design, and installation.

(13) **ASSISTIVE TECHNOLOGY.**

(a) Assistive technology includes, but is not limited to, motion or sound sensors, two-way communication systems, automatic faucets and soap dispensers, incontinent and fall sensors, or other electronic backup systems.

ADMINISTRATIVE RULES

(A) Expenditures for assistive technology are limited to \$5,000 per plan year. A services coordinator may request approval for additional expenditures through the Department prior to expenditure.

(B) Any single device or assistance costing more than \$500 must be approved by the Department prior to expenditure.

(b) Assistive technology may include the cost of a professional consultation if required to assess, identify, adapt, or fit specialized equipment. The cost of professional consultation may be included in the purchase price.

(c) To be authorized by a services coordinator, assistive technology must be:

(A) Not covered by the Medicaid State Plan, OHP, or private insurance;

(B) Determined necessary to the daily functions of a child; and

(C) Directly related to the disability of a child.

(d) Assistive technology excludes:

(A) Items that are not necessary or of direct medical or remedial benefit to the child;

(B) Items intended to supplant similar items furnished under OHP or private insurance;

(C) Items available through the family, community, or other governmental resources;

(D) Items that are considered unsafe for a child; and

(E) Equipment and furnishings of general household use.

(e) Funding for assistive technology with an expected life of more than one year is one time funding that is not continued in subsequent plan years. Assistive technology may only be included in an ISP when all other public and private resources have been exhausted.

(f) A services coordinator must secure use of assistive technology costing more than \$500 through a written agreement between the Department and the parent that specifies the time period the item is to be available to the child and the responsibilities of all parties if the item is lost, damaged, or sold within that time period. The Department may immediately recover any assistive technology purchased with MFC funds that is not used according to the ISP of the child or according to the written agreement between the Department and the parent.

(g) Assistive technology must meet applicable standards of manufacture, design, and installation.

(14) CHORE SERVICES. Chore services may be provided only in situations where no one else in the family home is able of either performing or paying for the services and no other relative, caregiver, landlord, community, volunteer agency, or third-party payer is capable of, or responsible for, providing these services.

(a) Chore services include heavy household chores such as:

(A) Washing floors, windows, and walls;

(B) Tacking down loose rugs and tiles; and

(C) Moving heavy items of furniture for safe access and egress.

(b) Chore services may include yard hazard abatement to ensure the outside of the family home is safe for the child to traverse and enter and exit the home.

(15) COMMUNITY TRANSPORTATION.

(a) Community transportation services include, but are not limited to:

(A) Community transportation provided by a common carrier, taxicab, or bus in accordance with standards established for these entities;

(B) Reimbursement on a per-mile basis for transporting a child to accomplish ADL, IADL, or a health-related task as identified in an ISP; or

(C) Assistance with the purchase of a bus pass.

(b) Mileage reimbursement must be limited to those destinations where other members of the local community of the child would typically get similar services.

(c) Community transportation must be prior authorized by a services coordinator and documented in an ISP. The Department does not pay any provider under any circumstances for more than the total number of hours, miles, or rides prior authorized by the services coordinator and documented in the ISP. Personal support workers who use their own personal vehicles for community transportation are reimbursed as described in OAR chapter 411, division 375.

(d) Community transportation excludes:

(A) Transportation provided by family members;

(B) Transportation used for behavioral intervention or calming;

(C) Transportation normally provided by schools;

(D) Transportation normally provided by a primary caregiver for a child of similar age without disabilities;

(E) Transportation to obtain medical or non-medical items that may be delivered by a supplier or sent by mail order without cost;

(F) Purchase or lease of a vehicle;

(G) Routine vehicle maintenance and repair;

(H) Reimbursement for out-of-state travel expenses;

(I) Ambulance services or medical transportation;

(J) Transportation services that may be obtained through other means such as OHP or other public or private resources available to the child; and
(K) Costs for transporting a person other than the child.

(16) TRANSITION COSTS.

(a) Transition costs are limited to a child transitioning to the family home from a nursing facility, intermediate care facility for individuals with intellectual or developmental disabilities, or acute care hospital.

(b) Transition costs are based on the assessed need of a child determined during the person-centered service planning process and must support the desires and goals of the child receiving services and supports. Final approval for transition costs must be through the Department prior to expenditure. The approval of the Department is based on the need of the child and the determination of appropriateness and cost-effectiveness.

(c) Financial assistance for transition costs is limited to:

(A) Moving and move-in costs including movers, cleaning and security deposits, payment for background or credit checks (related to housing), or initial deposits for heating, lighting, and phone;

(B) Payment of previous utility bills that may prevent the individual from receiving utility services and basic household furnishings such as a bed; and

(C) Other items necessary to re-establish a home.

(d) Transition costs are provided no more than twice annually.

(e) Transitions costs for basic household furnishings and other items are limited to one time per year.

(17) FAMILY TRAINING. Family training services are provided to the family of a child to increase the abilities of the family to care for, support, and maintain the child in the family home.

(a) Family training services include:

(A) Instruction about treatment regimens and use of equipment specified in an ISP;

(B) Information, education, and training about the disability, medical, and behavioral conditions of a child; and

(C) Registration fees for organized conferences and workshops specifically related to the intellectual or developmental disability of the child or the identified, specialized, medical, or behavioral support needs of the child.

(i) Conferences and workshops must be prior authorized by a services coordinator, directly relate to the intellectual or developmental disability or medical condition of a child, and increase the knowledge and skills of the family to care for and maintain the child in the family home.

(ii) Conference and workshop, costs exclude:

(I) Registration fees in excess of \$500 per family for an individual event;

(II) Travel, food, and lodging expenses;

(III) Services otherwise provided under OHP or available through other resources; or

(IV) Costs for individual family members who are employed to care for the child.

(b) Family training services exclude:

(A) Mental health counseling, treatment, or therapy;

(B) Training for a paid provider;

(C) Legal fees;

(D) Training for a family to carry out educational activities in lieu of school;

(E) Vocational training for family members; and

(F) Paying for training to carry out activities that constitute abuse of a child.

(18) SPECIAL DIET.

(a) A special diet is a supplement and is not intended to meet the complete, daily nutritional requirements for a child.

(b) A special diet must be ordered at least annually by a physician licensed by the Oregon Board of Medical Examiners and periodically monitored by a dietician or physician.

(c) The maximum monthly purchase for special diet supplies may not exceed \$100 per month.

(d) Special diet supplies must be in support of an evidence-based treatment regimen.

(e) A special diet excludes restaurant and prepared foods, vitamins, and supplements.

(19) INDIVIDUAL-DIRECTED GOODS AND SERVICES.

ADMINISTRATIVE RULES

(a) Individual-directed goods and services provide adaptive play equipment and materials that are not otherwise available through another source such as waiver services or state plan services.

(b) Individual-directed goods and services are therapeutic in nature and must be recommended by at least one licensed health professional or by a behavior consultant.

(c) Individual-directed goods and services must directly address the disability related needs of a child.

(d) Individual-directed goods and services must:

- (A) Decrease the need for other Medicaid services;
- (B) Promote inclusion of a child in the community; or
- (C) Increase the safety of a child in the family home.

(e) Individual-directed goods and services may not be:

(A) Otherwise available through another source such as waiver services or state plan services;

(B) Experimental or prohibited treatment; or

(C) Goods or services that are normally purchased by a family for a typically developing child of the same age.

(f) Individual-directed goods and services purchased must be the most cost effective option available to meet the needs of the child.

(20) SPECIALIZED MEDICAL SUPPLIES. Specialized medical supplies do not cover services which are otherwise available to a child under section 110 of the Rehabilitation Act of 1973 or the IDEA (20 U.S.C. 1401 et seq.). Specialized medical supplies may not overlap, supplant, or duplicate other services provided through the waiver, OHP or Medicaid state plan services.

(21) ENVIRONMENTAL SAFETY MODIFICATIONS.

(a) Environmental safety modifications must be made from materials of the most cost effective type and may not include decorative additions.

(b) Fencing may not exceed 200 linear feet without approval from the Department.

(c) Environmental safety modifications exclude:

- (A) Large gates such as automobile gates;
- (B) Costs for paint and stain;

(C) Adaptations or improvements to the family home that are of general utility and are not for the direct safety, remedial, or long term benefit to the child; and

(D) Adaptations that add to the total square footage of the family home.

(d) Environmental safety modifications are limited to \$5,000 per modification. A services coordinator may request approval for additional expenditures through the Department prior to expenditure. Approval is based on the service needs and goals of the child and the determination by the Department of appropriateness and cost-effectiveness.

(e) Environmental safety modifications must be tied to supporting ADL, IADL, and health-related tasks as identified in the ISP.

(f) Environmental safety modifications must be completed by a state licensed contractor. Any modification requiring a permit must be inspected by a local inspector and certified as in compliance with local codes. Certification of compliance must be filed in the file for the contractor prior to payment.

(g) Environmental safety modifications must be made within the existing square footage of the family home and may not add to the square footage of the family home.

(h) Payment to the contractor is to be withheld until the work meets specifications.

(i) Environmental safety modifications that are provided in a rental structure must be authorized in writing by the owner of the rental structure prior to initiation of the work. This does not preclude any reasonable accommodations required under the Americans with Disabilities Act.

(22) VEHICLE MODIFICATIONS.

(a) Vehicle modifications may only be made to the vehicle primarily used by a child to meet the unique needs of the child. Vehicle modifications may include a lift, interior alterations to seats, head and leg rests, belts, special safety harnesses, other unique modifications to keep the child safe in the vehicle, and the upkeep and maintenance of a modification made to the vehicle.

(b) Vehicle modifications exclude:

(A) Adaptations or improvements to a vehicle that are of general utility and are not of direct medical or remedial benefit to a child;

(B) The purchase or lease of a vehicle; or

(C) Routine vehicle maintenance and repair.

(c) Vehicle modifications are limited to \$5,000 per modification. A services coordinator may request approval for additional expenditures through the Department prior to expenditure. Approval is based on the serv-

ice needs and goals of the child and the determination by the Department of appropriateness and cost-effectiveness.

(d) Vehicle modifications must meet applicable standards of manufacture, design, and installation.

(23) PRIVATE DUTY NURSING. If the service needs of a child require the presence of an RN or LPN on an ongoing basis as determined medically necessary based on the assessed needs of the child, private duty nursing services may be allocated to ensure medically necessary supports are provided.

(a) Private duty nursing may be provided on a shift staffing basis as necessary.

(b) Private duty nursing must be delivered by a licensed RN or LPN, as determined by the service needs of the child and documented in the ISP and Nursing Service Plan.

(c) The amount of private duty nursing available to a child is based on the acuity level of the child as measured by the clinical criteria as follows:

(A) Level 1. Score of 75 or greater and on a ventilator for 20 hours or more per day = up to a maximum of 554 nursing hours per month;

(B) Level 2. Score of 70 to 74 = up to a maximum of 462 nursing hours per month;

(C) Level 3. Score of 65 to 69 = up to a maximum of 385 nursing hours per month;

(D) Level 4. Score of 60 to 64 = up to a maximum of 339 nursing hours per month;

(E) Level 5. Score of 50 to 59 or if a child requires ventilation for sleeping hours = up to a maximum of 293 nursing hours per month; and

(F) Level 6. Score of less than 50 = up to a maximum of 140 nursing hours per month.

(24) All MFC services authorized by the Department must be included in a written ISP in order to be eligible for payment. The ISP must use the most cost effective services for safely and appropriately meeting the service needs of a child as determined by a services coordinator.

(25) All requests for General Fund expenditures and expenditures exceeding limitations in the expenditure guidelines must be authorized by the Department. The approval of the Department is limited to 90 days unless re-authorized. Exceptions associated with criteria hours may be approved for up to six months to align with the criteria redetermination. A request for a General Fund expenditure or an expenditure exceeding limitations in the expenditure guidelines is only authorized in the following circumstances:

(a) To prevent the hospitalization of a child;

(b) To provide initial teaching of new service needs;

(c) The child is not safely served in the family home without the expenditure;

(d) The expenditure provides supports for the emerging or changing service needs or behaviors of the child;

(e) A significant medical condition or event occurs that prevents or seriously impedes the primary caregiver from providing services as documented by a physician; or (f) The services coordinator determines, with a behavior consultant, that the child needs two staff present at one time to ensure the safety of the child and others. Prior to approval, the services coordinator must determine that a caregiver, including the parent, has been trained in behavior management and that all other feasible recommendations from the behavior consultant and the services coordinator have been implemented.

(26) The Department may expend funds through contract, purchase order, use of credit card, payment directly to the vendor, or any other legal payment mechanism. No payments are made to families for reimbursement or to pay for services.

(27) All MFC services authorized by the Department must be included in a written ISP in order to be eligible for payment. The ISP must use the most cost effective services for safely meeting the needs of a child as determined by a services coordinator.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0140, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 28-2013(Temp), f. & cert. ef. 7-2-13 thru 12-29-13; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0075

Standards for Employers

(1) EMPLOYEE RELATIONSHIP. The relationship between an independent provider and a parent, or a person selected by the parent to act on

ADMINISTRATIVE RULES

the behalf of the parent to provide the employer responsibilities described in section (5)(a) of this rule, is that of employee and employer.

(a) A personal support worker who is not an independent contractor must have an employer of record. The Department may not act as the employer of record.

(b) Independent providers, including personal support workers, are not state, CDDP, or brokerage employees.

(2) **JOB DESCRIPTION.** The employer must create and maintain a job description for an independent provider that is in coordination with the services authorized in the ISP.

(3) **BENEFITS.** Only personal support workers qualify for benefits. The benefits provided to personal support workers are described in OAR chapter 411, division 375.

(4) **INTERVENTION.** For the purpose of this rule, "intervention" means the action the Department or the designee of the Department requires when an employer fails to meet the employer responsibilities described in this rule. Intervention includes, but is not limited to:

(a) A documented review of the employer responsibilities described in section (5) of this rule;

(b) Training related to employer responsibilities;

(c) Corrective action taken as a result of an independent provider filing a complaint with the Department, the designee of the Department, or other agency who may receive labor related complaints;

(d) Identifying an employer representative if a person is not able to meet the employer responsibilities described in section (5) of this rule; or

(e) Identifying another representative if the current employer representative is not able to meet the employer responsibilities described in section (5) of this rule.

(5) **EMPLOYER RESPONSIBILITIES.**

(a) For a child to be eligible for MFC provided by an employed independent provider, an employer must demonstrate the ability to:

(A) Locate, screen, and hire a qualified independent provider;

(B) Supervise and train the independent provider;

(C) Schedule work, leave, and coverage;

(D) Track the hours worked and verify the authorized hours completed by the independent provider;

(E) Recognize, discuss, and attempt to correct, with the independent provider, any performance deficiencies and provide appropriate, progressive, disciplinary action as needed; and

(F) Discharge an unsatisfactory independent provider.

(b) Indicators that an employer may not be meeting the employer responsibilities described in subsection (a) of this section include, but are not limited to:

(A) Independent provider complaints;

(B) Multiple complaints from an independent provider requiring intervention from the Department as defined in section (4) of this rule;

(C) Frequent errors on time sheets, mileage logs, or other required documents submitted for payment that results in repeated coaching from the Department;

(D) Complaints to Medicaid Fraud involving the employer; or

(E) Documented observation by the Department of services not being delivered as identified in an ISP.

(c) The Department may require intervention as defined in section (4) of this rule when an employer has demonstrated difficulty meeting the employer responsibilities described in subsection (a) of this section.

(d) A child may not receive MFC services provided by an independent provider if, after appropriate intervention and assistance, an employer is not able to meet the employer responsibilities described in subsection (a) of this section. The child may receive MFC services provided by a provider organization or general business provider, when available.

(6) **DESIGNATION OF EMPLOYER RESPONSIBILITIES.**

(a) A parent not able to meet all of the employer responsibilities described in section (5)(a) of this rule must:

(A) Designate an employer representative in order for the child to receive or continue to receive MFC services provided by an independent provider; or

(B) Select a provider organization or general business provider to provide MFC services.

(b) A parent able to demonstrate the ability to meet some of the employer responsibilities described in section (5)(a) of this rule must:

(A) Designate an employer representative to fulfill the responsibilities the parent is not able to meet in order for the child to receive or continue to receive MFC services provided by an independent provider; and

(B) On a Department approved form, document the specific employer responsibilities to be performed by the parent and the employer responsibilities to be performed by the employer representative.

(c) When an employer representative is not able to meet the employer responsibilities described in section (5)(a) or the qualifications in section (7)(c) of this rule, the parent must:

(A) Designate a different employer representative in order for the child to receive or continue to receive MFC services provided by an independent provider; or

(B) Select a provider organization or general business provider to provide MFC services.

(7) **EMPLOYER REPRESENTATIVE.**

(a) A parent may designate an employer representative to act on behalf of the parent to meet the employer responsibilities described in section (5)(a) of this rule.

(b) If an independent provider is selected by the parent to act as the employer, the parent must seek an alternate employer for purposes of the employment of the independent provider. The alternate employer must:

(A) Track the hours worked and verify the authorized hours completed by the independent provider; and

(B) Document the specific employer responsibilities performed by the employer on a Department approved form.

(c) The Department may suspend, terminate, or deny a request for an employer representative if the requested employer representative has:

(A) A founded report of child abuse or substantiated abuse;

(B) Participated in billing excessive or fraudulent charges; or

(C) Failed to meet the employer responsibilities in section (5)(a) or (7)(b) of this rule, including previous termination as a result of failing to meet the employer responsibilities in section (5)(a) or (7)(b).

(d) If the Department suspends, terminates, or denies a request for an employer representative for the reasons described in subsection (c) of this section, the parent may select another employer representative.

(8) **NOTICE.**

(a) The Department shall mail a notice to the parent when:

(A) The Department denies, suspends, or terminates an employer from performing the employer responsibilities described in sections (5)(a) or (7)(b) of this rule; and

(B) The Department denies, suspends, or terminates an employer representative from performing the employer responsibilities described in section (5)(a) or (7)(b) of this rule because the employer representative does not meet the qualifications in section (7)(c) of this rule.

(b) If the parent does not agree with the action taken by the Department, the parent may request an administrator review.

(A) The request for an administrator review must be made in writing and received by the Department within 45 days from the date of the notice.

(B) The determination of the Director is issued in writing within 30 days from the date the written request for an administrator review was received by the Department.

(C) The determination of the Director is the final response from the Department.

(c) When a denial, suspension, or termination of an employer results in the Department denying, suspending, or terminating a child from MFC services, the hearing rights in OAR chapter 411, division 318 apply.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007, 430.215

Hist.: APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0080

Standards for MFC Providers

(1) **PERSONAL SUPPORT WORKER QUALIFICATIONS.** A personal support worker must meet the qualifications described in OAR chapter 411, division 375.

(2) **INDEPENDENT PROVIDER QUALIFICATIONS.** An independent provider who is not a personal support worker who is paid as a contractor or a self-employed person and selected to provide MFC services must:

(a) Be at least 18 years of age;

(b) Have approval to work based on current Department policy and a background check completed by the Department in accordance with OAR 407-007-0200 to 407-007-0370. A subject individual as defined in 407-007-0210 may be approved for one position to work in multiple homes within the jurisdiction of the qualified entity as defined in 407-007-0210. The Department's Background Check Request form must be completed by the subject individual to show intent to work at various homes;

(c) Effective July 28, 2009, not have been convicted of any of the disqualifying crimes listed in OAR 407-007-0275;

ADMINISTRATIVE RULES

(d) Be legally eligible to work in the United States;
(e) Not be the primary caregiver, parent, stepparent, spouse, or legal guardian of a child;

(f) Demonstrate by background, education, references, skills, and abilities that he or she is capable of safely and adequately performing the tasks specified in an ISP, with such demonstration confirmed in writing by the parent, including:

(A) Ability and sufficient education to follow oral and written instructions and keep any required records;

(B) Responsibility, maturity, and reputable character exercising sound judgment;

(C) Ability to communicate with the parent; and

(D) Training of a nature and type sufficient to ensure that the provider has knowledge of emergency procedures specific to the child.

(g) Hold a current, valid, and unrestricted appropriate professional license or certification where services and supervision requires specific professional education, training, and skill;

(h) Understand requirements of maintaining confidentiality and safeguarding individual information;

(i) Not be on the Office of Inspector General's list of excluded or debarred providers (<http://exclusions.oig.hhs.gov/>);

(j) If providing transportation, have a valid driver's license and proof of insurance as well as any other license or certification that may be required under state and local law depending on the nature and scope of the transportation service; and

(k) Sign a Medicaid provider agreement and be enrolled as a Medicaid provider prior to delivery of any services.

(3) Section (2)(c) of this rule does not apply to employees of an employer as defined in OAR 411-350-0020, employees of general business providers, or employees of provider organizations, who were hired prior to July 28, 2009 that remain in the current position for which the employee was hired.

(4) All providers must self-report any potentially disqualifying condition as described in OAR 407-007-0280 and OAR 407-007-0290. The provider must notify the Department or the designee of the Department within 24 hours.

(5) If a provider is an independent contractor during the terms of a contract, the provider must maintain in force, at the expense of the provider, professional liability insurance with a combined single limit of not less than \$1,000,000 for each claim, incident, or occurrence. Professional liability insurance is to cover damages caused by error, omission, or negligent acts related to the professional services.

(a) The provider must provide written evidence of insurance coverage to the Department prior to beginning work and at any time upon the request of the Department.

(b) There must be no cancellation of insurance coverage without 30 days written notice to the Department.

(6) A provider must immediately notify the parent and the Department of injury, illness, accidents, or any unusual circumstances that may have a serious effect on the health, safety, physical, emotional well-being, or level of service required by the child for whom MFC services are being provided.

(7) All providers are mandatory reporters and are required to report suspected child abuse to the local Department office or to the police in the manner described in ORS 419B.010.

(8) **BEHAVIOR CONSULTANTS.** Behavior consultants providing specialized consultations must:

(a) Have education, skills, and abilities necessary to provide behavior support services as outlined in OAR 411-350-0050;

(b) Have current certification demonstrating completion of OIS training; and

(c) Submit a resume or the equivalent to the Department indicating at least one of the following:

(A) A bachelor's degree in special education, psychology, speech and communication, occupational therapy, recreation, art or music therapy, or a behavioral science or related field, and at least one year of experience with individuals with disabilities who present difficult or dangerous behaviors; or

(B) Three years of experience with individuals with disabilities who present difficult or dangerous behaviors and at least one year of that experience includes providing the services of a behavior consultant as outlined in OAR 411-350-0050.

(d) Additional education or experience may be required to safely and adequately provide the services described in OAR 411-350-0050.

(9) **COMMUNITY NURSE.** A nurse providing community nursing services must be an enrolled Medicaid provider and meet the qualifications in OAR 411-048-0210.

(10) **DIETICIANS.** Dietitians providing special diets must be licensed according to ORS 691.415 through 691.465.

(11) **PROVIDER ORGANIZATIONS WITH CURRENT LICENSE OR CERTIFICATION.** A provider organization certified, licensed, and endorsed under OAR chapter 411, division 325 for 24-hour residential services, or licensed under OAR chapter 411, division 360 for adult foster homes, or certified and endorsed under OAR chapter 411, division 345 for employment and day support activities, or OAR chapter 411, division 328 for supported living services, or OAR 411-340-0170 for support services, may not require additional certification as an organization to provide relief care, attendant care, skills training, community transportation, or behavior support services.

(a) Current license, certification, or endorsement is considered sufficient demonstration of ability to:

(A) Recruit, hire, supervise, and train qualified staff;

(B) Provide services according to ISPs; and

(C) Develop and implement operating policies and procedures required for managing an organization and delivering services, including provisions for safeguarding individuals receiving services.

(b) Provider organizations must assure that all people directed by the provider organization as employees, contractors, or volunteers to provide services paid for with MFC funds meet the standards for independent providers described in section (2) of this rule.

(12) General business providers providing services to children paid with MFC funds including, but not limited to the following, must hold any current license appropriate to operate required by the state of Oregon or federal law or regulation.

(a) Home health agencies must be licensed under ORS 443.015.

(b) In-home care agencies must be licensed under ORS 443.315.

(c) For providers of environmental modifications involving building modifications or new construction, a current license and bond as a building contractor as required by either OAR chapter 812 (Construction Contractor's Board) or OAR chapter 808 (Landscape Contractors Board).

(d) For environmental accessibility consultants, a current license as a general contractor as required by OAR chapter 812, including experience evaluating homes, assessing the needs of an individual, and developing cost-effective plans to make homes safe and accessible.

(e) Public transportation providers must be regulated according to established standards and private transportation providers must have a business license, vehicle insurance in compliance with the Department of Motor Vehicles, and drivers with a valid license to drive.

(f) Vendors and medical supply companies providing specialized medical equipment and supplies must have a current retail business license and, if vending medical equipment, be enrolled as Medicaid providers through the Division of Medical Assistance Programs.

(g) Providers of personal emergency response systems must have a current retail business license.

(h) Vendors and supply companies providing specialized diets must have a current retail business license.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0170, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 2-2010(Temp), f. & cert. ef. 3-18-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0100

MFC Documentation Needs

(1) Accurate timesheets of MFC services must be dated and signed by the provider and the parent of the child after the services are provided and maintained and submitted to the Department with any request for payment for services.

(2) Requests for payment for MFC services must:

(a) Include the billing form indicating prior authorization for the services;

(b) Be signed by the provider acknowledging agreement with the terms and condition of the billing form and attesting that the hours were delivered as billed; and

(c) Be signed by the parent of the child after the services were delivered, verifying that the services were delivered as billed.

(3) Documentation of provided MFC services provided must be provided to the services coordinator upon request or as outlined in the ISP for

ADMINISTRATIVE RULES

the child and maintained in the family home or the place of business of the provider of services. The Department does not pay for services that are not outlined in the ISP for the child or unrelated to the disability of the child.

(4) The Department retains billing forms and timesheets for at least five years from the date of service.

(5) A Nursing Service Plan must be developed within seven days of the initiation of MFC services and submitted to the Department for approval when attendant care services are provided by a nurse.

(a) The Nursing Service Plan must be reviewed, updated, and resubmitted to the Department in the following instances:

(A) Every six months;

(B) Within seven working days of a change of the nurse who writes the Nursing Service Plan;

(C) With any request for authorization of an increase in hours of service; or

(D) After any significant change of condition, such as hospital admission or change in health status.

(b) The provider must share the Nursing Service Plan with the parent.

(6) The Department must be notified by the provider or the child's primary caregiver within one working day of the hospitalization or death of any eligible child.

(7) Behavior consultants must submit the following to the Department written in clear, concrete language understandable to the parent of the child and the provider:

(a) An evaluation of the child, the concerns of the parent, the environment of the child, current communication strategies used by the child and used by others with the child, and any other disability of the child that may impact the appropriateness of strategies to be used with the child; and

(b) Any behavior plan or instructions left with the parent or the provider that describes the suggested strategies to be used with the child.

(8) Providers must maintain documentation of provided services for at least seven years from the date of service. If a provider is a nurse, the nurse must either maintain documentation of provided services for at least five years or send the documentation to the Department.

(9) Providers must furnish requested documentation immediately upon the written request from the Department, the Oregon Department of Justice Medicaid Fraud Unit, Centers for Medicare and Medicaid Services, or their authorized representatives, or within the timeframe specified in the written request. Failure to comply with the request may be considered by the Department as reason to deny or recover payments.

(10) Access to records by the Department including, but not limited to, medical, nursing, behavior, psychiatric, or financial records, to include providers and vendors providing goods and services, does not require authorization or release by the child or the parent of the child.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0190, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0110

Payment for MFC

(1) Payment is made after MFC services are delivered as authorized.

(2) Effective July 28, 2009, MFC funds may not be used to support, in whole or in part, a provider in any capacity who has been convicted of any of the disqualifying crimes listed in OAR 407-007-0275.

(3) Section (2) of this rule does not apply to an employee of a parent or a provider who was hired prior to July 28, 2009 that remains in the current position for which the employee was hired.

(4) MFC funds may not be used for:

(a) Services, supplies, or supports that are illegal, experimental, or determined unsafe for the general public by a recognized child or consumer safety agency;

(b) Services or activities that are carried out in a manner that constitutes abuse of a child;

(c) Services from a person who engages in verbal mistreatment and subjects a child to the use of derogatory names, phrases, profanity, ridicule, harassment, coercion, or intimidation by threatening injury or withholding of services or supports;

(d) Services that restrict the freedom of movement of a child by seclusion in a locked room under any condition;

(e) Purchase or lease of a vehicle;

(f) Purchase of a service animal or costs associated with the care of a service animal;

(g) Medical treatments;

(h) Health insurance co-payments and deductibles;

(i) Prescribed or over-the-counter medications;

(j) Mental health treatments and counseling;

(k) Dental treatments and appliances;

(l) Dietary supplements and vitamins;

(m) Supplies not related to nutrition, incontinence, or infection control;

(n) Ambulance service;

(o) Legal fees such as the cost of representation in educational negotiations, establishment of trusts, or creation of guardianship;

(p) Vacation costs or costs for recreation or leisure;

(q) Services, training, or supervision that has not been arranged according to applicable state and federal wage and hour regulations;

(r) Any purchase that is not generally accepted by the relevant mainstream professional or academic community as an effective means to address an identified support need;

(s) Unless under certain conditions and limits specified in an ISP, employee wages or contractor payments for services when a child is not present or available to receive services such as employee paid time off, hourly "no show" charge, or contractor travel and preparation hours;

(t) Services, activities, materials, or equipment that are not necessary, not in accordance with the expenditure guidelines, not cost effective, or do not meet the definition of support or social benefit as defined in OAR 411-350-0020;

(u) Education and services provided as part of a free and appropriate education for children and young adults under the Individuals with Disabilities Education Act;

(v) Services, activities, materials, or equipment that the Department determines may be reasonably obtained by a family through other available means such as private or public insurance, philanthropic organizations, or other governmental or public services;

(w) Services or activities for which the legislative or executive branch of Oregon government has prohibited use of public funds;

(x) Purchase of services when there is sufficient evidence to believe that a parent or a provider chosen by a family has engaged in fraud or misrepresentation, failed to use resources as agreed upon in the ISP for a child, refused to cooperate with record keeping required to document use of MFC funds, or otherwise knowingly misused public funds associated with MFC services; or

(y) Notwithstanding abuse as defined in ORS 419B.005, services that in the opinion of a services coordinator are characterized by failure to act or neglect that leads to or is in imminent danger of causing physical injury through negligent omission, treatment, or maltreatment of a child such as the failure to provide a child with adequate food, clothing, shelter, medical services, supervision, or through condoning or permitting abuse of a child by any other person. However, no child may be considered neglected for the sole reason that a family relies on treatment through prayer alone in lieu of medical treatment.

(5) Payment for MFC services is made in accordance with the expenditure guidelines.

(6) Service levels are based on the individual needs of a child as identified by a functional needs assessment and authorized in the ISP for the child.

(7) Authorization must be obtained prior to the delivery of any MFC services for the services to be eligible for payment.

(8) A provider must request payment authorization for MFC services provided during an unforeseeable emergency on the first business day following the emergency service. A services coordinator must determine if the service is eligible for payment.

(9) The Department makes payment to the employee of a parent on behalf of the parent. The Department pays the employer's share of the Federal Insurance Contributions Act tax (FICA) and withholds FICA as a service to the parent, who is the employer. The Department covers real and actual costs to the Employment Department in lieu of the parent, who is the employer.

(10) The delivery of authorized MFC services must occur so that any individual employee of the parent does not exceed 40 hours per work week. The Department does not authorize services that require the payment of overtime without prior written authorization by the MFCU Supervisor.

(11) Holidays are paid at the same rate as non-holidays.

(12) Travel time to reach the job site is not reimbursable.

(13) The Department makes payment for MFC services, described in OAR 411-350-0050, after services are delivered as authorized in the ISP for the child and required documentation is received by the services coordinator.

ADMINISTRATIVE RULES

(14) In order to be eligible for payment, requests for payments must be submitted to the Department within six months of the delivery of MFC services.

(15) Payment by the Department for MFC services is considered full payment for the services rendered under Medicaid. A provider may not demand or receive additional payment for MFC services from the parent or any other source, under any circumstances.

(16) Medicaid funds are the payer of last resort. A provider must bill all third party resources until all third party resources are exhausted.

(17) The Department reserves the right to make a claim against any third party payer before or after making payment to the provider.

(18) The Department may void without cause prior authorizations that have been issued in the event of any of the following:

(a) Change in the status of the child, such as hospitalization, improvement in health status, or death of the child;

(b) Decision of the parent to change providers;

(c) Inadequate services, inadequate documentation, or failure to perform other expected duties;

(d) Documentation of a person who is subject to background checks on or after July 28, 2009, as required by administrative rule, has been convicted of any of the disqualifying crimes listed in OAR 407-007-0275; or

(e) Any situation, as determined by the services coordinator that puts the child's health or safety at risk.

(19) Section (15)(d) of this rule does not apply to employees of parents or billing providers who were hired prior to July 28, 2009 that remain in the current position for which the employee was hired.

(20) Upon submission of the billing form for payment, a provider must comply with:

(a) All rules in OAR chapter 407 and chapter 411;

(b) 45 CFR Part 84 that implements Title V, Section 504 of the Rehabilitation Act of 1973;

(c) Title II and Title III of the Americans with Disabilities Act of 1991; and

(d) Title VI of the Civil Rights Act of 1964.

(21) All billings must be for MFC services provided within the licensure and certification of the provider.

(22) The provider must submit true and accurate information on the billing form. Use of a provider organization does not replace the responsibility of the provider for the truth and accuracy of submitted information.

(23) A person may not submit the following to the Department:

(a) A false billing form for payment;

(b) A billing form for payment that has been, or is expected to be, paid by another source; or

(c) Any billing form for MFC services that have not been provided.

(24) The Department only makes payment to an enrolled provider who actually performs the MFC services or the enrolled provider organization. Federal regulations prohibit the Department from making payment to a collection agency.

(25) Payment is denied if any provisions of these rules are not complied with.

(26) The Department recoups all overpayments.

(a) The amount to be recovered:

(A) Is the entire amount determined or agreed to by the Department;

(B) Is not limited to the amount determined by criminal or civil proceedings; and

(C) Includes interest to be charged at allowable state rates.

(b) A request for repayment of the overpayment or notification of recoupment of future payments is delivered to the provider by registered or certified mail or in person.

(c) Payment schedules with the interest may be negotiated at the discretion of the Department.

(d) If recoupment is sought from a parent, the parent has the right to request a hearing as provided in ORS 183.

(27) Payment for services provided to more than one child in the same setting at the same time may not exceed the maximum hourly rate for one child without prior written authorization by the MFCU Supervisor.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0200, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 2-2010(Temp), f. & cert. ef. 3-18-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0115

Rights, Complaints, Notification of Planned Action and Hearings

(1) RIGHTS OF THE CHILD.

(a) The rights of the child are described in OAR 411-318-0010.

(b) Upon enrollment, request, and annually thereafter, the individual rights described in OAR 411-318-0010 must be provided to the parent and the child.

(2) COMPLAINTS.

(a) Complaints must be addressed in accordance with OAR 411-318-0015.

(b) Upon enrollment, request, and annually thereafter, the policy and procedures for complaints as described in OAR 411-318-0015 must be explained and provided to the parent of each child.

(3) NOTIFICATION OF PLANNED ACTION. In the event CIIS are denied, reduced, suspended, or terminated, a written advance Notification of Planned Action (form SDS 0947) must be provided as described in OAR 411-318-0020.

(4) HEARINGS.

(a) Hearings must be addressed in accordance with ORS chapter 183 and OAR 411-318-0025.

(b) The parent of a child may request a hearing as provided in ORS chapter 183 and OAR 411-318-0025 for denials, reductions, suspensions, or terminations.

(c) Upon enrollment, request, and annually thereafter, a notice of hearing rights and the policy and procedures for hearings as described in OAR chapter 411, division 318 must be explained and provided to the parent of each child.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0118

Denial, Termination, Suspension, Reduction, or Eligibility of Services for Individual Medicaid Recipients

(1) Each time the Department takes an action to deny, terminate, suspend, or reduce a child's access to services covered under Medicaid, the Department shall notify the child's parent of the right to a hearing and the method to request a hearing. The Department shall mail the notice by certified mail, or personally serve the notice to the parent 10 days or more prior to the effective date of the action.

(a) The Department shall use the Notice of Hearing Rights or a comparable Department-approved form. A notice of hearing rights is not required if an action is part of, or fully consistent with, a child's ISP, or the child's parent has agreed with the action by signature to the ISP. The notice of hearing rights shall be given directly to the parent when the ISP is signed.

(b) The child's parent may appeal a denial of a request for additional or different services only if the request has been made in writing and submitted to the address on the notice to expedite the process.

(c) A notice required by this section of this rule must include:

(A) The action the Department intends to take;

(B) The reasons for the intended action;

(C) The specific Oregon Administrative Rules that supports, or the change in federal or state law that requires, the action;

(D) The appealing party's right to request a hearing in accordance with OAR chapter 137, Oregon Attorney General's Model Rules, ORS chapter 183, and 42 CFR Part 431, Subpart E;

(E) A statement that the Department files on the subject of the hearing automatically becoming part of the hearing record upon default for the purpose of making a prima facie case;

(F) A statement that the actions specified in the notice shall take effect by default if the Department representative does not receive a request for hearing from the party within 45 days from the date that the Department mails the notice of action;

(G) In cases of an action based upon a change in law, the circumstances under which a hearing shall be granted; and

(H) An explanation of the circumstances under which MFC services shall be continued if a hearing is requested.

(d) If the child's parent disagrees with the decision or proposed action of the Department to deny, terminate, suspend, or reduce a child's access to services covered under Medicaid, the parent may request a hearing as provided in ORS chapter 183. The request for a hearing must be in writing on Form DHS 443 and signed by the parent. The signed form (DHS 443) must be received by the Department within 45 days from the date of the Department's notice of action.

ADMINISTRATIVE RULES

(e) The child's parent may request an expedited hearing if the parent feels that there is an immediate, serious threat to the child's life or health if the normal timing of the hearing process is followed.

(f) If the child's parent requests a hearing before the effective date of the proposed actions and requests that the existing services be continued, the Department shall continue the services.

(A) The Department shall continue the services until whichever of the following occurs first:

(i) The current authorization expires;

(ii) The administrative law judge issues a proposed order and the Department issues a final order; or

(iii) The child is no longer eligible for Medicaid benefits.

(B) The Department shall notify the child's parent that the Department is continuing the service. The notice shall inform the parent that, if the hearing is resolved against the child, the Department may recover the cost of any services continued after the effective date of the continuation notice.

(g) The Department may reinstate services if:

(A) The Department takes an action without providing the required notice and the child's parent requests a hearing;

(B) The Department fails to provide the notice in the time required in this rule and the child's parent requests a hearing within 10 days of the mailing of the notice of action; or

(C) The post office returns mail directed to the child's parent but the location of the parent becomes known during the time that the child is still eligible for services.

(h) The Department shall promptly correct the action taken up to the limit of the original authorization, retroactive to the date the action was taken, if the hearing decision is favorable to the child, or the Department decides in the child's favor before the hearing.

(i) The Department representative and the child's parent may have an informal conference without the presence of the administrative law judge to discuss any of the matters listed in OAR 137-003-0575. The informal conference may also be used to:

(A) Provide an opportunity for the Department and the child's parent to settle the matter;

(B) Ensure the child's parent understands the reason for the action that is the subject of the hearing request;

(C) Give the child's parent an opportunity to review the information that is the basis for that action;

(D) Inform the child's parent of the rules that serve as the basis for the contested action;

(E) Give the child's parent and the Department the chance to correct any misunderstanding of the facts;

(F) Determine if the child's parent wishes to have any witness subpoenas issued; and

(G) Give the Department an opportunity to review the Department's action.

(j) The child's parent may, at any time prior to the hearing date, request an additional conference with the Department representative. At the Department representative's discretion, the Department representative may grant an additional conference if the additional conference facilitates the hearing process.

(k) The Department may provide the child's parent the relief sought at any time before the final order is issued.

(l) A child's parent may withdraw a hearing request at any time prior to the issuance of a final order. The withdrawal shall be effective on the date the Department or the Office of Administrative Hearings receives the request for withdrawal. The Department shall issue a final order confirming the withdrawal to the last known address of the parent. The parent may cancel the withdrawal up to 10 working days following the date the final order is issued.

(2) PROPOSED AND FINAL ORDERS.

(a) In a contested case, the administrative law judge must serve a proposed order on the child and the Department.

(b) If the administrative law judge issues a proposed order that is adverse to the child, the child's parent may file an exception to the proposed order to be considered by the Department. The exceptions must be in writing and must be received by the Department no later than 10 days after service of the proposed order. The child's parent may not submit additional evidence after this period unless the Department grants prior approval.

(c) After receiving the exceptions, if any, the Department may adopt the proposed order as the final order or may prepare a new order. Prior to issuing the final order, the Department may issue an amended proposed order.

(3) The provider or billing provider must submit relevant documentation to the Department within five working days at the request of the Department when a hearing has been requested.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0150, SPD 14-2004, f. & cert. ef. 6-1-04; Renumbered from 411-350-0060, SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; Suspended by APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

411-350-0120

MFC Provider Termination

(1) PERSONAL SUPPORT WORKER. Provider enrollment for a personal support worker must be terminated consistent with OAR chapter 411, division 375.

(2) INDEPENDENT PROVIDER WHO IS NOT A PERSONAL SUPPORT WORKER.

(a) The provider enrollment for an independent provider who is not a personal support worker may be inactivated in the following circumstances:

(A) The provider has not provided any paid services to a child within the last previous 12 months;

(B) The provider informs the Department that the provider is no longer providing services in Oregon;

(C) The background check for a provider results in a closed case pursuant to OAR 407-007-0325;

(D) Services provided to a child are being investigated by Adult or Child Protective Services for suspected abuse that poses imminent danger to current or future children; or

(E) Provider payments, all or in part, for the provider have been suspended based on a credible allegation of fraud or a conviction of fraud pursuant to federal law under 42 CFR 455.23.

(b) An independent provider who is not a personal support worker may have their provider enrollment terminated when the Department determines that, at some point after the initial qualification and authorization of the provider to provide supports purchased with MFC funds, the provider has:

(A) Been convicted of any crime that would have resulted in an unacceptable background check upon hiring or authorization of CIIS;

(B) Been convicted of unlawfully manufacturing, distributing, prescribing, or dispensing a controlled substance;

(C) Surrendered his or her professional license or had his or her professional license suspended, revoked, or otherwise limited;

(D) Failed to safely and adequately provide the authorized services;

(E) Had a founded report of child abuse or substantiated abuse;

(F) Failed to cooperate with any Department investigation or grant access to or furnish records or documentation, as requested;

(G) Billed excessive or fraudulent charges or been convicted of fraud;

(H) Made a false statement concerning conviction of a crime or substantiated abuse;

(I) Falsified required documentation;

(J) Been suspended or terminated as a provider by the Department or Oregon Health Authority;

(K) Violated the requirement to maintain a drug-free work place;

(L) Failed to provide services as required;

(M) Failed to provide a tax identification number or social security number that matches the legal name of the independent provider, as verified by the Internal Revenue Service or Social Security Administration; or

(N) Has been excluded or debarred by the Office of the Inspector General.

(c) If the Department makes a decision to terminate the provider enrollment of an independent provider who is not a personal support worker, the Department must issue a written notice.

(A) The written notice must include:

(i) An explanation of the reason for termination of the provider enrollment;

(ii) The alleged violation as listed in section (a) or (b) of this rule; and
(iii) The appeal rights for the independent provider, including how to file an appeal.

(B) For terminations based on substantiated protective services allegations, the notice may only contain the limited information allowed by law. In accordance with ORS 124.075, 124.085, 124.090, and OAR 411-020-0030, complainants, witnesses, the name of the alleged victim, and protected health information may not be disclosed.

(d) The provider may appeal a termination within 30 days of the date the termination notice was mailed to the provider. The provider must appeal

ADMINISTRATIVE RULES

a termination separately from any appeal of audit findings and overpayments.

(A) A provider of Medicaid services may appeal a termination by requesting an administrator review.

(B) For an appeal regarding provision of Medicaid services to be valid, written notice of the appeal must be received by the Department within 30 days of the date the termination notice was mailed to the provider.

(e) At the discretion of the Department, providers who have previously been terminated or suspended by the Department or by the Oregon Health Authority may not be authorized as providers of Medicaid services.

Stat. Auth.: ORS 409.050

Stats. Implemented: ORS 427.005, 427.007 & 430.215

Hist.: MHD 21-1998(Temp), f. 11-25-98, cert. ef. 12-1-98 thru 5-29-99; MHD 3-1999, f. 5-17-99, cert. ef. 5-28-99; MHD 8-2003(Temp) f. & cert. ef. 12-11-03 thru 6-7-04; Renumbered from 309-044-0210, SPD 14-2004, f. & cert. ef. 6-1-04; SPD 1-2009, f. 2-24-09, cert. ef. 3-1-09; SPD 25-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SPD 5-2010, f. 6-29-10, cert. ef. 7-1-10; SPD 55-2013, f. 12-27-13, cert. ef. 12-28-13; APD 31-2014(Temp), f. & cert. ef. 8-20-14 thru 2-16-15

Rule Caption: Medicaid Long Term Care Quality and Reimbursement Advisory Council

Adm. Order No.: APD 32-2014

Filed with Sec. of State: 8-26-2014

Certified to be Effective: 9-1-14

Notice Publication Date: 8-1-2014

Rules Amended: 411-001-0120

Rules Repealed: 411-001-0120(T)

Subject: The Department of Human Services (Department) is permanently updating OAR 411-001-0120 to bring the rules in compliance with statute. The Department will do this by removing language that allows the Department or Oregon Health Authority (Authority) to enact rules affecting the Medicaid Reimbursement System without the Medicaid Long Term Care Quality and Reimbursement Advisory Council's (Council) recommendation.

Rules Coordinator: Kimberly Colkitt-Hallman—(503) 945-6398

411-001-0120

Council Operation

(1) Within 60 calendar days after receipt from the Department or Authority of any proposed change or modification to the Medicaid reimbursement system, the Council shall issue a written advisory recommendation to the Department or Authority. The 60-day period begins the day following delivery to the chairperson of the Council if a proposed change or modification is faxed, hand-delivered, or e-mailed. Otherwise, the 60-day period begins the third day after the date of mailing first class.

(2) A written advisory recommendation issued by the Council must state:

(a) Whether the Council supports or opposes the proposed change or modification;

(b) Whether the Council concludes that the proposed change or modification shall have an adverse or positive effect on the quality of long term care and community-based services provided under the Oregon Medicaid program; and

(c) The basis for the Council's recommendation, which must include:

(A) The reason for the Council's position;

(B) A list of the principal documents, reports, or studies, if any, relied upon in considering the proposed change or modification; and

(C) Other information deemed appropriate by the Council.

(3) Timeline for written recommendation.

(a) Notwithstanding section (1) of this rule, the Department or Authority may shorten the time within which the Council must issue a written recommendation if the Department or Authority decides to adopt a proposed change or modification by temporary rule and if the Department or Authority prepares a written statement in which the Department or Authority:

(A) Finds that failure to make proposed changes or modifications promptly is likely to result in serious prejudice to the public interest or to the interests of individuals receiving Department or Authority services, providers of long term care or community-based services, or other affected parties;

(B) Specifies reasons why the Department or Authority's failure to act promptly is likely to result in serious prejudice to those interests;

(C) States the need for the proposed change or modification and how the change or modification is intended to meet the need;

(D) Lists the principal documents, reports, or studies, if any, prepared or relied upon by the Department or Authority in evaluating the need for the proposed change or modification; and

(E) Cites the legal authority relied upon and bearing upon the adoption, amendment, or suspension of the rule if the proposed change or modification is to be made by administrative rule.

(b) However, the Department or Authority may not shorten the time for written recommendation to less than five business days.

(4) If the Department or Authority intends to adopt an administrative rule that directly or indirectly proposes a change or modification to the Medicaid reimbursement system, the Department or Authority may not proceed with notice requirements provided for in ORS 183.335 until the Department or Authority has received the Council's written recommendation as described in section (2) or (3) of this rule.

Stat. Auth.: ORS 410.070 & 410.555

Stats. Implemented: ORS 410.550 - 410.555

Hist.: SSD 7-1996, f. 8-30-96, cert. ef. 9-1-96; SPD 18-2006, f. 5-12-06, cert. ef. 6-1-06; SPD 18-2009, f. 12-23-09, cert. ef. 1-1-10; SPD 49-2013, f. 12-17-13, cert. ef. 1-1-14; APD 13-2014(Temp), f. 5-8-14, cert. ef. 5-9-14 thru 11-5-14; APD 32-2014, f. 8-26-14, cert. ef. 9-1-14

Rule Caption: Payment Limitations in Community-Based Settings

Adm. Order No.: APD 33-2014

Filed with Sec. of State: 9-2-2014

Certified to be Effective: 9-2-14

Notice Publication Date: 8-1-2014

Rules Amended: 411-027-0005, 411-027-0020, 411-027-0025, 411-027-0050, 411-027-0075, 411-027-0150

Rules Repealed: 411-027-0005(T), 411-027-0020(T), 411-027-0025(T)

Subject: The Department of Human Services (Department) is permanently updating OAR 411-027 to make permanent temporary rule language that became effective on March 20, 2014 to allow the Department to pay the room and board costs for Medicaid eligible individuals who do not have sufficient income to meet their responsibilities described in OAR 411-027-0025(3) and who do not qualify for the special needs payments.

411-027 is being updated to remove the definition of, and references to, "SPD", as the agency has been renamed "Aging and People with Disabilities (APD)". With this renaming, a new definition for APD was added to the rule. Removed the definition of "Waiver Services" as home and community based services described in this rule are no longer provided through the waiver and are now provided through the K-State Plan.

The definition of "Instrumental Activities of Daily Living (IADL)", "Central Office", "Individual" and "These rules" were added to provide clarity and the intent of these words as they occur in this rule.

Acronyms were added to the definitions to spell out the acronym into words for AAA, ADL, CA/PS, IADL and ICP.

The word "client" was replaced with the word "consumer", as individuals receiving Medicaid long term care services are no longer referred to as clients. These individuals are now referred to as consumers.

The definition of "Natural Support" was expanded to refer to natural support providers as voluntary. This was done to meet the Center for Medicare and Medicaid Services (CMS) mandate for considering a natural support as a "voluntarily" unpaid service.

Minor wording and housekeeping changes were made to other existing definitions and the rules as well.

Rules Coordinator: Kimberly Colkitt-Hallman—(503) 945-6398

411-027-0005

Definitions

(1) "AAA" means "Area Agency on Aging" as defined in this rule.

(2) "Activities of Daily Living (ADL)" mean those personal, functional activities required by an individual for continued well-being, which are essential for health and safety. Activities include eating, dressing, grooming, bathing, personal hygiene, mobility (ambulation and transfer), elimination (toileting, bowel and bladder management), and cognition and behavior as described in OAR 411-015-0006.

(3) "ADL" means "activities of daily living" as defined in this rule.

ADMINISTRATIVE RULES

(4) "Aging and People with Disabilities (APD)" means the division of Aging and People with Disabilities, within the Department of Human Services.

(5) "APD" means "Aging and People with Disabilities" as defined in this rule.

(6) "Area Agency on Aging (AAA)" means the Department designated agency charged with the responsibility to provide a comprehensive and coordinated system of services to older adults and adults with disabilities in a planning and service area. The term Area Agency on Aging is inclusive of both Type A and Type B Area Agencies on Aging as defined in ORS 410.040 and described in 410.210-300.

(7) "Assessment" means the process of evaluating the functional impairment levels for service eligibility, including an individual's requirements for assistance or independence in performing activities of daily living and instrumental activities of daily living and determining nursing facility services. The Department requires use of the Client Assessment and Planning System (CA/PS) as the tool used to determine service eligibility and planning.

(8) "Assistive Devices" means any category of durable medical equipment, mechanical apparatus, electrical appliance, or instrument of technology, service animals, general household items, or furniture used to assist and enhance an individual's independence in performing any activity of daily living.

(9) "CA/PS" means the "Client Assessment and Planning System" as defined in this rule.

(10) "Case Manager" means an employee of the Department or Area Agency on Aging, who assesses the service needs of an applicant, determines eligibility, and offers service choices to the eligible individual. The case manager authorizes and implements the service plan and monitors the services delivered.

(11) "Central Office" means the main office of the Department, Division, or Designee.

(12) "Client Assessment and Planning System (CA/PS)":

(a) Is the single entry data system used for:

(A) Completing a comprehensive and holistic assessment;

(B) Surveying an individual's physical, mental, and social functioning; and

(C) Identifying risk factors, individual choices and preferences, and the status of service needs.

(b) The CA/PS documents the level of need and calculates the individual's service priority level in accordance with the rules in OAR chapter 411, division 015, calculates the service payment rates, and accommodates individual participation in service planning.

(13) "Consumer Choice" means an individual has been informed of alternatives to nursing facility services and has been given the choice of institutional services, Medicaid home and community-based service options, or the Independent Choices Program.

(14) "Contracted In-Home Care Agency" means an incorporated entity or equivalent, licensed in accordance with OAR chapter 333, division 536, that provides hourly contracted in-home services to individuals served by the Department or Area Agency on Aging.

(15) "Cost Effective" means being responsible and accountable with Department resources. This is accomplished by offering less costly alternatives when providing choices that adequately meet an individual's service needs. Those choices consist of the available services under the Medicaid home and community-based service options, the utilization of assistive devices, natural supports, architectural modifications, and alternative service resources (defined in OAR 411-015-0005) not paid for by the Department.

(16) "Department" means the Department of Human Services (DHS).

(17) "Exception" means the approval for payment of a service plan granted to a specific individual in their current residence (or in the proposed residence identified in the exception request) that exceeds the CA/PS assessed service payment levels for individuals residing in community-based care facilities or the maximum hours of service as described in OAR 411-030-0070 for individuals residing in their own homes or the home of a relative. The approval is based on the service needs of the individual and is contingent upon the service plan meeting the requirements in 411-027-0020, 411-027-0025, and 411-027-0050. The term "exception" is synonymous with "exceptional rate" or "exceptional payment."

(18) "Homecare Worker" means a provider, as described in OAR 411-031-0040, that is directly employed by a consumer to provide either hourly or live-in services to the eligible consumer.

(a) The term homecare worker includes consumer-employed providers in the Spousal Pay and Oregon Project Independence Programs.

The term homecare worker also includes consumer-employed providers that provide state plan personal care services to older adults and adults with physical disabilities. Relatives providing Medicaid in-home services to an individual living in the relative's home are considered homecare workers.

(b) The term homecare worker does not include Independent Choices Program providers or personal care attendants enrolled through the Office of Developmental Disability Services or the Addictions and Mental Health Division.

(19) "Hourly Services" mean the in-home services, including activities of daily living and instrumental activities of daily living, that are provided at regularly scheduled times.

(20) "IADL" means "instrumental activities of daily living" as defined in this rule.

(21) "ICP" means "Independent Choices Program" as defined in this rule.

(22) "Independent Choices Program (ICP)" means the self-directed in-home services program in which a participant is given a cash benefit to purchase goods and services identified in a service plan and prior approved by the Department or Area Agency on Aging.

(23) "Individual" means the person applying for, or eligible for, services. The term "individual" is synonymous with "client", "participant", "consumer", and "consumer-employer."

(24) "In-Home Services" mean those activities of daily living and instrumental activities of daily living that assist an individual to stay in his or her own home or the home of a relative.

(25) "Instrumental Activities of Daily Living (IADL)" mean those activities, other than activities of daily living, required by an individual to continue independent living. The definitions and parameters for assessing needs in IADL are identified in OAR 411-015-0007.

(26) "Live-In Services" mean the in-home services provided when an individual requires activities of daily living, instrumental activities of daily living, and twenty-four hour availability. Time spent by any live-in employee doing instrumental activities of daily living and twenty-four hour availability are exempt from federal and state minimum wage and overtime requirements.

(27) "Natural Supports" or "Natural Support System" means resources and supports (e.g. relatives, friends, significant others, neighbors, roommates, or the community) who are willing to voluntarily provide services to an individual without the expectation of compensation. Natural supports are identified in collaboration with the individual and the potential "natural support". The natural support is required to have the skills, knowledge and ability to provide the needed services and supports.

(28) "Rate Schedule" means the rate schedule maintained by the Department at <http://www.oregon.gov/DHS/spd/provtools/rateschedule.pdf>. Printed copies may be obtained by contacting the Department of Human Services, Aging and People with Disabilities, ATTN: Rule Coordinator, 500 Summer Street NE, E-48, Salem, Oregon 97301.

(29) "These Rules" mean the rules in OAR chapter 411, division 027.

(30) "Twenty-Four Hour Availability" means the availability and responsibility of a homecare worker to meet the activities of daily living and instrumental activities of daily living of a consumer as required by the consumer over a 24 hour period. Twenty-four hour availability services are provided by a live-in homecare worker and are exempt from federal and state minimum wage and overtime requirements.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070

Hist.: SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; APD 4-2014(Temp), f. & cert. ef. 3-20-14 thru 9-16-14; APD 33-2014, f. & cert. ef. 9-2-14

411-027-0020

Payment Limitations in Home and Community-Based Services

(1) PAYMENT FOR SERVICES.

(a) Service payments under these rules are limited to services provided under Oregon's Medicaid State Plan K Option for individuals served through the Department's Aging and People with Disabilities program area.

(b) Home and community-based services include but are not limited to:

(A) In-home services (consumer-employed providers and contracted in-home care agencies);

(B) Residential care facility services;

(C) Assisted living facility services;

(D) Adult foster home services;

(E) Specialized living services;

(F) Adult day services; and

(G) Home-delivered meals.

ADMINISTRATIVE RULES

(2) PAYMENT BASIS.

(a) Unless otherwise specified, service payment is based upon an individual's assessed need for services as documented in CA/PS.

(b) Payments for home and community-based services are not intended to replace the resources available to an individual from the individual's natural support system. The Department may authorize paid services only to the extent necessary to supplement potential or existing resources within an individual's natural supports system.

(c) An individual with excess income must contribute to the cost of services pursuant to OAR 461-160-0610 and 461-160-0620.

(d) Service plans are based upon less costly means of providing adequate services consistent with consumer's assessed need and choice.

(e) An individual's progress is monitored by Department or AAA local office staff. When a change occurs in the individual's service needs that may warrant a change in the service payment rate, staff must update the service plan.

(3) SERVICE PAYMENTS. All service payments must be prior authorized by the Department or AAA local office staff.

(a) Department and AAA case managers authorize service payments from the rate schedule based on an individual's service program and assessed need for services documented in CA/PS.

(b) Any rate that differs from the rate schedule must be pre-authorized by the Department.

(4) RATE SCHEDULE. Services are paid at the rate in the Rate Schedule at the time of the service. The rate schedule must be updated:

(a) When there is an increase in a rate on the schedule or

(b) Thirty (30) days prior to when any rate is reduced.

(5) SPOUSAL SERVICES. The Department does not make direct payments to a spouse for providing community-based services except for in-home services as described in OAR chapter 411, division 030.

(6) PAYMENTS FOR ADULT DAY SERVICES.

(a) Payments to any Medicaid-contracted adult day services program, as described in OAR chapter 411, division 066, are authorized by Department or AAA local office staff and made in accordance with the rate schedule.

(b) Adult day services may be authorized as part of an overall plan of services for service-eligible individuals and may be used in combination with other community-based services if adult day services are the appropriate resource to meet an identified need.

(c) Department, or AAA local office staff, may authorize adult day services for payment as a single service or in combination with other home and community-based services. Adult day services are not authorized or paid for if another provider has been authorized payment for the same service. Payments authorized for adult day services are included in computing the total cost of services.

(d) The Department pays for a half day of adult day services when four or less hours of services are provided, and pays for a full day of adult day services when more than four but less than 24 hours are provided.

(7) PAYMENT FOR HOME DELIVERED MEALS.

(a) Payments to any Medicaid-contracted home delivered meals provider as described in OAR chapter 411, division 040 are authorized by Department or AAA local office staff and made in accordance with the rate schedule.

(b) Medicaid home-delivered meals may be authorized as part of an overall plan of services for service-eligible individuals and may be used in combination with other in-home services if meals are the appropriate resource to meet an identified need.

(8) PAYMENTS TO ASSISTED LIVING FACILITIES. Payments to any Medicaid-contracted assisted living facility (ALF) as defined in OAR 411-054-0005 are authorized by Department or AAA local office staff and made in accordance with the rate schedule.

(a) The monthly service payment for an individual receiving services in an ALF is based on the individual's degree of impairment in each of the six activities of daily living as determined by CA/PS and the payment levels described in paragraph (c) of this subsection. The individual's initial service plan must be developed prior to admission to the ALF and must be revised if needed within 30 days. The individual's service plan must be reviewed and updated at least quarterly or more often as needed as described in OAR 411-054-0034.

(b) Activities of daily living are weighted for purposes of determining the monthly service payment as follows:

(A) Critical activities of daily living include elimination, eating, and cognition and behavior.

(B) Less critical activities of daily living include mobility, bathing, personal hygiene, dressing and grooming.

(C) Other essential factors considered are medical problems, structured living, medical management, and other needs.

(c) Payment (Impairment) Levels.

(A) Level 1 — All Title XIX, service priority level 1–13 eligible individuals are qualified for Level 1 or greater.

(B) Level 2 — Individual requires assistance in cognition and behavior AND elimination or mobility or eating.

(C) Level 3 — Individual requires assistance in four to six activities of daily living OR requires assistance in elimination, eating, and cognition and behavior.

(D) Level 4 — Individual is full assist in one or two activities of daily living OR requires assistance in four to six activities of daily living plus assistance in cognition and behavior.

(E) Level 5 — Individual is full assist in three to six activities of daily living OR full assist in cognition and behavior AND one or two other activities of daily living.

(d) The reimbursement rate for Department individuals receiving Medicaid services shall not be more than the rates charged by private paying individuals receiving the same type and quality of services.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070

Hist.: SSD 9-1984(Temp), f. & ef. 11-1-84; SSD 3-1985, f. & ef. 4-1-85; SSD 10-1985, f. & ef. 8-1-85; SSD 12-1985(Temp), f. & ef. 9-19-85; SSD 16-1985, f. 12-31-85, ef. 1-1-86; SSD 4-1987(Temp), f. & ef. 7-1-87; SSD 13-1987, f. 12-31-87, cert. ef. 1-1-88; SSD 6-1988, f. & cert. ef. 7-1-88; SSD 9-1989, f. 6-30-89, cert. ef. 7-1-89; SSD 2-1993, f. 3-19-93, cert. ef. 4-1-93; SSD 9-1993, f. & cert. ef. 12-1-93; SDDS 3-1998, f. 2-27-98, cert. ef. 3-1-98; SDDS 1-1999, f. & cert. ef. 3-1-99; SDDS 2-1999, f. 3-1-99, cert. ef. 4-1-99; SDDS 1-2001(Temp) f. & cert. ef. 2-5-01 thru 8-3-01; Suspended by SDDS 5-2001(Temp), f. & cert. ef. 3-8-01 thru 8-3-01; Administrative correction 11-20-01; SDDS 10-2001, f. 12-27-01, cert. ef. 1-1-02; SPD 21-2004(Temp), f. 7-31-04 cert. ef. 8-1-04 thru 1-5-05; SPD 39-2004, f. 12-30-04, cert. ef. 1-5-05; SPD 27-2006(Temp), f. 10-18-06, cert. ef. 10-23-06 thru 4-20-07; SPD 5-2007, f. 4-16-07, cert. ef. 4-17-07; Renumbered from 411-027-0000, SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; APD 4-2014(Temp), f. & cert. ef. 3-20-14 thru 9-16-14; APD 33-2014, f. & cert. ef. 9-2-14

411-027-0025

Payment for Residential Care Facility and Adult Foster Home Services

The Department reimburses for services provided to individuals residing in a residential care facility or an adult foster home according to the following:

(1) SERVICE PAYMENT. The provider must agree to accept an amount determined pursuant to OAR 461-155-0270 for room and board and a service payment determined by the Department pursuant to 411-027-0020 or 411-027-0050 as payment in full for all services rendered to an individual.

(2) SERVICE RATES. Service rates are based on an individual's level of impairment and assessed need for services as documented in CA/PS. Service eligibility levels are assigned based on the degree of assistance an individual requires with activities of daily living and certain procedures that must be performed by a provider.

(a) A base rate is paid for all individuals in accordance with the rate schedule.

(b) Additional add-on payments are made for individuals whose assessed needs meet add-on criteria. Add-on payments are paid in accordance with the rate schedule.

(A) If an individual is eligible for one add-on payment, an add-on payment is made in addition to the base payment.

(B) If an individual is eligible for two add-on payments, a total of two add-on payments are made in addition to the base payment.

(C) If an individual is eligible for three add-on payments, a total of three add-on payments are made in addition to the base payment.

(c) Eligibility for add-on payments is made based on individual needs as documented in CA/PS. An individual is eligible for an add-on payment if:

(A) The individual is full assist in mobility or eating or elimination;

(B) The individual demonstrates behavior that pose a risk to the individual or to others and the provider must consistently intervene to supervise or redirect; or

(C) The individual's medical treatments, as selected and documented in CA/PS, require daily observation and monitoring with oversight by a licensed healthcare professional, no less than quarterly, and the facility has trained staff to provide such service and does provide the service.

(3) PAYMENT RESPONSIBILITIES.

(a) An individual is entitled to retain a personal allowance plus any income disregards pursuant to OAR 461-160-0620.

(b) An individual is responsible for payment of the room and board amount pursuant to OAR 461-155-0270.

ADMINISTRATIVE RULES

(A) An individual eligible for Medicaid under OAR chapter 410, division 200 and eligible for long term care services under 411-015-0100 living in community based care facilities may be eligible for room and board assistance if the individual's gross income is less than the room and board amount defined in 461-155-0270. The Department issues a special needs payment to the facility, on the individual's behalf, for the difference between the individual's income and the room and board standard.

(B) An individual eligible for Medicaid under OAR chapter 410, division 200 and receiving room and board assistance must apply for all benefits for which the individual may be eligible, per 410-200-0220, to continue to receive the room and board assistance. Individuals must follow all appeal options if applicable.

(c) An individual must contribute any income in excess of the personal allowance, income disregards, and room and board payments to the provider toward the service payment pursuant to OAR 461-160-0610 and 461-160-0620.

(d) The Department issues payment to the provider for the difference between the service payment and the available income of the individual.

(4) The provider may not charge the individual, or a relative or representative of the individual, for items included in the room and board or service payments for any items for which the Department makes payment.

(5) The Department is not responsible for damages to the provider's home, facility or property, or obligations entered into with the individual.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070

Hist.: SDSL 3-1998, f. 2-27-98, cert. ef. 3-1-98; SDSL 4-1998, f. 6-25-98, cert. ef. 7-1-98; SDSL 10-2001, f. 12-27-01, cert. ef. 1-1-02, Renumbered from 411-027-0100; SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; APD 4-2014(Temp), f. & cert. ef. 3-20-14 thru 9-16-14; APD 33-2014, f. & cert. ef. 9-2-14

411-027-0050

Exceptions to Payment Limitations in Home and Community-Based Services

(1) Service payment exceptions may only be granted if the Department determines:

(a) The individual has service needs, documented in the service plan, that warrant a service payment exception; and

(b) The provider actually provides the exceptional service.

(2) Service payment exceptions shall be based on the additional hours of services required to meet the individual's service needs. The Department and AAA local office staff must monitor the individual service needs and recommend adjustments to the plan when appropriate.

(3) Service payment exceptions in Adult Foster Homes and Residential Care Facilities may be authorized only for individual service needs that are not paid for by the base rate or any of the three available add-on payments.

(4) Additional hours for Adult Foster Homes and Residential Care Facilities are paid at the hourly rate in the rate schedule. The Department does not authorize additional payment exceptions for building, utilities, food, or regular maintenance.

(5) No service rate exceptions are allowed in Assisted Living Facilities.

(6) Exceptions above the maximum monthly hours of service in OAR 411-030-0070 for in-home services, may only be granted when it is determined the placement is the most appropriate for the resident, special services are necessary to meet individual needs, and the provider has the capability to meet those needs.

(7) All individual exceptions to the assessed service need determination in Adult Foster Homes, Residential Care Facilities, or in-home settings, and renewals of exceptions, must be pre-authorized by the Department's APD Central Office.

(a) The Department and AAA local office staff shall approve requests for payment exception before they are transmitted to the Department's APD Central Office.

(b) Locally approved requests for payment exception must be sent to the Department's APD Central Office. The request must include:

(A) A statement of individual needs that exceed the assessed rate or the maximum monthly hours of services; and

(B) A statement of how the individual's needs are met and the cost involved in meeting the individual's needs.

(c) The Department's APD Central Office Exceptions Committee must review and approve or deny exception requests and transmit the decision and effective date to the Department and AAA local office staff.

(d) Rate exceptions expire one year from the effective date or on the date determined by the Exceptions Committee.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070

Hist.: SDSL 3-1998, f. 2-27-98, cert. ef. 3-1-98; SDSL 4-1998, f. 6-25-98, cert. ef. 7-1-98; SDSL 10-2001, f. 12-27-01, cert. ef. 1-1-02; SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; APD 33-2014, f. & cert. ef. 9-2-14

411-027-0075

Special Payment Contracts

(1) The Department may authorize three different types of special payment contract arrangements.

(a) Supplemented Program Contract. A supplemented program contract pays a rate in excess of the rate schedule to providers in return for additional services delivered to target populations.

(b) Consistent Revenue Contract. A consistent revenue contract allows a payment rate based on average facility case mix. The contracted rate is in the range allowed by the rate schedule and is based on individual needs.

(c) Specific Needs Setting Contract. A specific needs setting contract pays a rate in excess of the rate schedule to providers who care for a group of individuals all of whose service needs exceed the service needs encompassed in the base payment and all add-ons.

(2) SUPPLEMENTED PROGRAM CONTRACTS.

(a) The Department may authorize a service payment rate not included in the rate schedule for Residential Care Facilities, Assisted Living Facilities and Adult Foster Homes providing additional services to a targeted population, pursuant to a written contract with the Department. To qualify, the facility must demonstrate to the Department that:

(A) There is a documented need for additional services to the target population.

(B) The administrative and care staff have sufficient program knowledge and skills to achieve program goals and provide the additional services.

(C) The facility provides substantial additional services beyond those covered under the rate schedule.

(D) There is a comprehensive ongoing staff training program targeted to the population's needs.

(E) The facility has made any modifications necessary to provide the additional services.

(F) The Medicaid individuals served in the facility demonstrate increasing need for assistance with activities of daily living and cognitive abilities due to Alzheimer's Disease or other dementia.

(i) "Alzheimer's Disease" means a chronic, progressive disease of unknown cause that attacks brain cells or tissues.

(ii) "Dementia" means a clinical syndrome characterized by a decline in mental function of long duration in an alert individual. Symptoms of dementia include memory loss and the loss or diminution of other cognitive abilities such as learning ability, judgment, comprehension, attention and orientation to time and place and to oneself.

(G) The facility has provided the additional service for at least six months prior to the date on which the supplemented program contract takes effect. Additionally, the Department may approve supplemented program contracts to be effective prior to the date on which the facility has provided the additional service for six months based on:

(i) The Department experience of provider ability to provide the additional service;

(ii) The recommendation of the Department and AAA local office staff; or

(iii) Unmet community need for the additional services to be offered under the contract.

(H) The facility may identify, at the time of application for the supplemented program contract, the additional costs the facility incurs to deliver the additional services. The facility shall include, at a minimum, the additional staffing and training costs it incurs as a result of delivery of the additional services.

(b) The Department must evaluate the information submitted by the facility, and may authorize a contracted payment amount.

(c) A contract may be renewed at the appropriate payment rate on an annual basis for a facility that continues to meet the criteria stated in section (1)(a) of this rule.

(A) At the time of the request for renewal, or at any other time the Department requests, the facility shall provide the Department with information on actual costs incurred in delivery of the additional services. Information provided by the facility shall be in the format prescribed by the Department and shall, at a minimum, include the costs of staffing the additional services and of training for direct care staff.

(B) The Department must evaluate the information submitted by the facility, and may re-authorize a contracted payment amount.

ADMINISTRATIVE RULES

(d) The supplemented program contract rate may be increased only if the Legislative Assembly authorizes the Department to do so and appropriates the funds needed to pay the increase.

(3) **CONSISTENT REVENUE CONTRACTS.** The Department may authorize a service payment rate not included in the rate schedule for Residential Care Facilities, Assisted Living Facilities and Adult Foster Homes that request a consistent revenue rate pursuant to a written contract with the Department.

(a) In a consistent revenue contract, the Department establishes a uniform service payment rate for all individuals. The uniform service payment rate is equivalent to the average service payment rate the Department pays under the rate schedule. In no case shall the consistent revenue contract payment exceed the average amount the Department pays to the facility under the rate schedule.

(b) A provider must request a consistent revenue contract in writing. The request must include the suggested payment amount and justify the calculation of that amount by attaching copies of the most recent three full calendar months Provider Individual Summary Form.

(A) If a request for a consistent revenue contract and the required justification are received by the Department on or before the 15th of the month, the consistent revenue contract payment amount is effective for payment for services rendered on or after the first day of the month immediately following receipt of the request.

(B) If a request for a consistent revenue contract and the required justification are received by the Department after the 15th of the month, the consistent revenue contract payment amount is effective for payment for services rendered on or after the first day of the second month following receipt of the request.

(c) A consistent revenue contract may be terminated by the facility by providing 30 days written notice to the Department. If a consistent revenue contract is terminated, service payments for individuals are made in accordance with the rate schedule.

(d) The Department may terminate a consistent revenue contract by providing 30 days written notice to the facility. If a consistent revenue contract is terminated, service payments for individuals are made in accordance with the rate schedule.

(e) Payment rates under consistent revenue contracts may be adjusted due to changes in facility case mix.

(A) The Department must review facility case mix annually at contract renewal. The determination of average facility case mix is based on the average service payment level to which the Department has assigned individuals over the three calendar months that precede the determination.

(B) Notwithstanding section (3)(e)(A) of this rule, in the first year during which a facility is paid under a consistent revenue contract, the facility may request that the consistent revenue contract payment be recalculated after six months. The request must include the recommended payment amount and justification of that amount.

(f) Service payment rate amounts paid under a consistent revenue contract are increased as a result of legislatively approved increases at the same time and in the same way as are other facilities of the same licensure.

(4) SPECIFIC NEEDS SETTING CONTRACTS.

(a) Specific needs settings are found in Adult Foster Homes, Residential Care Facilities and Assisted Living Facilities. These settings provide community-based care services for individuals whose needs are not met by the rate schedule.

(b) Determination of facility eligibility for a specific needs setting contract is at the discretion of the Department. In making its determination, the Department shall consider:

(A) The needs of the individuals being provided care;

(B) The availability of other community long-term care options to meet individual needs; and

(C) The proportion of facility individuals demonstrating the specific needs setting care need and other factors as the Department may determine.

(c) The provider shall submit information to the Department in the form and at the time requested in order to determine the Medicaid rate to be paid.

(d) The total rate for specific needs setting contracts shall be approved by the Department. The approved rate is a single rate paid for all Title XIX individuals with the specific needs setting care need that live in the eligible facility.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070

Hist.: SDSL 10-2001, f. 12-27-01, cert. ef. 1-1-02; SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; APD 33-2014, f. & cert. ef. 9-2-14

411-027-0150

Repayment of Premium Deposits for Workers' Compensation

Those providers on whose behalf the Department made a Workers' Compensation premium deposit in accordance with OAR 411-027-0010 (suspended 2-8-91 and repealed 5-1-91) shall repay the deposit amount to the Department at such time that the need for the deposit no longer exists. The Department shall consider the need for the deposit no longer exists when certain conditions occur. Such conditions include, but are not limited to:

(1) The provider sells, transfers, or otherwise goes out of business;

(2) The provider enters into bankruptcy;

(3) The provider's Workers' Compensation insurer no longer requires the deposit; or

(4) The Department owes monies to a nursing facility at the time of each annual settlement. Such monies shall be applied against the premium deposit amount until such time the total deposit is recovered.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 410.070

Hist.: SSD 5-1991(Temp), f. & cert. ef. 2-8-91; SSD 9-1991, f. & cert. ef. 5-1-91; SDSL 10-2001, f. 12-27-01, cert. ef. 1-1-02, Renumbered from 411-027-0015; SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; SPD 7-2008, f. 5-29-08, cert. ef. 6-1-08; APD 33-2014, f. & cert. ef. 9-2-14

Department of Human Services, Self-Sufficiency Programs Chapter 461

Rule Caption: Expanding a pilot project to provide assistance with SSD applications and appeals

Adm. Order No.: SSP 22-2014(Temp)

Filed with Sec. of State: 8-29-2014

Certified to be Effective: 9-1-14 thru 1-28-15

Notice Publication Date:

Rules Amended: 461-125-0370

Rules Suspended: 461-125-0370(T)

Subject: OAR 461-125-0370 about disability as a basis of need for Oregon Supplemental Income Program (OSIP) and Oregon Supplemental Income Program-Medical (OSIPM) is being amended to allow an individual who is served in Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Washington, or Yamhill County and who has been determined by the Presumptive Medicaid Disability Determination Team (PMDDT) to have a disability to receive free assistance from the department with applications and administrative appeals for Social Security Disability Insurance (SSDI) benefits in order to meet the requirements of OAR 461-120-0330 (Requirement to Pursue Assets).

Rules Coordinator: Kris Skaro—(503) 945-6067

461-125-0370

Disability as the Basis of Need; OSIP and OSIPM

(1) In the OSIP and OSIPM programs (except OSIP-EPD and OSIPM-EPD), an individual meets the eligibility requirement to have a disability if the requirements of one of the following subsections are met:

(a) The individual is receiving Social Security Disability Income (SSDI) or Supplemental Security Income (SSI) based on disability. Eligibility continues as long as the individual remains eligible for SSDI or SSI.

(b) The individual was eligible for and received Aid to the Disabled benefits in Oregon in December 1973. These grandfathered cases continue to be eligible as long as they are continuously disabled as defined by Oregon requirements that were in effect in 1973.

(c) The Department has determined the individual meets the listing of impairments found in 20 C.F.R. Part 404, Subpart P, Appendix 1; meets the medical vocational guidelines found in 20 C.F.R. Part 404, Subpart P, Appendix 2 for SSI; or meets the definition of disability in 20 C.F.R. 404.1505 or 416.905.

(d) The Social Security Administration (SSA) has determined the individual meets the listing of impairments found in 20 C.F.R. Part 404, Subpart P, Appendix 1; meets the medical vocational guidelines found in 20 C.F.R. Part 404, Subpart P, Appendix 2; or meets the definition of disability in 20 C.F.R. 404.1505 or 416.905.

(2) If the Department finds the individual eligible for OSIPM in the absence of a disability determination by SSA, the individual remains eligible, provided that the individual continues to meet the disability criteria for eligibility for OSIPM, until SSA denies the disability claim in a final administrative decision.

ADMINISTRATIVE RULES

(3) For OSIP and OSIPM, a disability determination made by SSA that is unfavorable to an individual is binding on the Department unless the requirements of at least one of the following subsections are met (see 42 C.F.R. 435.541(c)(1) and (c)(4)):

(a) SSA made the determination for a reason other than disability.

(b) The individual alleges a disabling condition different from, or in addition to, that considered by SSA in making its determination.

(c) More than 12 months after the most recent SSA determination denying disability, the individual alleges that his or her condition has changed or deteriorated since that SSA determination, and the individual has not made application to SSA based on these allegations.

(d) The individual alleges less than 12 months after the most recent SSA determination denying disability that the condition which SSA evaluated has changed or deteriorated since that SSA determination; and one or both of the following apply:

(A) The individual has requested reconsideration or reopening of the most recent SSA determination denying disability and SSA has declined to consider the new allegations.

(B) It is clear that the individual no longer meets SSI eligibility requirements unrelated to disability status but may satisfy comparable Medicaid eligibility requirements.

(4) If a binding SSA disability determination is not in place, the determination of disability to qualify for OSIPM is made by the Presumptive Medicaid Disability Determination Team, composed of a medical or psychological consultant and another individual who is qualified to interpret and evaluate medical reports, other evidence relating to the individual's physical or mental impairments, and (as necessary) to determine the capacities of the individual to perform substantial gainful activity, as specified in 20 C.F.R. Part 416, Subpart J (see 42 C.F.R. 435.541(f)(2)).

(5) The Presumptive Medicaid Disability Determination Team obtains and reviews medical reports and other non-medical evidence pertaining to the individual and the claimed disability. The medical report and non-medical evidence must include diagnosis and other information in accordance with the requirements for evidence applicable to disability determinations under the SSI program specified in 20 CFR Part 416, Subpart I. The Presumptive Medicaid Disability Determination Team then makes a decision about medical eligibility and whether and when a redetermination shall be made (see 42 C.F.R. 435.541(f)(1) and (3)).

(6) In the OSIP-EPD and OSIPM-EPD programs, an individual is disabled (see OAR 461-001-0035) or has a disability (see 461-001-0035) if the individual has a physical or mental impairment, or a combination of these impairments, that meets the definition of disability used by SSA when determining eligibility for SSI or SSDI under 20 C.F.R. Part 404. The determination is made as follows:

(a) A determination by SSA that the individual is disabled or has a disability is accepted by the Department.

(b) If the individual was determined to have a disability by SSA and lost their SSDI eligibility due to their own income, the SSA determination remains effective for one year from the date that the individual loses eligibility for SSDI.

(c) If there is no currently effective SSA determination finding the individual has a disability, the case is referred to the Department's central office for a disability determination (see OAR 461-001-0035) using the standards of 20 C.F.R. Parts 404 and 416 and considering all relevant medical and vocational information.

(d) For OSIPM-EPD, an individual is engaging in substantial gainful activity (SGA, see OAR 461-001-0035) if the earnings of the individual are at or above the EPD Income Standard.

(e) For OSIPM-EPD, an individual's work activity engaged in during the OSIPM-EPD application process or certification period is not evaluated as past relevant work (PRW, see OAR 461-001-0035).

(7) An individual who is served by a branch office (see OAR 461-001-0000) in Benton, Clackamas, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Washington, or Yamhill County and who has been determined by the Presumptive Medicaid Disability Determination Team (PMDDT) to have a disability (see section (1) of this rule) may receive free assistance from the Department with applications and administrative appeals for Social Security Disability Insurance (SSDI) benefits in order to meet the requirements of OAR 461-120-0330 (Requirement to Pursue Assets).

Stat. Auth.: ORS 409.050, 411.060, 411.070, 411.404 & 411.706

Stats. Implemented: ORS 409.010, 411.060, 411.070, 411.404, 411.704 & 411.706

Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 20-1991, f. & cert. ef. 10-1-91; AFS 29-1994, f. 12-29-94, cert. ef. 1-1-95; AFS 1-1999(Temp), f. & cert. ef. 2-1-99 thru 7-31-99; AFS 7-1999, f. 4-27-99, cert. ef. 5-1-99; SSP 9-2003(Temp), f. & cert. ef. 4-11-03 thru 6-30-03; SSP 16-2003, f. & cert. ef. 7-1-03; SSP 23-2003, f. & cert. ef. 10-1-03; SSP 22-2004, f. & cert. ef. 10-1-04; SSP 14-2005, f. 9-30-05, cert. ef. 10-1-05; SSP 15-2006, f. 12-29-06,

cert. ef. 1-1-07; SSP 4-2007, f. 3-30-07, cert. ef. 4-1-07; SSP 20-2014(Temp), f. & cert. ef. 8-1-14 thru 1-28-15; SSP 22-2014(Temp), f. 8-29-14, cert. ef. 9-1-14 thru 1-28-15

Department of Public Safety Standards and Training Chapter 259

Rule Caption: New model rule adoption.

Adm. Order No.: DPSST 23-2014

Filed with Sec. of State: 9-11-2014

Certified to be Effective: 9-11-14

Notice Publication Date:

Rules Amended: 259-001-0015, 259-003-0015, 259-005-0015

Subject: This rule amendment adopts the current version of the Attorney General's Model Rules of Procedure, effective July, 2014.

Rules Coordinator: Sharon Huck—(503) 378-2432

259-001-0015

Rules of Procedure

Pursuant to the provisions of ORS 183.341, the Board and Department adopt the Attorney General's Model Rules of Procedure applicable to proceedings for agency rulemaking in effect July, 2014.

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Hist.: PS 12, f. & ef. 12-19-77; PS 2-1981, f. & ef. 12-18-81; PS 1-1983, f. & ef. 12-16-83; PS 1-1990, f. & cert. ef. 2-7-90; PS 2-1995, f. & cert. ef. 9-27-95; PS 2-1997, f. 3-20-97, cert. ef. 3-25-97; PS 10-1997(Temp), f. & cert. ef. 11-5-97; BPSST 1-1998, f. & cert. ef. 5-6-98; BPSST 2-1998(Temp), f. & cert. ef. 5-6-98 thru 6-30-98; BPSST 3-1998, f. & cert. ef. 6-30-98; BPSST 9-2001, f. & cert. ef. 9-19-01; DPSST 13-2011, f. & cert. ef. 8-29-11; DPSST 4-2012, f. & cert. ef. 3-7-12; DPSST 23-2014, f. & cert. ef. 9-11-14

259-003-0015

Rules of Procedure

Pursuant to the provisions of ORS 183.341, the Board and Department adopt the Attorney General's Model Rules of Procedure applicable to proceedings for agency declaratory rulings under the Administrative Procedures Act as amended and in effect July, 2014.

Stat. Auth.: ORS 181.640(5) & 703.230(2)

Stats. Implemented: ORS 181.640(5) & 703.23(2)

Hist.: PS 1-1983, f. & ef. 12-15-83; PS 1-1990, f. & cert. ef. 2-7-90; PS 2-1997, f. 3-20-97, cert. ef. 3-25-97; PS 10-1997(Temp), f. & cert. ef. 11-5-97; BPSST 1-1998, f. & cert. ef. 5-6-98; BPSST 2-1998(Temp), f. & cert. ef. 5-6-98 thru 6-30-98; BPSST 3-1998, f. & cert. ef. 6-30-98; DPSST 13-2011, f. & cert. ef. 8-29-11; DPSST 4-2012, f. & cert. ef. 3-7-12; DPSST 23-2014, f. & cert. ef. 9-11-14

259-005-0015

Rules of Procedures

Pursuant to the provisions of ORS 183.341, the Board and Department adopt the Attorney General's Model Rules of Procedure applicable to contested cases under the Administrative Procedures Act as amended and in effect July, 2014.

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Hist.: PS 1-1983, f. & ef. 12-15-83; PS 1-1990, f. & cert. ef. 2-7-90; PS 2-1995, f. & cert. ef. 9-27-95; PS 2-1997, f. 3-20-97, cert. ef. 3-25-97; PS 10-1997(Temp), f. & cert. ef. 11-5-97; BPSST 1-1998, f. & cert. ef. 5-6-98; BPSST 2-1998(Temp), f. & cert. ef. 5-6-98 thru 6-30-98; BPSST 3-1998, f. & cert. ef. 6-30-98; BPSST 6-2000, f. & cert. ef. 9-29-00; DPSST 13-2011, f. & cert. ef. 8-29-11; DPSST 4-2012, f. & cert. ef. 3-7-12; DPSST 9-2013, f. & cert. ef. 4-1-13; DPSST 23-2014, f. & cert. ef. 9-11-14

Department of Transportation, Driver and Motor Vehicle Services Division Chapter 735

Rule Caption: Record Inquiry Accounts

Adm. Order No.: DMV 7-2014

Filed with Sec. of State: 8-29-2014

Certified to be Effective: 8-29-14

Notice Publication Date: 7-1-2014

Rules Amended: 735-010-0020

Subject: OAR 735-010-0020 defines processes and procedures for a person or business entity to apply for a Record Inquiry Account. As part of the application process the person or business entity must provide sufficient information for DMV to determine that the person or business entity is legally entitled to obtain DMV records. ORS 802.181(6) requires those, other than a representative of the news media, who redisclose personal information contained in a DMV record to maintain, for five years, records that identify to whom the information was redisclosed and the permitted purpose for which the person received the information. Previously, the rule did not require

ADMINISTRATIVE RULES

a person or business entity that receives DMV records but does not redisclose that information to maintain records that show the reason a specific record was accessed. At times DMV receives complaints about the use of its records. DMV was concerned that a person or business entity that has a legitimate business purpose for accessing DMV records could, at times, access a record for a reason not allowed by Oregon law. Therefore, DMV has amended OAR 735-010-0020 to include a requirement that records must be maintained for five years by a Record Inquiry Account holder that identifies the permitted purpose of any personal information it accessed from DMV records. Additionally, the amended rule specifies that DMV Records Policy Unit may inspect those records or request information on a specific record inquiry made by an account holder if there is an indication the information is being misused.

Rules Coordinator: Lauri Kunze—(503) 986-3171

735-010-0020

Procedures for Record Inquiry or TOD Filing Fee Accounts

(1) As used in this rule, "Account Bond" means a bond or undertaking issued by an authorized surety insurer to guarantee payment of the account holder's Record Inquiry Account or TOD (Transitional Ownership Document) Filing Fee Account established in accordance with OAR 735-020-0040 in the amount set forth in sections (7) and (8) of this rule.

(2) DMV will establish a Record Inquiry Account for any person or business entity who:

(a) Submits a completed Application for Record Inquiry Account, including the required account qualification certification and supporting documents;

(b) DMV determines to be qualified to receive personal information after reviewing the Application for Record Inquiry Account, qualification certification and supporting document; and

(c) Pays a \$70 non-refundable fee to cover the cost of processing the account application.

(3) The department will establish a TOD Filing Fee Account, used for billing purposes only, for any person who:

(a) Submits a completed Application for TOD Filing Fee Account; and

(b) Pays a \$70 non-refundable fee to cover the cost of processing the account application.

(4) In addition to the requirements of sections (2) and (3) of this rule, if the applicant is a dealer of new or used motor vehicles, the applicant must be certified as a vehicle dealer by DMV under ORS Chapter 822 before a Record Inquiry Account or TOD Filing Fee Account may be established.

(5) An invoice summarizing the billings for the prior month will be sent monthly to each account holder.

(6) The account holder must return the remittance advice copy of the invoice when making payment on the account.

(7) An Account Bond is required for all Record Inquiry Accounts and TOD Filing Fee Accounts carrying outstanding balances of \$500 or more as follows:

(a) When a Record Inquiry Account or TOD Filing Fee Account has an outstanding balance of \$500 or more for three consecutive months. The Account Bond amount will be the greater of \$1,500 or three times the average outstanding monthly balance for the past year, or since the date the account was opened, whichever period is shorter;

(b) When DMV determines the required Account Bond amount, DMV will notify the account holder and it is the account holder's responsibility to obtain a bond in the amount specified by DMV; and

(c) The bond must be filed by the account holder, with DMV, within 30 days of notification by DMV.

(8) An Account Bond in the minimum sum of \$500 may be required for all Record Inquiry Accounts or TOD Filing Fee Accounts carrying outstanding balances of less than \$500 when:

(a) DMV becomes aware that the account holder has a poor credit rating; or

(b) The account holder has been delinquent in paying the account charges, for over 60 days, at least three times since the account was opened.

(9) DMV may immediately close any Record Inquiry Account or TOD Filing Fee Account if any of the following events occur:

(a) An account has been delinquent for 120 days and the account is not paid within 15 days of written notification of payment demand by DMV;

(b) No transactions are recorded in the account in a one-year period;

(c) An account holder fails to obtain an Account Bond in accordance with section (7) or (8) of this rule;

(d) An account becomes delinquent in excess of the amount of the Account Bond securing the account;

(e) The Record Inquiry Account holder no longer qualifies to receive personal information from motor vehicle records;

(f) The Record Inquiry Account holder fails to immediately notify the department of a change in qualification status for receipt of personal information;

(g) DMV receives notice that the account holder's Account Bond has been canceled or has expired;

(h) DMV receives a notice of bankruptcy for the account holder; or

(i) The account holder submits a written request that DMV close their account.

(10) Any account that has been closed under section (9) of this rule cannot be reopened. A new account must be established by:

(a) Submitting a new account application and meeting all requirements of sections (2) through (4) of this rule, including payment of any fees required under section (2) or (3) of this rule; and

(b) Payment, in full, of any previously delinquent account balances.

(11) Account holders are responsible for attorney fees and any other fees incurred by DMV for the collection of any amount not paid when due.

(12) A Record Inquiry Account holder must keep records for five years that identifies:

(a) The DMV record accessed;

(b) The personal information used;

(c) The permitted purpose for which this personal information was used;

(d) Whether this information was released to another person; and

(e) If released, how the person is eligible to receive personal information.

(13) DMV Records Policy Unit may inspect account holder records or request information on a specific record inquiry made by an account holder for reasons including, but not limited to, any indication that personal information is being misused or released to a person who is not eligible to receive personal information.

Stat. Auth.: ORS 184.616, 184.619 192.440, 802.010, 802.179, 802.183, 802.220 & 802.230
Stats. Implemented: ORS 802.179, 802.220 & 802.230

Hist.: MV 6-1978, f. 10-3-78, ef. 12-1-78; MV 19-1983, f. 12-30-83, ef. 1-1-84, Renumbered from 735-41-020; MV 9-1984, f. 6-29-84, ef. 7-1-84; Administrative Renumbering 3-1988, Renumbered from 735-032-0030; MV 44-1989, f. & cert. ef. 10-16-89; DMV 16-1998, f. 12-17-98 cert. ef. 1-1-99; DMV 7-2014, f. & cert. ef. 8-29-14

Rule Caption: Ignition Interlock Devices, Standards, Certification, Approval, Removal of Approval, Product Liability and Reports

Adm. Order No.: DMV 8-2014

Filed with Sec. of State: 8-29-2014

Certified to be Effective: 9-1-14

Notice Publication Date: 7-1-2014

Rules Adopted: 735-118-0050

Rules Amended: 735-118-0000, 735-118-0010, 735-118-0020, 735-118-0030, 735-118-0040

Subject: DMV establishes the standards for ignition interlock devices ("IIDs" or "devices") that may be installed in Oregon. OAR 735-118-0040, which establishes device standards, had not been amended since 2001. The National Highway Safety Transportation Administration (NHTSA) released newly recommended IID standards effective May 8, 2014. DMV previously used a self-certification process for approval of an IID for use in Oregon.

DMV determined it was time to review its standards for devices and to consider using a process other than self-certification to make certain the technology and standards used for IIDs installed in vehicles in Oregon are current and correspond with NHTSA's recommendations.

In order to adopt the best rules possible, DMV consulted with a rule advisory committee (as noted below) as well as consulted with the Oregon Transportation Safety Committee in accordance with ORS 813.600. Through this process DMV gathered valuable input and proposed specific changes to OAR Chapter 735, Division 118, to ensure that an IID used in Oregon has current technology and

ADMINISTRATIVE RULES

prevents a person who has a device installed from driving after consuming alcohol. Specific amendments are as follows:

1. Oregon adopts the 2014 NHTSA standards;
2. DMV will no longer accept a self-certification from a manufacturer that their device meets Oregon standard. The approval process is tightened and will require a report from an independent testing laboratory showing that a device meets NHTSA standards;
3. OAR 735-118-0040 contains specific requirements on the alcohol set point;
4. OAR 735-118-0040 requires a re-test following the initial test prior to starting the vehicle and specific actions when a re-test is not passed as required;
5. OAR 735-118-0030 tightens the criteria that DMV may use to de-certify a specific IID used in Oregon.
6. OAR 735-118-0050 will help providers understand when a requirement for an IID is a DMV requirement and when it is a court requirement. It further clarifies where to send reports as DMV can only process reports when the IID is a DMV requirement.

DMV amended OAR 735-118-0040 to include the device specifications listed above and the requirement that all IIDs installed in Oregon after June 1, 2015, must include a camera to record a photo of the person who blows into the device every time a test is required.

Rules Coordinator: Lauri Kunze—(503) 986-3171

735-118-0000

Definitions Relevant to Ignition Interlock Devices

For purposes of these rules, OAR 735-118-0000 through 735-118-0040, the following definitions apply:

- (1) “Alcohol” means ethanol or ethyl alcohol.
- (2) “Alcohol set point” means the breath alcohol concentration at which an ignition interlock device is set to prevent a vehicle from starting.
- (3) “Breath Alcohol Concentration (BrAC)” means the amount of alcohol in a given amount of breath, expressed in weight per volume based upon grams of alcohol per 210 liters of breath.
- (4) “Breath sample” means normal expired human breath primarily containing air from the deep lung.
- (5) “Calibration” means service to a device provided by the provider to ensure the device is in proper working order, including a process to ensure the ignition interlock device remains capable of accurately analyzing a breath sample and downloading all the data collected on the device either from installation or last calibration of the device.
- (6) “Device” means an Ignition Interlock Device.
- (7) “DMV” means the Driver and Motor Vehicle Services Division of the Oregon Department of Transportation.
- (8) “Ignition Interlock Device” means an instrument designed to measure the BrAC of an individual and which prevents a motorized vehicle from starting when the BrAC exceeds a predetermined and preset level.
- (9) “Manufacturer” means a person, company, or corporation who manufactures or produces an ignition interlock device.
- (10) “Manufacturer’s representative” is the individual designated by the manufacturer to act on behalf of or to represent the manufacturer in all matters regarding device certificate.
- (11) “Provider” means a person, company, corporation or representative who provides, installs, calibrates, rents or leases a device in the State of Oregon.
- (12) “Purge” means any mechanism by which a device cleanses or removes a previous breath sample from the device and specifically removes residual alcohol.
- (13) “Restart” means the ability to start the engine again without giving another breath sample when after a test is successfully completed and the vehicle is started, the engine later stops for any reason (including stalling) and must be restarted.
- (14) “Retest” means a breath sample required by the device after the initial engine start-up breath sample and while the engine is running.

Stat. Auth.: ORS 184.616, 184.619 & 813.600
Stats. Implemented: ORS 813.600

Hist.: MV 36-1987(Temp), f. & ef. 12-1-87; Administrative Renumbering 3-1988, Renumbered from 735-169-0000; MV 17-1988, f. & cert. ef. 5-18-88; DMV 11-2001, f. & cert. ef. 7-18-01; DMV 9-2005, f. & cert. ef. 2-16-05; DMV 8-2014, f. 8-29-14, cert. ef. 9-1-14

735-118-0010

Ignition Interlock Devices Approved in Oregon and Providers

(1) Any device acceptable for use in Oregon must be approved by DMV. For DMV to approve a device, a manufacturer or manufacturer’s representative requesting approval of a device must submit:

(a) DMV form 735-7349 — Certification of Ignition Interlock Device (IID);

(b) A certificate of insurance as evidence of proof of product liability insurance as described in OAR 735-118-0020; and

(c) Written documentation from an International Organization for Standardization (ISO) certified testing laboratory that two samples of the manufacturer’s specific model of ignition interlock device applying for certification in Oregon meets or exceeds the model specifications established by the United States Department of Transportation, National Highway Traffic Safety Administration, identified as “Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDs)”, which is incorporated by reference and made part of this rule as published in the Federal Register, Volume 78, Number 89, Wednesday, May 8, 2013, on pages 26849-26867 by the National Highway Traffic Safety Administration, 1200 New Jersey SE, Washington, DC 20590 and effective May 8, 2014. The documentation from the ISO certified testing laboratory must include:

- (A) The name and location of the testing laboratory;
- (B) The address and phone number of the testing laboratory;
- (C) A description of the tests performed;
- (D) Copies of the data and results of the testing procedures; and
- (E) The names and qualifications of the individuals performing the tests.

(2) DMV may require the manufacturer, manufacturer’s representative or provider to send a device to DMV to test to determine if a device should be approved or remain approved in Oregon. DMV may refuse to approve or remove a device from the list of approved devices if a manufacturer, manufacturer’s representative or provider fails to send a device to DMV to test.

(3) A manufacturer or manufacturer’s representative of a device approved prior to the 2014 amendment of OAR 735-118-0010 and 735-118-0040 must submit the documentation required by this rule for a device to be approved in Oregon for installation on or after January 1, 2015. An individual who currently has a previously-approved device installed in a vehicle may use that device until the end of the requirement for a device as long as the provider of the device continues to calibrate and de-install the device and produce reports as required by 735-118-0050.

(4) DMV’s list of approved devices and the providers of those devices is available at www.OregonDMV.com.

Stat. Auth.: ORS 184.616, 184.619 & 813.600

Stats. Implemented: ORS 813.600

Hist.: MV 36-1987(Temp), f. & ef. 12-1-87; Administrative Renumbering 3-1988, Renumbered from 735-169-0010; MV 17-1988, f. & cert. ef. 5-18-88; DMV 11-2001, f. & cert. ef. 7-18-01; DMV 9-2005, f. & cert. ef. 2-16-05; DMV 8-2014, f. 8-29-14, cert. ef. 9-1-14

735-118-0020

Product Liability for Ignition Interlock Devices

(1) Each manufacturer or manufacturer’s representative of a device must have product liability insurance with minimum liability limits of one million dollars per occurrence. There must be no cancellation, material change, exhaustion of aggregate limits or intent not to renew the coverage by the manufacturer or the insurance company without 30 days written notice to DMV.

(2) Each manufacturer or manufacturer’s representative of a device that appears on Oregon’s approved device list must provide to DMV, a statement that the manufacturer, or the manufacturer’s representative, will be totally responsible for product liability and to indemnify the following from any liability resulting from the device or its installation or use:

- (a) The State of Oregon;
- (b) The court that ordered installation of the device; and
- (c) The testing laboratory that has verified the device meets DMV standards and requirements.

Stat. Auth.: ORS 184.616, 184.619 & 813.600

Stats. Implemented: ORS 813.600

Hist.: MV 36-1987(Temp), f. & ef. 12-1-87; Administrative Renumbering 3-1988, Renumbered from 735-169-0020; MV 17-1988, f. & cert. ef. 5-18-88; DMV 11-2001, f. & cert. ef. 7-18-01; DMV 8-2014, f. 8-29-14, cert. ef. 9-1-14

735-118-0030

Removal from List of Approved Ignition Interlock Devices

(1) DMV may remove a device from the list of approved devices, upon any of the following grounds:

ADMINISTRATIVE RULES

(a) Evidence of repeated device failures due to gross defects in design, materials or workmanship during manufacture;

(b) Notices of cancellation of the manufacturer's or manufacturer's representative liability insurance;

(c) Notice that the manufacturer, manufacturer's representative or provider is no longer in business;

(d) Voluntary request from the manufacturer or manufacturer's representative of the device in Oregon to remove a device from the approved list for which the manufacturer or manufacturer's representative has previously received approval;

(e) Repeated and documented non-compliance with the requirements of OAR 735-118-0050 by the provider; or

(f) Any other reasonable cause to believe the device was inaccurately represented as meeting the performance standards described in these rules.

(2) When DMV removes a device from the list of approved devices that device is no longer acceptable for new installations. DMV may notify individuals with a current installation of a device removed from the list of approved devices that the person must install a different device to continue to meet the requirement to install an IID.

Stat. Auth.: ORS 184.616, 184.619 & 813.600

Stats. Implemented: ORS 813.600

Hist.: MV 36-1987(Temp), f. & ef. 12-1-87; Administrative Renumbering 3-1988, Renumbered from 735-169-0030; MV 17-1988, f. & cert. ef. 5-18-88; DMV 11-2001, f. & cert. ef. 7-18-01; DMV 9-2005, f. & cert. ef. 2-16-05; DMV 8-2014, f. 8-29-14, cert. ef. 9-1-14

735-118-0040

Performance Standards for Ignition Interlock Devices

(1) Beginning January 1, 2015, all devices newly installed into a vehicle must be based on electro-chemical fuel sensor technology and must meet or exceed the standards established by the United States Department of Transportation, National Highway Traffic Safety Administration, identified as "Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDs)", which is incorporated by reference and made part of this rule as published in the Federal Registers, Volume 78, Number 89, Wednesday, May 8, 2013, on pages 26849-26867 by the National Highway Traffic Safety Administration, 1200 New Jersey SE, Washington, DC 20590 and effective May 8, 2014.

(2) Beginning June 1, 2015, all devices newly installed into a vehicle must be equipped with a camera that captures the photo of the person blowing into the device when a sample is provided.

(3) The alcohol set point designated by Oregon is .020 BrAC.

(4) In addition to the specifications listed in sections (1), (2) and (3) of this rule, an approved device must:

(a) Prevent the vehicle from starting, for a period not exceeding 15 minutes, if there are three failed attempts to provide the required breath sample or the breath sample is equal to or above .020 BrAC.

(b) Purge automatically and completely the device before allowing subsequent tests.

(c) Allow the vehicle to be started upon completing a subsequent test if the breath sample is below .020 BrAC.

(d) Require retests while a vehicle's engine is in operation as follows:

(A) The first retest is required at a randomly variable interval ranging from five to ten minutes after passing the initial breath test and starting the vehicle's engine. Subsequent retests are required at randomly variable intervals ranging from 15 to 45 minutes from the previously required retest for the duration of travel.

(B) A device must allow five minutes for the retest to be completed.

(C) A device must provide a distinct audible and visual indicator to alert the driver that a retest is in progress. A retest is considered failed if it is not performed or the breath sample registers at or above .020 BAC. Upon a retest failure, the device must:

(i) Activate a unique audible and visual indicator inside the passenger compartment of the vehicle, until the engine is shut down;

(ii) Record a retest violation in the data storage system;

(iii) Require the device to be serviced within seven days; and

(iv) Disable the free restart feature.

(e) Require a periodic calibration at least once every 60 days.

(f) Prevent the vehicle from starting if the vehicle misses the scheduled calibration appointment by more than seven days.

(g) Allow a restart within three minutes (free restart feature), without an additional test, when the ignition is turned off or the vehicle has stalled.

Stat. Auth.: ORS 184.616, 184.619 & 813.600

Stats. Implemented: ORS 813.600

Hist.: MV 36-1987(Temp), f. & ef. 12-1-87; MV 41-1987(Temp), f. & ef. 12-18-87; Administrative Renumbering 3-1988, Renumbered from 735-169-0040; MV 17-1988, f. & cert. ef. 5-18-88; DMV 11-2001, f. & cert. ef. 7-18-01; DMV 8-2014, f. 8-29-14, cert. ef. 9-1-14

735-118-0050

Requirement and Reports

(1) The requirement that an approved ignition interlock device be installed and used in any vehicle operated by a person is a DMV requirement when:

(a) The driver is applying to DMV for a hardship permit and an ignition interlock device is required for the person to qualify for a hardship permit; or

(b) The driver is applying for full reinstatement following a suspension or revocation of driving privileges and due to the conviction(s) that caused the suspension or revocation the person is required to install an ignition interlock device.

(2) The requirement that an approved ignition interlock device be installed and used in any vehicle operated by a person is a court requirement when the person has entered a diversion agreement with a court.

(3) A provider must download the data collected by a device each time the provider calibrates the device, even if the provider determines calibration is unnecessary.

(4) A provider must report installation, de-installation or tampering of the device by a driver to either DMV, a specific court (or designee) or to both DMV and the court (or designee) depending on whether the requirement is a DMV requirement, a court requirement or a requirement of both DMV and a court.

(5) For purposes of this rule, "tampering" means any attempt, successful or not, to physically disable, disconnect, adjust or otherwise alter the operation of a device.

(6) In addition to the requirement of Section (4) of this rule, a provider may send all data collected during calibration to the court or court's designee if the individual is on diversion.

Stat. Auth.: ORS 184.616, 184.619 & 813.600

Stats. Implemented: ORS 813.600 & 813.602

Hist.: DMV 8-2014, f. 8-29-14, cert. ef. 9-1-14

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**Department of Transportation,
Highway Division
Chapter 734**

Rule Caption: Designation and Posting of Department Real Property as Closed to Public Entry

Adm. Order No.: HWD 8-2014(Temp)

Filed with Sec. of State: 8-20-2014

Certified to be Effective: 8-20-14 thru 12-21-14

Notice Publication Date:

Rules Amended: 734-035-0200

Rules Suspended: 734-035-0200(T)

Subject: ODOT owns real property within the State of Oregon, much of which is open to the public only for vehicular use of state highways and other transportation facilities. In addition to real property necessary for the location of state highways and other transportation facilities, ODOT acquires interests in real property outside the state highway right-of-way for purposes including but not limited to mineral resources, equipment and material storage, construction tagging, wetlands and other environmental mitigation, and views and safety sightlines.

The significant majority of these properties are acquired with highway funds dedicated under Article IX, 3a of the Oregon Constitution. As Highway Fund assets, such properties are within the fiduciary responsibility of ODOT. Many of these properties contain steep slopes, unstable rock, water features, utility infrastructure, and other hazards. Public access to ODOT real property for purposes other than transportation use presents an immediate risk to the safety of the individuals accessing the property, the traveling public, and ODOT employees and contractors performing construction, maintenance, operation and other activities. In addition, unauthorized public access to ODOT property outside the highway and its shoulders, ditches, and drainage facilities presents the imminent and appreciable risk of injury to natural, scenic, cultural or archaeological resources. ODOT has a fiduciary duty to safeguard Highway Fund assets, which include real properties. In addition, ODOT must avoid allowing the existence of attractive nuisances on its property to ensure public safety. Further, the unauthorized presence of individuals on ODOT property impairs the operation of vehicles and equipment by ODOT

ADMINISTRATIVE RULES

employees and contractors engaged in construction and maintenance activities.

This rule was originally filed on June 25, 2014 and is being refiled to correct an error.

Rules Coordinator: Lauri Kunze—(503) 986-3171

734-035-0200

Designation and Posting of Real Property as Closed to Public Entry

(1) The purpose of this rule is to identify the circumstances under which the Department of Transportation will designate and post real property owned or controlled by the department as closed to public entry for purposes other than those authorized by statute, rule or express permission of the department.

(a) The department manager responsible for the real property may designate real property as closed to public entry for the following purposes:

(A) To ensure the safe construction, maintenance, operation and use of transportation facilities;

(B) To ensure the health and safety of department employees, contractors, or the general public;

(C) To prevent damage or loss to department property;

(D) To prevent damage to natural resources, including but not limited to soil, water, wetlands, and other environmentally-sensitive lands;

(E) To prevent damage, vandalism, theft or other loss of cultural or archeological resources.

(b) The department will provide notice of the designation under section (1) in a manner reasonably calculated to apprise the public that entry is prohibited, including but not limited to the posting of conspicuous signage.

(c) Signage posted under this section will, at minimum, include the statement of “No Trespass.”

(2) Public entry or placing of any personal property upon department real property designated as closed to public entry under this rule is prohibited.

Stat. Auth.: ORS 184.616, 184.633, 366.205, 366.320, 366.340, 366.455 & 810.030

Stats. Implemented: ORS 366.205 & 810.030

Hist.: HWD 4-2014(Temp), f. & cert. ef. 6-25-14 thru 12-21-14; HWD 6-2014(Temp), f. & cert. ef. 7-9-14 thru 12-21-14; HWD 8-2014(Temp), f. & cert. ef. 8-20-14 thru 12-21-14

Employment Relations Board Chapter 115

Rule Caption: Rule amendments regarding procedural process for contested case proceedings.

Adm. Order No.: ERB 2-2014

Filed with Sec. of State: 8-20-2014

Certified to be Effective: 9-3-14

Notice Publication Date: 7-1-2014

Rules Amended: 115-010-0005, 115-010-0045, 115-010-0068, 115-010-0070, 115-010-0077, 115-035-0000, 115-035-0035, 115-035-0040, 115-035-0055, 115-035-0057

Rules Repealed: 115-015-0000, 115-015-0010, 115-015-0020, 115-015-0025, 115-015-0028, 115-015-0030, 115-015-0035, 115-015-0040, 115-035-0007

Subject: Updated pursuant to recommendations of the advisory committee regarding Employment Relations Board’s procedural processes.

These rules:

Delete Division 15 — Declaratory Rulings, as the Employment Relations Board is required to use the rules adopted by the Attorney General.

Delete rule 115-035-0007 — Motion to Make More Definite.

Amend rules regarding Motions, Prehearing Procedures, Conduct of Hearings, Briefs, Filing of Unfair Labor Practice Complaint, Answer to Complaint, Notice of Hearings, Representation Costs, and Attorney Fees.

Increases potential award of representation costs and attorney fees from \$3500 to \$5000

Rules Coordinator: April Bathurst—(503) 378-3808

115-010-0005

Statutory Authority for Rules

These rules are adopted under the authority provided by ORS 240.086(3) and 243.766(7).

Stat. Auth.: ORS 240.086(3) & 243.766(7)

Stats. Implemented: ORS 240.086, 240.560, 243.672(3) & 243.676

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-010-0045

Motions

(1) A request for any ruling, order, or other relief may be made by filing a written motion. The motion need not be in any particular form.

(2) Before filing a motion, the moving party shall make a good-faith effort to confer with the non-moving party to seek resolution of the matter. The motion must describe all efforts and the result of the effort.

(3) Any response to a motion must be filed within 14 days of the date the motion is served.

(4) Replies from the moving party to the response are allowed only when requested or authorized by the Board Agent.

(5) Written motions shall be filed with the Board or its agent. A copy of the written motion must be served upon other parties to the proceeding. The Board or its agent shall be provided with proof of service.

(6) Motions made at hearing may be stated orally on the record, and shall briefly identify the grounds for the motion and the order or relief sought.

Stat. Auth.: ORS 240.086(3) & 243.766(7)

Stats. Implemented: ORS 240.560 & 243.676

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-010-0068

Prehearing Procedures

(1) The Board or its agent may convene prehearing conferences with the parties’ representatives for the purpose of:

(a) Scheduling hearing dates, witnesses for hearing and further prehearing conferences;

(b) Disposing of pending motions;

(c) Formulating and simplifying issues;

(d) Discussing settlement of any or all of the issues;

(e) Avoiding submission of unnecessary or cumulative exhibits or other evidence;

(f) Stipulating to facts;

(g) Discussing the need for any special hearing procedures; or

(h) Discussing any other matters that may assist in the disposition of the matter.

(2) At the discretion of the Board or its agent, the prehearing conference may be held by telephone or in person and may be recorded.

(3) Each party shall provide an exhibit list, witness list and exhibits to the other parties. These documents must be received no later than seven days before the scheduled hearing, unless the Board Agent directs otherwise.

(4) A party that fails to comply with prehearing requirements set forth in the rule or ordered by the Board or its agent shall be denied the right to offer such evidence or make argument regarding such matter at the hearing unless good cause is shown.

(5) The Board or its agent may rule prior to hearing on one or more of the claims or defenses, or a portion of any claim or defense, asserted in a complaint or answer. The Board agent may defer issuing a proposed order on any such prehearing ruling until after a hearing is held and a proposed order is issued on remaining claims or defenses.

Stat. Auth.: ORS 240.086(3) & 243.766(7)

Stats. Implemented: ORS 240.086, 240.560, 243.672(3) & 243.676

Hist.: ERB 2-1993, f. & cert. ef. 12-15-93; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-010-0070

Conduct of Hearings

(1) General Procedure:

(a) The Board or its agent will open the hearing with a brief introduction of parties and issues;

(b) Parties may make opening statements;

(c) Parties may present evidence in support of their respective positions. Cross-examination of witnesses will be allowed the opposing party(ies);

(d) A party may make closing argument orally or, when requested by the party, in a post-hearing brief.

(2) Conference During Hearing. In any proceeding, the Board or its agent may, in his/her discretion, call the parties together for a conference prior to the taking of testimony or may recess the hearing for such conference to resolve evidentiary or procedural matters. The results of such conference shall be stated on the record.

(3) Stipulation as to Facts. The parties to any proceeding or investigation may, by stipulation and subject to approval by the Board or its agent, agree upon the facts or any portion thereof involved in the controversy,

ADMINISTRATIVE RULES

which stipulation shall be binding upon the parties thereto and may be regarded and used as evidence at the hearing.

(4) Continuances. On the motion of a party or upon his/her own motion, the Board or its agent may continue the hearing. The date of such continued hearing may be fixed at the time of the hearing or by later written notice to the parties.

(5) Burden of Proof:

(a) Representation, clarification and unit redesignation hearings are investigatory. Their purpose is to develop a full factual record. There is no burden of proof. The Board or its agent shall determine the order of presentation of evidence and may examine witnesses, require the production of documents and call witnesses not called by the parties;

(b) Unfair labor practice complaint hearings are adversarial. The complainant has the burden of proof and the burden of going forward with the evidence. The respondent has the burden of proving affirmative defenses, if any;

(c) For burden of proof in State Personnel Relations System cases, see OAR 115-045-0030.

(6) Exhibits:

(a) A party intending to offer exhibits shall, where practicable, have them marked for identification and presented to opposing party(ies) in a prehearing conference with the Board or its agent prior to the opening of any Board hearing;

(b) A party offering an exhibit shall provide two copies to the Board or its agent and a copy to opposing party(ies) prior to seeking its admission into evidence. Except in unusual circumstances, failure to provide such copies shall constitute a basis for declining to admit the exhibit;

(c) A party seeking to offer solid objects other than documents shall provide photograph(s) which will be received in lieu of such solid objects. A copy of the photograph must be provided to the other party(ies);

(d) A party relying on voluminous or bulky documents shall provide the Board or its agent and other party(ies) with written extracts of matters therein which are being relied upon. If a party seeks admission of the whole document, the party shall bear the Board cost for reproducing such document if it is subsequently required as part of the record forwarded to the parties and the courts on any appeal.

(e) A party wishing to submit a transcript of an audio recording as an exhibit must also submit a notarized statement from the transcriptionist that the document is a verbatim transcript of the audio recording. A copy of the audio recording and transcript must be provided to the opposing party no less than 14 days before the first day of hearing.

(7) If a party chooses to have a certified transcript of the hearing prepared, the Board will be provided, at no charge, with a certified copy of such transcript.

Stat. Auth.: ORS 240 & 243.766(7)

Stats. Implemented: ORS 240.086(3), 243.766(7) & 663.320

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 4-1980, f. 8-15-80, ef. 8-18-80; ERB 4-1985, f. 10-29-85, ef. 10-31-85; ERB 1-1988, f. & cert. 4-25-88; ERB 1-1991, f. 11-21-91, cert. ef. 12-1-91; ERB 2-1998, f. & cert. ef. 1-26-98; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-010-0077

Briefs

(1) Briefs shall not ordinarily be required of the parties to a contested case hearing. Where briefs are required, or permitted, they must be captioned with the Board case title and number, and must be typewritten or printed with double spacing on letter-sized paper.

(2) Briefs must substantially comply with the following format:

(a) Brief statement of pertinent facts;

(b) Statement and discussion of disputed issues supported by available precedent;

(c) Concise summary of reasons for granting requested relief.

(3) Briefs shall not exceed 30 pages, unless expressly permitted by the Board or its agent.

(4) Three copies of the briefs must be filed with the Board. Copies of briefs must be served on the other party(ies) in the case, and proof of such service must accompany the brief when filed.

(5) Unless the parties agree otherwise, briefs must be filed within 14 days from the conclusion of the hearing. Once a brief filing date has been established, parties must ask the Board Agent for an extension of time. Parties must provide the Board Agent with the other parties' positions to the extension request.

(6) The Board or its agent may disregard any brief which fails to comply with this rule.

(7) Reply briefs will not be accepted, unless expressly permitted by the Board or its agent.

Stat. Auth.: ORS 240 & 243

Stats. Implemented: ORS 240.086(3), 243.766(7) & 663.320

Hist.: ERB 4-1980, f. 8-15-80, ef. 8-18-80; ERB 4-1985, f. 10-29-85, ef. 10-31-85; ERB 2-1998, f. & cert. ef. 1-26-98; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-035-0000

Filing an Unfair Labor Practice Complaint

(1) Who may file. An injured party may file a complaint alleging that a person(s) has engaged in or is engaging in an unfair labor practice as defined in ORS 243.672. An original and three copies of complaint shall be filed with the Board on forms approved by the Board.

(2) Contents of Complaint. The complaint shall contain the following information:

(a) The name and address of the person(s) making the complaint (referred to in these rules as complainant);

(b) The name and address of the person(s) against whom the complaint is made (referred to in these rules as respondent);

(c) A clear and concise statement of the facts constituting each alleged violation, followed by the specific section and subsection of the law allegedly violated. Such statement shall include relevant individuals (by name or initials), places, and dates; and followed by the specific section and subsection the law allegedly violated;

(d) The signature of the person filing the complaint.

(3) Supporting Data. At the time the complaint is filed, the complainant may submit documentary evidence that may be relevant to the issues raised by the complaint.

(4) Filing fee. A filing fee of \$300 must be paid at the time the complaint is filed. The complaint is not considered filed until the Board has received the filing fee. Complaints that are filed without a filing fee will not be considered.

Stat. Auth.: ORS 240.086(3) & 243.766(7)

Stats. Implemented: ORS 243.672(3)

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 1-1994, f. 6-23-94, cert. ef. 7-1-94; ERB 2-1995(Temp), f. 7-17-95, cert. ef. 8-1-95; ERB 4-1995, f. 11-30-95, cert. ef. 12-1-95; ERB 3-1998, f. & cert. ef. 1-26-98; ERB 1-2011(Temp), f. 6-30-11, cert. ef. 7-1-11 thru 12-28-11; ERB 3-2011, f. 12-28-11, cert. ef. 12-29-11; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-035-0035

Answer to Complaint

(1) Answer. The respondent shall have 14 days from date of service of the complaint in which to file an answer. All allegations in the complaint not denied by the answer, unless the respondent states in the answer that it is without knowledge, shall be deemed to be admitted to be true and shall be so found by the Board, unless good cause to the contrary is shown. Complainant shall be required to establish a prima facie case. The answer will be deemed sufficient if it generally denies all allegations of the complaint. Respondent shall specifically admit by way of answer any undisputed allegations and set forth any affirmative defenses.

(2) Supporting Data. At the time that the answer is filed, the respondent shall either submit a written statement setting forth its version of the relevant facts, or include such information in the body of the answer. This information shall include individuals involved (by name or initials), dates and places, together with any documentary evidence that may be relevant to the issues raised by the complaint or by the answer, including available information in support of any affirmative defenses.

(3) Service of Answer. Upon filing an answer, the respondent shall serve a copy upon the complainant or its representative of record. Proof of such service, setting forth the time and manner thereof, shall be filed with the answer.

(4) Amendments. A respondent may amend its answer with the approval of the Board Agent. If an amendment is allowed, complainant shall be given a reasonable period of time to amend its complaint.

(5) Failure to File. If the respondent fails to file a timely answer, absent a showing of good cause, it will not be allowed to present evidence at the hearing as to the facts alleged. Respondent will be restricted to making legal arguments.

(6) Filing Fee. A filing fee of \$300 must be paid by the respondent when the answer is filed. The answer will not be considered to be filed until the fee is paid.

Stat. Auth.: ORS 240.086(3) & 243.766(7)

Stats. Implemented: ORS 243.672(3) & 243.676

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 8-1985, f. 10-29-85, ef. 10-31-85; ERB 2-1995(Temp), f. 7-17-95, cert. ef. 8-1-95; ERB 4-1995, f. 11-30-95, cert. ef. 12-1-95; ERB 3-1998, f. & cert. ef. 1-26-98; ERB 1-2000, f. & cert. ef. 12-1-00; ERB 1-2007(Temp), f. 6-29-07, cert. ef. 7-1-07 thru 12-27-07; ERB 3-2007, f. 12-17-07, cert. ef. 12-26-07; ERB 1-2011(Temp), f. 6-30-11, cert. ef. 7-1-11 thru 12-28-11; ERB 3-2011, f. 12-28-11, cert. ef. 12-29-11; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

ADMINISTRATIVE RULES

115-035-0040

Notice of Hearings

(1) Time and Place of Hearings. The time and place of hearing will be set by the Board Agent and notice thereof served personally or by registered or certified mail upon all parties of record at least ten days in advance of the hearing date. The hearing will be set no later than 20 days from the date of service of the complaint or amended complaint unless both parties agree to extend the hearing to a date certain with Board Agent approval.

(2) Postponements. Any party who desires a postponement shall, promptly upon receipt of notice of the hearing, make written request of the Board Agent for such postponement, stating the reason therefor in detail. The written request should state whether the other party agrees, objects or has no objection to a postponement. The Board Agent, in considering a request for postponement, shall consider whether such request was mutually agreeable to the parties and was promptly made. For good cause shown, the Board Agent may grant such postponement and may, at any time, order a postponement upon his/her own motion. In no event will the hearing be postponed beyond 20 days from date of service of the complaint or amended complaint unless both parties agree to extend the hearing to a date certain with Board Agent approval.

(3) Consolidation or Severance of Cases. The Board Agent on motion of a party or on the Board Agent's own motion may consolidate or sever cases or charges for purposes of hearing and/or issuance of a Recommended Order.

Stat. Auth.: ORS 243
Stats. Implemented: ORS 243.676(1)(c)
Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 8-1985, f. 10-29-85, ef. 10-31-85; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-035-0055

Representation Costs

(1) General:

(a) Pursuant to ORS 243.676(2)(d) and (3)(b), the Board shall award representation costs to the prevailing party in unfair labor practice cases. An award of representation costs shall not exceed \$5,000 except such limitation shall not apply in cases where civil penalties would be appropriate;

(b) Prevailing party is the party in whose favor a Board Order is issued. Where one charge (or more) in a complaint is upheld while one charge (or more) in a complaint is dismissed, each party may be regarded as a prevailing party and may file a petition for representation costs for the portion of the case upon which it prevailed, provided that:

(A) Separate charges in a complaint are based on clearly distinct and independent operative facts; i.e. the charges could have been plead and litigated without material reliance on the allegations of the other(s), and the separate charges concerned the enforcement of rights independent of the other(s); or

(B) A complaint presents two or more scope of bargaining questions which are dealt with by the Board in separate conclusions of law.

(c) "Representation costs" shall include only the following:

(A) The actual amount of fees charged by the representative for services directly connected with prosecuting or defending against the unfair labor practice charge; or

(B) Where the prevailing party is not charged a specific fee for the case (because the representative is paid on a retainer basis or is an employee of the party, for example), the reasonable value of the representative's services directly connected with prosecuting or defending against the unfair labor practice charge. "Reasonable value" is equivalent to the fees charged by practitioners of similar skill and experience under paragraph (c)(A) of this section, and thus includes such secretarial and other overhead costs as are customarily included in those fees.

(2) Petition for Representation Costs. A prevailing party must file a petition for representation costs within 21 days of the date of the issuance of the Board Order in the case for which costs are requested. A copy of the petition, together with a supporting affidavit, shall be served upon the opposing party at the time the petition is filed and proof of service shall be provided to the Board. The Board will dismiss petitions which do not comply with this rule. The petition shall include:

(a) A statement of the facts upon which petitioner relies in claiming that it is the prevailing party; and

(b) A statement of the amount of the costs requested, supported by an affidavit that describes in detail the actual amount of the fees incurred by petitioner or, where the petitioner was not charged fees, the basis for the amount of costs requested;

(3) Objections to Petitions for Representation Costs.

(a) Opposing parties shall have 21 days from the date of service of such petitions to file written objections. Such objections shall be served on

the petitioner at the time the objections are filed and proof of service shall be provided to the Board.

(b) A party objecting to costs based on excessive time spent must submit a supporting affidavit describing the amount of time spent on the case by the objecting party.

(c) A party objecting to costs based on excessive hourly rate must submit a supporting affidavit identifying the hourly rate and total costs incurred by the objecting party.

(4) Designating the Amount of Representation Costs. The Board shall consider the following factors in designating the amount of representation costs to be awarded:

(a) Consistency with the policies and purposes of the PECBA, including but not limited to the following considerations:

(A) The issue in the case was one of first impression before the Board; or

(B) Respondent was guilty of an aggravated or pervasive unfair labor practice or the repetition of a type of conduct previously found to be unlawful; or

(C) A complaint or a defense was frivolous or otherwise without merit; or

(D) A party was an individual who, due to the circumstances of the case, had to rely upon his/her personal financial resources.

(b) The appropriate charges for the services rendered, based on:

(A) The time and labor customarily required in the same or similar cases;

(B) Hourly charges customarily made by representatives for rendering similar services;

(C) The novelty and difficulty of the issues and the amount of preparation, research or briefing required; and

(D) The skill requisite to perform the services properly.

(c) Awards in similar cases.

(5) Findings and Order. The Board shall make findings and issue an order awarding representation costs pursuant to these rules and based upon the petition and objections filed by the parties. Consistent with subsection (1)(a) and section (4) of this rule, the Board may award all or a portion of the costs requested. The Board will not act on a petition until the appeal period has run or, where an appeal has been filed, during the pendency of the appeal. Filings that do not strictly comply with these rules will be dismissed.

Stat. Auth.: ORS 240 & 243
Stats. Implemented: ORS 243.676(2)(d) & 243.676(3)(b)
Hist.: ERB 4-1980, f. 8-15-80, ef. 8-18-80; ERB 1-1982, f. & ef. 1-19-82; ERB 2-1983(Temp), f. 9-30-83, ef. 10-15-83; ERB 1-1984, f. & ef. 4-11-84; ERB 8-1985, f. 10-29-85, ef. 10-31-85; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

115-035-0057

Attorney Fees For Appeals

Pursuant to ORS 243.676(2)(e), the Board shall designate the amount of and award attorney fees to the prevailing party on an appeal of a Board Order, subject to the following:

(1) Petitions for attorney fees must be filed with the Board within 21 days of the date of the appellate judgment. In all other respects, petitions for attorney fees and objections to such petitions shall be filed in accordance with OAR 115-035-0055(2) and (3).

(2) The prevailing party is the party designated as such in the appellate judgment issued by the Court of Appeals or the Supreme Court following the ultimate appellate decision regarding a particular case.

(3) The Board shall consider the factors listed in OAR 115-035-0055(4) in designating the amount of attorney fees to be awarded. Additionally, the Board may consider whether a remand of a case did or did not result in a significant modification of the original Board Order. The Board shall issue attorney fee awards in accordance with OAR 115-035-0055(5). An award of attorney fees on appeal shall not exceed \$5,000 except such limitation shall not apply in cases where civil penalties would have been appropriate as a remedy in the Board proceeding.

Stat. Auth.: ORS 243
Stats. Implemented: ORS 243.676(2)(e)
Hist.: ERB 2-1983(Temp), f. 9-30-83, ef. 10-15-83; ERB 1-1984, f. & ef. 4-11-84; ERB 8-1985, f. 10-29-85, ef. 10-31-85; ERB 1-1989(Temp), f. 6-15-89 & cert. ef. 6-23-89; ERB 2-1989, f. 11-28-89, cert. ef. 12-4-89; ERB 3-1995, f. 11-30-95, cert. ef. 12-1-95; ERB 2-2014, f. 8-20-14, cert. ef. 9-3-14

Rule Caption: Amends Rules to Implement Adding Unrepresented Employees to Existing Bargaining Unit Without Election

Adm. Order No.: ERB 3-2014

Filed with Sec. of State: 8-25-2014

Certified to be Effective: 9-10-14

ADMINISTRATIVE RULES

Notice Publication Date: 3-1-2014

Rules Amended: 115-025-0005, 115-025-0010, 115-025-0030, 115-025-0065, 115-025-0070, 115-025-0075

Subject: These rules are enacted in response to changes made to ORS 243.682.

These rules provide:

The requirements for filing a petition to add unrepresented public employees to an existing bargaining unit without an election.

The requirements for submitting authorization cards to add unrepresented public employees to an existing bargaining unit.

The procedures for how one or more of the unrepresented public employees to be added to an existing bargaining unit may request that an election take place, and the procedures for any such election.

The Employment Relations Board's processing of a petition to add unrepresented public employees to an existing bargaining unit without an election, including the posting of a notice of such a petition.

The procedures for any objections to a petition to add a group of unrepresented public employees to an existing bargaining unit without an election.

Rules Coordinator: April Bathurst—(503) 378-3808

115-025-0005

Petitions for Clarification of Bargaining Unit

(1) Filing Petitions for Clarification of a Bargaining Unit:

(a) Other than petitions filed under subsection (b) of this section, petitions for clarification of a bargaining unit may be filed by the recognized or certified representative or by the public employer when no question of representation exists, subject to other applicable requirements of this rule.

(b) A group of unrepresented employees may file a petition under ORS 243.682(2)(a) to include the unrepresented employees in an existing bargaining unit without an election when no question of representation exists, subject to other applicable requirements of this rule. The petition filed under this subsection may also be jointly filed with the recognized or certified representative of the existing bargaining unit.

(c) For purposes of this rule, a question of representation exists only when the employees who are the subject of such a petition are unrepresented and as a group would constitute an appropriate unit as determined by the Board. All petitions shall be filed in writing on a form approved by the Board. The petitioner shall designate one or more of the following subsections on the form to indicate the clarification issue(s) the petitioner intends to raise. After the filing of objections, if any, the Board Agent may determine the issues raised by the petition. If the Board Agent determines that the issue raised is different than that designated on the form, the Board Agent shall determine whether the petition complies with the requirements of the appropriate subsection(s).

(2) When the issue raised by the clarification petition is one of public employee status under ORS 243.650(6), (16), or (23), the petition may be filed at any time; except that where a position sought to be excluded is expressly by title included within the unit description, a petition may be filed only during the open period provided for in OAR 115-025-0015(4).

(a) The Board may order a self-determination election among the affected employees as a result of a petition filed by a labor organization under this subsection of this rule if the Board determines that an election would be appropriate to further the policy expressed in ORS 243.662; for example, where the affected employees, as a class, were excluded from voting when the bargaining unit was certified and subsequently were treated as being excluded from the unit.

(b) A petition filed by a group of unrepresented employees under ORS 243.682(2)(a) and subsection (1)(b) of this rule will be processed in accordance with subsection (7) of this rule and OAR 115-025-0065.

(3) When the issue raised by the clarification petition is whether certain positions are or are not included in a bargaining unit under the express terms of a certification description or collective bargaining agreement, a petition may be filed at any time; except that the petitioning party shall be required to exhaust any grievance in process that may resolve the issue before such a petition shall be deemed timely by the Board.

(4) When the issue raised by the clarification petition is whether certain unrepresented positions should be added to an existing bargaining unit, the petition must be supported by a 30 percent showing of interest among the unrepresented employees sought to be added to the existing unit, unless the petition is filed pursuant to subsection (1)(b) of this rule, in which case the petition must be supported by a majority of employees as required by subsection (7)(a) of this rule. If the employees sought to be added to the

unit occupy positions that existed and were filled at the time of the most recent certification or recognition agreement, the petition must be filed during the open period provided for in OAR 115-025-0015(4) and will be subject to the provisions of 115-025-0015(1) and (3). If the employees sought to be added to the unit occupy positions that were created or were filled after the most recent certification or recognition agreement, the petition may be filed at any time and will not be subject to the provisions of 115-025-0015. Except for unit clarification petitions described in subsections (1)(b) and (7) of this rule, if the Board determines that it would be appropriate to add the unrepresented positions to the existing bargaining unit, the Board shall order a self-determination election in which the unrepresented employees will vote either to be represented within the existing bargaining unit or for no representation. The election shall be conducted by a Board Agent in accordance with the provisions of 115-025-0055 and 115-025-0060, to the extent such rules are applicable to a self-determination election. If a majority of the unrepresented employees who vote cast ballots in favor of representation, the existing bargaining unit shall be clarified to include those employees.

(5) When the issue raised by the clarification petition is whether two or more bargaining units of the same employer's employees which are represented by the same labor organization should be merged, the petition must be filed during the open period provided for in OAR 115-025-0015(4), as that rule applies to the larger (or largest) of the bargaining units. A petition for clarification through merger must be supported by petitions (or cards) signed by more than 50 percent of the employees in each unit certifying that they wish their unit to be merged with the other unit. When the Board approves a clarification through merger, and the employees in the smaller unit are covered by a collective bargaining agreement, the employment conditions for the employees in the smaller unit will remain governed by their collective bargaining agreement until that agreement expires, prior to which the parties are obligated to begin negotiations for inclusion of the smaller unit employees under the larger unit agreement. The Board shall order a clarification through merger when it determines that the description of the merged unit, which must include all employees in the existing units, describes an appropriate unit.

(6) When the issue raised by the clarification petition is whether a group of employees who are represented within (as a fragment of) another bargaining unit more appropriately belongs in a unit represented by the petitioning labor organization, the petition must be supported by a petition (or cards) signed by more than 50 percent of the employees in the affected group certifying that they wish to be represented by the petitioning labor organization as part of that organization's bargaining unit. The petition must be filed during the open period provided for in OAR 115-025-0015(4), as that rule applies to the petitioning organization's bargaining unit. If the Board determines that it would be appropriate to add the positions in question to the petitioning organization's bargaining unit, the Board shall order a self-determination election in which the employees in question will vote either to be represented within the existing bargaining unit or by the petitioning organization's bargaining unit. The election shall be conducted by a Board Agent in accordance with the provisions of 115-025-0055 and 115-025-0060, to the extent such rules are applicable to a self-determination election. If a majority of the employees who vote cast ballots in favor of representation by the petitioning organization, the Board shall order the clarification.

(7) Adding Unrepresented Employees by Clarification Petition:

(a) When the issue raised by the clarification petition is whether to add a group of unrepresented employees to an existing bargaining unit under ORS 243.682(2)(a) and subsection (1)(b) of this rule, the unrepresented employees will be added to the existing unit without an election if the Board finds that a majority of employees in the group of employees seeking to be included in the existing bargaining unit have signed authorization cards designating the labor organization specified in the petition as the exclusive representative, and no other labor organization is certified or recognized as the exclusive representative of any of the employees in the group of unrepresented employees seeking to be included in the existing bargaining unit. Authorization cards submitted under this subsection must be signed by employees within 180 days of the filing of the petition for clarification without an election.

(b) Notwithstanding subsection (a) of this section, one or more of the unrepresented employees to be included in the existing bargaining unit may file a petition with the Board requesting that an election take place, as set forth in OAR 115-025-0075. In order for the petition for election to be granted, the petition must be accompanied by a showing of interest from at least 30 percent of the unrepresented employees to be included in the existing bargaining unit.

Stat. Auth.: ORS 240, 243.766(2) & 243.766(7)

ADMINISTRATIVE RULES

Stats. Implemented: ORS 243.682
Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 1-1982, f. & ef. 1-19-82; ERB 6-1985, f. 10-29-85, ef. 10-31-85; ERB 1-1988, f. & cert. ef. 4-25-88; ERB 1-1990, f. 7-19-90, cert. ef. 8-1-90; ERB 2-1995(Temp), f. 7-17-95, cert. ef. 8-1-95; ERB 4-1995, f. 11-30-95, cert. ef. 12-1-95; ERB 4-1998, f. & cert. ef. 1-26-98; ERB 1-2014(Temp), f. & cert. ef. 3-14-14 thru 9-10-14; ERB 3-2014, f. 8-25-14, cert. ef. 9-10-14

115-025-0010

Contents of Petitions

(1) Certification of Public Employee Representative Filed by a Labor Organization Under ORS 243.682(1). A petition for an election to certify a public employee representative shall, when filed by a labor organization, contain the following:

(a) Name, address, telephone number of the public employer and the employer representative to contact, including his/her title, if known;

(b) A description of the bargaining unit claimed to be appropriate for the purpose of exclusive representation by the petitioner. Such description shall indicate the general classifications of employees sought to be included and those sought to be excluded and the approximate number of employees in the unit claimed to be appropriate;

(c) Name, address, and telephone number of the recognized or certified exclusive representative, if any, and the date of prior certification or recognition and the expiration date of any applicable contract, if known to the petitioner;

(d) Names, addresses, and telephone numbers of any other interested labor organizations, if known to the petitioner;

(e) Any other relevant facts;

(f) Name and affiliation, if any, of the petitioner and its address and telephone number;

(g) The signature of the petitioner's representative, including his/her title and telephone number; and

(h) A petition shall be accompanied by a showing of interest of not less than 30 percent of the employees in the unit alleged to be appropriate. "Showing of interest" means the evidence of support a petitioner must show in a bargaining unit or proposed bargaining unit before its petition will be acted upon. The showing may be made by original authorization cards or petitions which must include a statement of a desire by affected employees to be represented by the petitioner for purposes of collective bargaining and which must be signed and dated by employees in the unit during the 90 days preceding the filing of the petition; by dues records or payroll deduction records showing the employees to be current members of a petitioning organization; or, by an existing or the most recently expired bargaining agreement applicable to the bargaining unit, to which the petitioning organization was a party.

(2) Certification of Public Employee Representative Filed by a Public Employer:

(a) A petition filed by a public employer shall state that a request for representation or continued representation has been made by one or more labor organizations and that the public employer has a good faith doubt concerning the majority representative of its employees.

(b) A petition shall include all of the information set forth in section (1) of this rule, except subsections (1)(f) and (h) of this rule.

(3) Decertification of Public Employee Representative Filed by an Employee or a Group of Employees. A petition for decertification of public employee representative shall contain the following:

(a) A statement that the labor organization certified by the Board or recognized by the public employer no longer represents a majority of the employees in the bargaining unit in which it is currently recognized or certified;

(b) The petition also shall contain the information set forth in section (1) of this rule; and

(c) The petition shall be accompanied by a showing of interest of not less than 30 percent of the employees in the unit in which an employee representative has been recognized or certified. The showing of interest shall indicate that the employees no longer desire to be represented for purposes of collective bargaining by the recognized or certified representative. (See subsection (1)(h) of this rule for definition of "showing of interest".)

(4) Clarification of Unit or Amendment of Certification Filed by the Recognized or Certified Representative or by the Public Employer. A unit clarification or amendment of certification petition filed by the recognized or certified representative of a public employer or filed by a public employer shall, in addition to the information required by section (1) of this rule, except subsections (1)(b) and (h) of this rule, further contain the following:

(a) A description of the present bargaining unit and the date of the certification or recognition;

(b) Proposed clarification or amendment of the unit; and

(c) A statement by petitioner setting forth specific reasons as to why clarification or amendment is requested.

(5) Certification of Public Employee Representative Without an Election. An employee, a group of employees, or a labor organization may file a petition under ORS 243.682(2) to certify a public employee representative without a representation election. The petition shall contain the following:

(a) The name, address, telephone number and affiliation, if any, of the labor organization for which certification is sought;

(b) A statement that the petitioner seeks certification without an election based on the Board's card check procedures;

(c) The name, address and telephone number of the public employer and the employer representative to contact, including his/her title, if known;

(d) A description of the bargaining unit claimed to be appropriate for the purpose of exclusive representation by the labor organization named in the petition. The bargaining unit description shall indicate the general classifications or job titles of employees to be included and those to be excluded and the approximate number of employees in the unit claimed to be appropriate;

(e) A statement that no other labor organization is currently certified or recognized as the exclusive bargaining representative of any employee in the proposed unit;

(f) Any other relevant facts;

(g) The name, mailing address, telephone number and signature of the petitioner(s) or petitioner's representative; and

(h) A petition shall be accompanied by signed authorization cards, arranged alphabetically, from a majority of the employees in the proposed unit designating the labor organization named in the petition as the exclusive bargaining representative. Authorizations which do not substantially comply with OAR 115-025-0065(2) shall not be counted.

(6) Unit Clarification Without an Election. A petition filed under ORS 243.682(2)(a) and OAR 115-025-0005(1)(b), (2), or (4) to add a group of unrepresented employees to an existing bargaining unit must be submitted on a form approved by the Board.

Stat. Auth.: ORS 243

Stats. Implemented: ORS 243.682

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 6-1985, f. 10-29-85, ef. 10-31-85; ERB 1-2000, f. & cert. ef. 12-1-00; ERB 2-2007(Temp), f. 7-20-07, cert. ef. 7-23-07 thru 1-15-08; ERB 4-2007, f. 12-17-07, cert. ef. 1-1-08; ERB 1-2014(Temp), f. & cert. ef. 3-14-14 thru 9-10-14; ERB 3-2014, f. 8-25-14, cert. ef. 9-10-14

115-025-0030

Posting Notice of Petition

(1) Upon receipt of a petition under OAR 115-025-0010(1), (2), (3) or (4), a Board Agent will cause a notice of the petition to be posted in the work areas granting maximum access to employees in the existing or proposed unit. Copies of the notice shall be served on the public employer and any known exclusive representative. The notice shall set forth:

(a) The name of the petitioning organization or employer.

(b) A description of the unit involved.

(c) A statement that parties and interested persons will have 14 days from the date of the notice to file:

(A) Objections to the appropriateness of the proposed unit;

(B) Objections to the positions to be included or excluded;

(C) Objections to the petitioner's designation of the issue(s) in cases filed under OAR 115-025-0005;

(D) Petition to intervene as provided in OAR 115-025-0035.

(d) Interested persons may notify the Board Agent of their specific objections. Such objections must also be served on the petitioner. Upon good cause shown, the Board Agent may call an interested person as a witness.

(2) Upon receipt of a petition for certification without an election under OAR 115-025-0010(5), or a petition for unit clarification without an election under OAR 115-025-0010(6), a Board Agent will cause a notice of the petition to be posted in the work areas granting maximum access to employees in the proposed bargaining unit. Copies of the notice shall be served on the public employer. Copies of the notice of a petition for unit clarification without an election will also be served on the recognized or certified representative of the existing bargaining unit if that representative did not jointly file the petition with the group of unrepresented employees. The notice shall set forth:

(a) A statement that certification or clarification without an election has been requested;

(b) The name of the labor organization which seeks certification, or, in the case of a unit clarification petition, the name of the recognized or certified representative of the existing bargaining unit;

ADMINISTRATIVE RULES

(c) A description of the proposed bargaining unit, or, in the case of a unit clarification petition, a description of the existing bargaining unit and the unrepresented group of employees to be added to that existing unit;

(d) A statement that there are 14 days from the date of the notice to file:

(A) Objections to the appropriateness of the unit;

(B) Objections that a labor organization is currently certified or recognized as the exclusive representative of one or more employees in the proposed unit, or, in the case of a unit clarification petition, that another labor organization is certified or recognized as the exclusive representative of any of the employees in the group of unrepresented employees seeking to be included in the existing bargaining unit;

(C) Objections to the positions to be included or excluded; or

(D) A request for an election pursuant to ORS 243.682(3).

(e) Interested persons may notify the Board Agent of their specific objections. Such objections must also be served on the petitioner. Upon good cause shown, the Board Agent may call an interested person as a witness.

Stat. Auth.: ORS 183, 240 & 243

Stats. Implemented: ORS 183.410, 240.086(3), 243.766(7) & 663.320

Hist.: ERB 1-1980, f. & ef. 1-9-80; ERB 6-1985, f. 10-29-85, ef. 10-31-85; ERB 1-1988, f. & cert. ef. 4-25-88; ERB 1-1991, f. 11-21-91, cert. ef. 12-1-91; ERB 2-2007(Temp), f. 7-20-07, cert. ef. 7-23-07 thru 1-15-08; ERB 4-2007, f. 12-17-07, cert. ef. 1-1-08; ERB 1-2008, f. 3-12-08, cert. ef. 3-17-08; ERB 1-2014(Temp), f. & cert. ef. 3-14-14 thru 9-10-14; ERB 3-2014, f. 8-25-14, cert. ef. 9-10-14

115-025-0065

Certification or Unit Clarification Without Election

(1) Upon receipt of a petition under OAR 115-025-0010 (5) for certification without an election or under 115-025-0010(6) for unit clarification without an election, a Board Agent shall commence an investigation and shall cause a notice of the petition to be posted as described in 115-025-0030(2).

(2) Authorization Cards.

(a) An authorization card submitted in support of a petition for certification or unit clarification without an election must, at a minimum, contain the following:

(A) The employee's name typed or legibly printed;

(B) The employee's signature;

(C) The date of the employee's signature;

(D) A statement that the employee designates the named labor organization as the employee's exclusive representative for purposes of collective bargaining with the employee's employer; and

(E) A statement that the employee understands that the employee's signature on the card may be used to obtain certification of the named labor organization as the exclusive bargaining representative without an election.

(b) An employee authorization card must be signed and dated within the 180-day period before the petition was filed.

(c) Authorization cards shall be submitted in alphabetical order.

(d) An employee authorization card that does not comply with this subsection shall be deemed invalid.

(3) Eligible Employees. For the purpose of determining the adequacy of the authorization cards, public employees who were employed on the filing date of the petition for certification or clarification without an election are included in the proposed bargaining unit and are considered eligible in the processing of the petition. The Board may also include as eligible other employees who have a reasonable expectation of continuing employment, including but not limited to seasonal employees or employees on layoff.

(4) List of Eligible Employees. Within 7 days after a public employer receives notice under OAR 115-025-0030(2) that a petition has been filed seeking a certification or clarification without an election, it will submit to the Board an alphabetical list of employees in the proposed bargaining unit, including their names, addresses and job classifications. The Board will provide a copy of the list to the labor organization named in the petition.

(5) Challenges to the List of Eligible Employees.

(a) Challenges to the inclusion of a name on or exclusion of a name from the list of eligible employees must be filed with the Board within 7 days after the Board provides the labor organization a copy of the list under section (4) of this rule.

(b) The Board Agent shall determine whether a majority of employees on the list supplied by the employer has signed valid authorization cards. The Board Agent shall then determine whether there is a sufficient number of challenged names to affect the result.

(A) If the number of challenges is insufficient to potentially affect the result, then the challenges shall be dismissed.

(B) If the number of challenges is sufficient to potentially affect the result, the Board Agent shall investigate and, when appropriate, issue a notice of hearing on the challenges. The hearing will be conducted as set forth in OAR 115-025-0045. The challenging party shall bear the burden of proof.

(6) Authentication. The Board shall determine whether each otherwise valid authorization card was signed by an eligible employee;

(7) Objections. Objections to a petition for certification without an election must be filed within 14 days of the date of the notice posted pursuant to OAR 115-025-0030(2). Hearings on such objections shall be conducted under 115-025-0045.

(8) Certification. If it is determined in a petition seeking certification without an election that a majority of an appropriate unit has signed valid authorization cards designating the labor organization named in the petition as the exclusive representative, and that no other labor organization is currently certified or recognized as the exclusive representative for any employee in the proposed bargaining unit, then the Board shall certify the labor organization named in the petition as the exclusive representative without an election unless a timely petition for election is filed under OAR 115-025-0075. If it is determined in a petition for unit clarification without an election that a majority of an unrepresented group of employees has signed valid authorization cards to be included in an existing bargaining unit, that the proposed petitioned-for unit is appropriate, and that no other labor organization is certified or recognized as the exclusive representative of any of the employees in the group of unrepresented employees seeking to be included in the existing bargaining unit, the Board shall add that unrepresented group to the designated existing bargaining unit without an election, unless a timely petition for election is filed under OAR 115-025-0075.

Stat. Auth.: ORS 243.766(7)

Stats. Implemented: ORS 243.682

Hist.: ERB 2-2007(Temp), f. 7-20-07, cert. ef. 7-23-07 thru 1-15-08; ERB 4-2007, f. 12-17-07, cert. ef. 1-1-08; ERB 1-2008, f. 3-12-08, cert. ef. 3-17-08; ERB 1-2014(Temp), f. & cert. ef. 3-14-14 thru 9-10-14; ERB 3-2014, f. 8-25-14, cert. ef. 9-10-14

115-025-0070

Objections to Petition for Certification Without Election or Petition for Unit Clarification Without Election

Objections to a petition for certification or unit clarification without an election, including objections to the scope of the appropriate bargaining unit, shall be expedited and resolved under the procedures of OAR 115-025-0045. If an election is requested under 115-025-0075, the resolution may occur after the election. The Board may delay counting the ballots until all objections are resolved.

Stat. Auth.: ORS 243.766(7)

Stats. Implemented: ORS 243.682

Hist.: ERB 2-2007(Temp), f. 7-20-07, cert. ef. 7-23-07 thru 1-15-08; ERB 4-2007, f. 12-17-07, cert. ef. 1-1-08; ERB 1-2014(Temp), f. & cert. ef. 3-14-14 thru 9-10-14; ERB 3-2014, f. 8-25-14, cert. ef. 9-10-14

115-025-0075

Petition for Representation or Unit Clarification Election

(1) Petition for Election. After a petition for certification without an election has been filed under OAR 115-025-0010(5), an employee or group of employees in the proposed bargaining unit may petition the Board for a representation election. The petition for an election must be filed within 14 days from the date of the notice posted under 115-025-0030(2), and it must be accompanied by a showing of interest from at least 30 percent of the employees in the bargaining unit designated in the petition for certification without an election. After a petition for unit clarification without an election has been filed under 115-025-0010(6), one or more of the unrepresented employees may petition the Board for a unit clarification election. The petition for an election must be filed within 14 days from the notice posted under 115-025-0030(2), and it must be accompanied by a showing of interest from at least 30 percent of the unrepresented employees to be added to the existing bargaining unit.

(2) Showing of Interest. For purposes of this section, a showing of interest must contain the employee's name typed or printed legibly, the employee's signature, the date of the employee's signature, and a statement to the effect that the employee requests an election on whether the Board should certify the named labor organization as the exclusive bargaining representative for the employees of the employer, or in the case of a unit clarification petition, that the employee requests an election on whether the group of unrepresented employees should be added to the existing bargaining unit. The showing of interest shall be submitted in alphabetical order.

(3) Notice and Election. If the Board determines that the petition for election is accompanied by a sufficient showing of interest, the Board shall conduct an election by secret ballot. The Board Agent shall require the

ADMINISTRATIVE RULES

employer to post notice of the election under OAR 115-025-0055 at least 14 days before the election. The election may be conducted on site or by mail. In an election by mail, the date of the election shall be the date on which the ballots are to be returned to the Board. Ballots must be delivered to the Board in person by the voter or by US mail. Ballots not so delivered by the date of the election shall be void. The election shall be completed within 45 days from the date of the petition requesting an election.

(4) Procedures. All employees in the bargaining unit designated in the petition for certification without an election or all employees designated to be added to the existing bargaining unit in the petition for unit clarification without an election shall be eligible to vote. The two choices on the ballot shall be no representation or the labor organization named in the petition for certification or unit clarification without an election. The election shall follow the procedures in OAR 115-025-0060(4) and (7)-(12).

Stat. Auth.: ORS 243.766(7)
Stats. Implemented: ORS 243.682
Hist.: ERB 2-2007(Temp), f. 7-20-07, cert. ef. 7-23-07 thru 1-15-08; ERB 4-2007, f. 12-17-07, cert. ef. 1-1-08; ERB 1-2014(Temp), f. & cert. ef. 3-14-14 thru 9-10-14; ERB 3-2014, f. 8-25-14, cert. ef. 9-10-14

Health Licensing Office
Chapter 331

Rule Caption: Adopt program requirements for military spouses/domestic partners and individuals with military training or experience.

Adm. Order No.: HLA 5-2014

Filed with Sec. of State: 9-3-2014

Certified to be Effective: 9-17-14

Notice Publication Date: 8-1-2014

Rules Adopted: 331-010-0055, 331-010-0060, 331-010-0070

Rules Repealed: 331-010-0060(T), 331-010-0070(T)

Subject: Adopt rule which provides specific information regarding the temporary authorization to practice including definition of military spouse or domestic partner and timeframe in which the authorization will be active.

Adopt rule to implement a process allowing military spouses or domestic partners to obtain an expedited authorization to practice a profession listed under ORS 676.583 or ORS 676.800. The rule specifies the documentation required to obtain a temporary authorization and requirements for a permanent authorization.

Adopt rule to implement a process for individuals who have obtained military training or experience in a profession listed under ORS 676.583 or ORS 676.800. The military training or experience must be substantially equivalent to the profession specific qualifications. Individuals must submit a Joint Services Transcript specifying military training or experience.

Rules Coordinator: Samantha Patnode—(503) 373-1917

331-010-0055

Military Spouse or Domestic Partner Temporary Authorization to Practice

(1) Pursuant to ORS 676.308 “military spouse or domestic partner” means a spouse or domestic partner of an active member of the Armed Forces of the United States who is the subject of a military transfer to Oregon.

(2) A military spouse or domestic partner holding a temporary authorization to practice in a profession listed under ORS 676.583 or 676.800 may perform services within the profession.

(3) A temporary authorization may be immediately issued to a military spouse or domestic partner, is valid for three months and may not be renewed.

Stat. Auth.: ORS 676.308, 676.615, 680.515, 688.720, 688.815, 688.819, 690.047, 2014 OL Ch. 35
Stats. Implemented: ORS 676.308, 680.515, 688.720, 688.815, 688.819, 690.047, 2014 OL Ch. 35
Hist.: HLA 5-2014, f. 9-3-14, cert. ef. 9-17-14

331-010-0060

Application Requirements for Temporary Authorization to Practice for a Military Spouse or Domestic Partner

(1) To qualify under this rule for a temporary authorization to practice under ORS 676.583 and 676.800, a military spouse or domestic partner must submit a completed application prescribed by the Oregon Health Licensing Agency, pay all applicable fees required under subsection (4) of this rule, and submit evidence of the following:

(a) That the applicant meets the qualifications for authorization as provided in the applicable statutes and rules of the program for which authorization is sought including examinations.

(b) A copy of a marriage certificate or domestic partnership registration with the name of the applicant and the name of the active duty member of the Armed Forces of the United States;

(c) A copy of assignment to a duty station located in Oregon by official active duty military order for the spouse or domestic partner named in the marriage certificate or domestic partnership registration; and

(d) Proof of having at least one year of active practice in the profession or occupation for which authorization is sought during the three years immediately preceding the application; and

(e) Attest that the applicant has requested evidence of authorization from the state or territory in which the applicant is authorized to practice in a profession listed under ORS 676.583 or 676.800 and that the applicant is not subject to any discipline action in that state or territory for a matter related to services regulated by the agency or the board under which authorization is sought.

(2) Processing of applications for authorization under this rule must be expedited.

(3) If the applicant demonstrates that all required qualifications listed in this rule have been met before the temporary authorization expires the temporary authorization will become the applicant’s original authorization to practice a profession listed under ORS 676.583 or 676.800.

(4) Notwithstanding any other rules administered by the Agency, an applicant for authorization under this rule must submit all applicable fees for an original authorization listed within the program rules administered under ORS 676.583 and 676.800.

Stat. Auth.: ORS 676.308, 676.615, 680.515, 688.720, 688.815, 688.819, 690.047, 2014 OL Ch. 35
Stats. Implemented: ORS 676.308, 680.515, 688.720, 688.815, 688.819, 690.047, 2014 OL Ch. 35
Hist.: HLA 2-2014(Temp), f. & cert. ef. 4-3-14 thru 9-17-14; HLA 5-2014, f. 9-3-14, cert. ef. 9-17-14

331-010-0070

Application for Military Training or Experience

An individual seeking to use military training or experience as a qualification for an authorization to practice a profession or occupation in a program administered under ORS 676.583 and 676.800 must submit a Joint Services Transcript demonstrating completion of military training or experience that is substantially equivalent to requirements set forth in statute or rule by the agency or the boards or councils.

Stat. Auth.: ORS 676.308, 676.615, 680.515, 688.720, 688.815, 688.819, 690.047, 2014 OL Ch. 35
Stats. Implemented: ORS 676.308, 680.515, 688.720, 688.815, 688.819, 690.047, 2014 OL Ch. 35
Hist.: HLA 2-2014(Temp), f. & cert. ef. 4-3-14 thru 9-17-14; HLA 5-2014, f. 9-3-14, cert. ef. 9-17-14

Oregon Department of Education
Chapter 581

Rule Caption: Interdistrict Transfer

Adm. Order No.: ODE 38-2014(Temp)

Filed with Sec. of State: 9-3-2014

Certified to be Effective: 9-3-14 thru 3-2-15

Notice Publication Date:

Rules Amended: 581-015-2005, 581-015-2010, 581-015-2040, 581-015-2080, 581-015-2565

Subject: Amends division 15 OARs to bring them into alignment with interdistrict transfer rule adopted in June 2014.

Rules Coordinator: Cindy Hunt—(503) 947-5651

581-015-2005

Criteria for Approving School District Special Education Programs

(1) School districts operating or initiating special education programs must have their programs approved by the State Superintendent of Public Instruction in order to qualify such programs for state reimbursement. As part of this process, districts must subscribe to the following:

(a) In accordance with OAR 581-015-2245, school districts must ensure that a continuum of alternative placements is available to meet the individual special education and related services needs of all children with disabilities for whom the district is responsible pursuant to ORS 339, OAR 581-021-0019, or open enrollment under HB 3681. For all school purposes residency for children with disabilities enrolled in charter schools is determined in accordance with ORS Chapter 338.

ADMINISTRATIVE RULES

(b) Special education must be established and conducted as an integral part of the district's regular school program.

(c) Children who require special education have the same rights and privileges provided to other students.

(2) In addition, the school district must have on file with the Oregon Department of Education a set of assurances and other documentation as required that ensure district compliance with requirements set forth in Oregon Revised Statutes and Oregon Administrative Rules for the education of children with disabilities.

Stat. Auth.: ORS 343.041, 343.045

Stats. Implemented: ORS 343.221

Hist.: 1EB 208, f. 12-19-75, ef. 1-16-76; Renumbered from 581-022-0175; 1EB 248, f. & ef. 9-23-76; 1EB 269, f. & ef. 12-22-77; 1EB 48-1978, f. & ef. 11-17-78; ODE 2-2003, f. & cert. ef. 3-10-03; Renumbered from 581-015-0035, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 10-2011(Temp), f. & cert. ef. 8-23-11 thru 2-19-12; ODE 8-2012, f. & cert. ef. 2-17-12; ODE 38-2014(Temp), f. & cert. ef. 9-3-14 thru 3-2-15

581-015-2010

Census and Data Reporting

(1) Each school district must report to the Department all children with disabilities, for whom the district has responsibility for FAPE, who have been identified, located and evaluated and are receiving early intervention, early childhood special education or special education from a public or private educational program on December 1 of each school year.

(2) Charter School Students. Each school district in which a charter school is located reports children with disabilities enrolled in the charter schools located in the district and receiving services described in (1), regardless of parental residency. Residency for children enrolled in charter schools is determined in accordance with ORS chapter 338.

(3) If no children have been identified, located, and evaluated as being disabled, school districts must report this fact.

(4) Private School Students. Each school district must conduct an annual count of the number of private school children as follows:

(a) On October 1 of each year, each school district must count all children attending private schools located within the boundaries of the district.

(b) On December 1 of each year, each school district must count all parentally placed children with disabilities attending non-profit private schools located within the boundaries of the district, in accordance with OAR 581-015-2475, whether or not these children are receiving equitable special education services as described in 581-015-2460.

(5) School districts must report to the Department additional data as required by the Department for the preparation of reports to federal or state agencies. The Department will notify school districts of additional data needed to meet the requirements of federal or state law and the applicable reporting dates.

Stat. Auth.: ORS 343.041, 343.045 & 343.055;

Stats. Implemented: ORS 338.165, 343.155, 34 CFR 300.137 & 139

Hist.: ODE 2-2000, f. & cert. ef. 2-1-00; Renumbered from 581-015-0038, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 10-2011(Temp), f. & cert. ef. 8-23-11 thru 2-19-12; ODE 8-2012, f. & cert. ef. 2-17-12; ODE 38-2014(Temp), f. & cert. ef. 9-3-14 thru 3-2-15

581-015-2040

Free Appropriate Public Education (FAPE) and Age Ranges

(1) Except as provided in OAR 581-015-2045, school districts must provide a free appropriate public education all school-age children with disabilities for whom the district is responsible pursuant to ORS 338, ORS 339, OAR 581-021-0019, or open enrollment under HB 3681, "School-age children" are children who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year.

(2) An otherwise eligible person whose 21st birthday occurs during the school year is eligible for FAPE for the remainder of the school year.

(3) The requirements of this rule also apply to children with disabilities who have been suspended or expelled from school in accordance with OAR 581-015-2410 to 581-015-2440.

Stat. Auth.: ORS 343.055

Stats. Implemented: ORS 338.165, 343.041, 339.115, 34 CFR 300.101

Hist.: ODE 3-2000, f. & cert. ef. 2-1-00; Renumbered from 581-015-0600, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 10-2011(Temp), f. & cert. ef. 8-23-11 thru 2-19-12; ODE 8-2012, f. & cert. ef. 2-17-12; ODE 38-2014(Temp), f. & cert. ef. 9-3-14 thru 3-2-15

581-015-2080

Child Find

(1) The requirements of this rule apply to all children unless they are no longer entitled to a free appropriate public education under OAR 581-015-2040-581-015-2050.

(2) Pursuant to ORS 338, 339, OAR 581-021-0019, or open enrollment under HB 3681 school districts must identify, locate and evaluate all children with disabilities for whom they are responsible, regardless of the severity of the disability, who are in need of early intervention, early childhood special education, or special education services, including:

(a) Highly mobile children with disabilities (such as migrant and homeless children),

(b) Children who are wards of the state;

(c) Indian preschool children who reside on reservations;

(d) Children who are suspected of having a disability even though they are advancing from grade to grade;

(e) Children enrolled in public charter schools;

(f) Children who are home schooled;

(g) Children below the age of compulsory school attendance who are not enrolled in a public or private school program; and

(h) Children above the age of compulsory school attendance who have not graduated with a regular high school diploma; and

(i) Children attending private schools, pursuant to OAR 581-015-2085.

(3) For purposes of this rule, residency is determined in accordance with ORS Chapter 339, except for children enrolled in charter schools. Residency for children enrolled in charter schools is determined in accordance with ORS Chapter 338. The district in which the charter school is located is responsible for child find for students enrolled in the charter school regardless of parental resident district.

(4) The district in which the private school is located is responsible for conducting child find activities for all children enrolled in the private school, in accordance with OAR 581-015-2085, regardless of parental resident district.

Stat. Auth.: ORS 343.041, 343.045, 343.157

Stats. Implemented: ORS 343.045, 343.157, 34 CFR 300.111, 34 CFR 303.302, 34 CFR 301

Hist.: 1EB 269, f. & ef. 12-22-77; 1EB 14-1983, f. 11-23-83, ef. 11-25-83; EB 11-1995, f. & cert. ef. 5-25-95; ODE 16-2000, f. & cert. ef. 5-23-00; ODE 2-2003, f. & cert. ef. 3-10-03; Renumbered from 581-015-0037, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 10-2011(Temp), f. & cert. ef. 8-23-11 thru 2-19-12; ODE 8-2012, f. & cert. ef. 2-17-12; ODE 14-2012, f. 3-30-12, cert. ef. 4-2-12; ODE 38-2014(Temp), f. & cert. ef. 9-3-14 thru 3-2-15

581-015-2565

Regional Program Services

(1) Pursuant to ORS 338, ORS 339, OAR 581-021-0019, and open enrollment under HB 3681, the resident school district has the primary responsibility for the education of an eligible school age child, and is responsible for all costs beyond the fiscal capacity of the regional program that result from the full implementation of the child's IEP.

(2) The Department, through its contractors and subcontractors, has the primary responsibility for early intervention and early childhood special education services for eligible children from birth until eligible for kindergarten, and is responsible for all costs beyond the fiscal capacity of the regional program which result from full implementation of the child's IFSP.

(3) Eligible children may receive one or more of the following regional services based upon the child's needs according to the IEP or IFSP and available resources of the regional program and agreement of the resident school district or EI/ECSE contractor:

(a) Direct services to the child as determined in the IEP/IFSP by an itinerant specialist up to full-time instruction in a self-contained classroom operated by the regional program;

(b) Consultation to providers of the child's educational or early intervention/early childhood special education program and/or the parents;

(c) Participation in developing the student's IEP or IFSP;

(d) Recommendations for classroom activities, materials, equipment, adaptations and modifications to instruction, and/or assessment;

(e) Evaluation and interpretation of assessment information;

(f) Audiological management;

(g) Inservice for staff and parents; and

(h) Provision of certain related services.

(4) Teachers and therapists employed by the regional program to serve eligible children must hold the appropriate special education or appropriate state licensure.

(5) Regional programs must be in compliance with all applicable statutes and administrative rules pertaining to the education of children with disabilities.

Stat. Auth.: ORS 343.236

Stats. Implemented: ORS 343.236

Hist.: EB 27-1988, f. & cert. ef. 6-9-88; EB 10-1996, f. & cert. ef. 6-26-96; ODE 2-2003, f. & cert. ef. 3-10-03; Renumbered from 581-015-0296, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 38-2014(Temp), f. & cert. ef. 9-3-14 thru 3-2-15

Rule Caption: Approved Transportation Costs for Payments from the State School Fund

Adm. Order No.: ODE 39-2014

Filed with Sec. of State: 9-3-2014

Certified to be Effective: 9-3-14

ADMINISTRATIVE RULES

Notice Publication Date: 6-1-2014

Rules Amended: 581-023-0040

Subject: Updates the non-reimbursable cost per mile for the 2013–2014 and 2014–2015 school years.

Rules Coordinator: Cindy Hunt—(503) 947-5651

581-023-0040

Approved Transportation Costs for Payments from the State School Fund

(1) Definitions for the purpose of this rule:

(a) “Elementary School Student” means, notwithstanding any other OAR or statute, pupils attending a school offering only an elementary curriculum, any combination of grades K through 8;

(b) “Secondary School Student” means, notwithstanding any other OAR or statute, pupils attending a school offering any secondary curriculum for grades 9, 10, 11, or 12. Additionally, all students attending a school designated by the local school board through board action as a junior high school or middle school may be considered secondary students;

(c) “Local School Board” means, notwithstanding any other OAR or statute, the local school board for the district in which the student’s legal residence is physically located. Local school boards are not required to provide transportation for students who have requested and received approval to attend a school other than that designated by the local school board for students living in their specified attendance area;

(d) “Manufacturer’s Rated Capacity” means the number of students to be used in the calculations specified in paragraph (5)(n)(B) of this rule and described below:

(A) Buses transporting only elementary students will have a passenger capacity as stated on the manufacturer’s identification plate;

(B) Buses transporting only high school students, grades 9 through 12 will have a passenger capacity based on two students for each 39 inch bus seat;

(C) Buses transporting mixed groups from grades K–12 (in any combination) or groups of only junior high or middle school students will have a passenger capacity based on 2.5 students for each 39-inch bus seat.

EXAMPLE: A bus with a manufacturer’s passenger capacity stated on the identification plate of 72 would have the following ratings: elementary — 72, high school only — 48, mixed groups — 60, middle school and junior high school — 60.

(e) “Mile(s) from School” means the distance a student lives from school, measured from the closest, reasonable, and prudent point between the school property identified by the local board for that pupil’s attendance and the property where the pupil lives. The distance will be measured over the shortest practicable route on maintained public roadways or over existing pedestrian facilities or pedestrian facilities capable of meeting the requirements listed in ORS 332.405(4);

(f) “Patron” means any individual, organization, or entity that is able to use student transportation services except for charter schools (as defined in ORS 338) reimbursing school districts up to one hundred percent (100%) of incurred transportation costs pursuant to 338.145.

(g) “Supplemental Plan” means a plan adopted by local school board resolution identifying groups or categories of students who live within the 1 and 1.5 mile limitations and require transportation based on health or safety reasons, including special education. Supplemental plan approvals may be ordered by the State Board of Education or its designated representatives. The State Board shall have the right of final review of any actions regarding supplemental plans. Appeals will be directed to the State Board for final consideration. The Plan must include the following:

(A) The approximate number of students to be transported based on the plan;

(B) The health or safety reasons cited for providing transportation;

(C) The local board resolution specifying the supplemental plan as submitted; and

(D) Any additional information or documentation supporting the supplemental plan deemed appropriate locally.

(2) Approved transportation costs shall include those costs incurred in transporting pupils to and from instructional programs during the regularly scheduled school term within the limitations specified by ORS 327.006 and 327.033. Approved transportation costs may include costs incurred in transporting students participating in extended school year programs eligible for funding from the State School Fund.

(3) Approved transportation costs shall include those district expenditures associated with:

(a) Home-to-school transportation of elementary school pupils who live at least one mile from school;

(b) Home-to-school transportation of secondary school pupils who live at least one and one-half miles from school;

(c) Transportation of pupils between educational facilities either within or across district boundaries, if the facilities are used as part of the regularly-scheduled instructional program approved by the Board;

(d) Transportation of pupils for in-state field trips when such represents an extension of classroom activities for instructional purposes, and shall include out-of-state destinations within 100 miles of the Oregon border;

(e) Transportation of pupils home to school for whom a supplemental plan has been approved by the State Board of Education in addressing safety, health, and special education needs;

(f) Transportation of preschool children in Early Childhood Special Education Services having an Individual Family Service Plan requiring transportation and preschool children receiving Early Intervention Services under the authority of ORS 343.533.

(g) School to home transportation following extended school day instructional programs for:

(A) Elementary school pupils who live at least one mile from school;

(B) Secondary school pupils who live at least one and one-half miles from school.

(4) Approved transportation costs shall exclude those district expenditures associated with transportation for the following unless the school program is required under provisions of the Individuals with Disabilities Education Act, ORS 343.533 or 339.010 through 339.090 and 339.250:

(a) Pupils living within the limits prescribed in ORS 327.006(2) for whom no supplemental plan has been approved by the State Board;

(b) Activity trips other than for instructional purposes;

(c) Athletic trips;

(d) School lunch purposes;

(e) Summer school;

(f) Adult education;

(g) Evening school;

(h) Preschool and/or nursery school;

(i) Board and room in lieu of transportation associated with field trips;

(j) Transportation facility and staff costs other than those directly related to approved pupil transportation activities.

(5) The computation shall be made as follows:

(a) Pupil Transportation Salaries;

(b) Pupil Transportation Supplies, Equipment, Repairs, and Maintenance;

(c) All contracted Transportation;

(d) Travel of Pupil Transportation Personnel;

(e) Employee Benefits on Pupil Transportation Salaries;

(f) Pupil Transportation Insurance;

(g) Payments in Lieu of Transportation;

(h) Other Expenses of Pupil Transportation;

(i) Payments to Other Districts for Pupil Transportation;

(j) Leases and Rentals;

(k) Depreciation:

(A) Depreciation of Garage, but this shall not include land;

(B) Depreciation of Buses that are used at least 50% for reimbursable mileage.

(C) Shall include the costs to retrofit, as defined in ORS 468A.795, or to replace school buses for the purpose of reducing or eliminating diesel engine emissions, except that these costs may not include the costs paid with moneys received from the state by a school district from the Clean Diesel Engine Fund that are described in 468A.801 (2)(a) to retrofit or to replace school buses for the purpose of reducing or eliminating diesel engine emissions.

(l) Total of subsections (5)(a) through (k) of this rule;

(m) Deduct (if cost is included in detail above):

(A) Payments Received from Other Districts and from Patrons for reimbursable transportation;

(B) Nonreimbursable Transportation Costs:

(i) For 2011–12:

(I) Number of miles @ \$2.07 per mile for all school buses and school activity vehicles having a manufacturers’ designed passenger capacity greater than 20 persons including driver, or

(II) Number of miles @ \$1.04 per mile for all school activity vehicles having a manufacturers’ designed passenger capacity 20 or less including driver; or

(ii) For 2012–13:

(I) Number of miles @ \$2.10 per mile for all school buses and school activity vehicles having a manufacturers’ designed passenger capacity greater than 20 persons including driver, or

ADMINISTRATIVE RULES

(II) Number of miles @ \$1.06 per mile for all school activity vehicles having a manufacturers' designed passenger capacity 20 or less including driver; or

(iii) For 2013–14:

(I) Number of miles @ \$2.18 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles @ \$1.10 per mile for all school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver; or

(iv) For 2014–15:

(I) Number of miles @ \$2.26 per mile for all school buses and school activity vehicles having a manufacturers' designed passenger capacity of greater than 20 persons including the driver, or

(II) Number of miles @ \$1.14 per mile for all school activity vehicles having a manufacturers' designed passenger capacity of 20 or less including the driver.

(v)(I) Those local school board certified marginal costs attributable to services described in section (4)(a) of this rule, calculated and documented as follows: Documentation maintained by local district shall include: bus and route identification, school(s) being served, number of eligible students on board, number of ineligible students on board;

(II) Calculation of marginal costs shall be as follows: District Cost Per Mile of bus operation divided by the total number of students transported on each bus to derive an average cost per student. The cost per student multiplied by the number of ineligible students and the number of miles inside the limits provides the amount for deduction. Example: Cost per student = district cost per bus mile - number of students on bus; Total Deduction = cost per student x ineligible students x number of miles inside limit.

(III) No deduction will be made for transportation inside prescribed limits if the local board certifies student demographics would require student bus rides to or from school of more than one hour if the bus is routed in a manner making it accessible to the number of eligible students living outside the prescribed mileage limit equal to 130 percent of the bus manufacturer's rated capacity; or

(IV) The local school board certifies that buses are routed in a manner to serve at least the number of eligible students living outside the prescribed mileage limits equal to 130 percent of the bus manufacturer's rated passenger capacity; and

(V) In either of the aforementioned situations, no additional costs have been incurred by the district for the identified service.

(C) State and Federal Receipts for Transportation, except those apportioned under ORS 327.006 or third party Medicaid payments for transportation, if used to support expenditures in subsections (5)(a) through (I) of this rule;

(D) Rental or Lease Payments from Private Contractors;

(E) The percentage of transportation facility depreciation commensurate with the percentage of the total district fleet value based upon purchase price (see subsection (6)(k) of this rule) represented by nonpupil transportation equipment. Examples of nonpupil transportation equipment would include the following: lawnmowers, tractors, backhoes, trucks, pickups, cars, trailers, snow blowers, etc.

(n) Total Deductions ((5)(m)(A)+(m)(B)+(m)(C)+(m)(D)+ (m)(E));

(o) Approved Cost ((5)(I) minus (5)(n)).

(6) In the above computation, the following definitions apply:

(a) Pupil Transportation Salaries. Salaries and wages paid school bus drivers, assistants to driver, and that portion of salaries paid mechanics and other bus maintenance employees, supervisors of transportation, secretarial and clerical assistants, and persons assigned transportation oversight and coordination responsibilities attributable to the transportation program and documented through position descriptions and payroll records. No school district General Administration salaries may be included in this area;

(b) Pupil Transportation Supplies, Equipment, Repairs, and Maintenance. Costs of fuel, oil, lubricants, tires, tire repair, batteries, vehicle diagnosis and repair equipment identified as capital expenditures in the "Program Budget Manual," vehicle repair parts and supplies, repair of vehicles by other than the school district, garage maintenance and operation, and garage equipment repair and maintenance;

(c) All Contracted Transportation. Payments to parents and independent public or private contractors for transporting pupils from home to school, between educational facilities and for nonreimbursable activities enumerated in paragraph (6)(I)(B) of this rule; and fares to public carriers for transporting pupils from home to school and between educational facilities;

(A) If a district retains ownership of buses and garages and contracts for the operation of the transportation system with provision in the contract for lease or rental of the buses and garages, the contracted transportation cost shown should reflect the gross bid including the lease or rental payment. The lease or rental payment shall be deducted in the computation as reported in paragraph (5)(n)(D) of this rule;

(B) If the district retains ownership of buses and garages and participates in a transportation cooperative or consortium through an intergovernmental agreement, depreciation apportionment provided under ORS 327.033 will be disbursed directly to the district. No depreciation component is approved for cooperative-owned buses or garages.

(d) Travel of Pupil Transportation Personnel. Meals, lodging, mileage, per diem and other travel expenses of pupil transportation personnel, and private car mileage if paid to bus drivers for travel to and from the point where school bus is parked if other than the central garage. The same travel expenses plus tuition or registration are included for attendance at Department of Education sponsored or presented pupil transportation training programs and seminars;

(e) Employee Benefits on Pupil Transportation Salaries. The district's contributions for employee benefits including social security and retirement, employee health insurance, workers' compensation, and unemployment insurance;

(f) Pupil Transportation Insurance. Payments for public liability and property damage, medical care, collision, fire and theft, and insurance on garages and shops;

(g) Payments in Lieu of Transportation. Payments for pupils' board and room in lieu of transportation, consistent with ORS 332.405(2);

(h) Other Expenses of Pupil Transportation. District-paid fees for school bus drivers' physical examinations; interest on bus or garage contracts payable including lease-purchase agreements if capitalized (see subsection (6)(k) of this rule);

(i) Payments to Other In-State or Out-of-State Districts for Transportation. Payments to other districts for approved pupil transportation costs;

(j) Leases and Rentals. Rental or lease payments for the use of land or buildings used for approved pupil transportation. Rental or lease payments for buses operated by district personnel for approved pupil transportation.

NOTE: Only those leases which do not contain an option to purchase or application of rentals to purchase should be included in subsection (5)(j) of this rule. See subsection (6)(k) of this rule as to the proper treatment of other lease-purchase agreements.

(k) Depreciation. For purposes of computing depreciation, capitalized cost is defined to include the unit cost of the asset, exclusive of interest, for such assets purchased outright, by conventional contract, or by lease-purchase agreement if such agreement contains any provision to acquire ownership at the end of the agreement by application of a portion of the rentals paid or a terminal payment. The computation of the capitalized cost and the depreciation shall be according to the following:

(A) Portions of Garages and Other Buildings Used for Approved Pupil Transportation:

(i) Outright purchase (including purchase by conventional contract). For each outright purchase or purchase by conventional contract, each district shall report to the Oregon Department of Education, on the forms provided, the unit cost of the garage or other building purchased and the dollar amount of interest payments associated with such purchase. The purchase of land shall not be included in the Garage Depreciation. The capitalized value shall represent the unit cost, exclusive of interest. Depreciation shall be computed at an annual rate of four percent;

(ii) Lease-purchase agreements. For each lease-purchase agreement, the district shall report to the Oregon Department of Education, on the forms provided, the dollar amount of the agreement, the interest payments contained in the agreement, and the schedule of such interest payments contained in the agreement. Land shall not be included in the lease purchase agreement for the purpose of reimbursement. Subsequent to July 1, 1975, the capitalized value shall represent the lease-purchase price less any interest payments contained in the agreement. Depreciation shall be computed at an annual rate of four percent.

(B) Buses and Other Vehicles Used for Approved Pupil Transportation:

(i) Outright purchase (including purchase by conventional contract). For each outright purchase or purchase by conventional contract, each district shall report to the Oregon Department of Education, on the forms provided, the unit cost of the vehicle(s) purchased and the dollar amount of interest payments associated with such purchase. The capitalized value shall represent the unit cost, exclusive of interest. Depreciation shall be computed at an annual rate of ten percent;

ADMINISTRATIVE RULES

(ii) Lease-purchase agreements. For each lease-purchase agreement, the district shall report to the Oregon Department of Education, on the forms provided, the dollar amount of the agreement, any applicable trade-in value, the dollar amounts of interest payments contained in the agreement, and the schedule of such interest payments contained in the agreement. The capitalized value of the vehicles shall represent the lease-purchase price including the trade-in allowance less interest payments contained in the agreement. Depreciation shall be computed at an annual rate of ten percent;

(iii) Lease agreements. If the district is leasing its buses under a lease agreement, the district shall report the annual lease cost. A lease agreement as used in this paragraph means an agreement whereby the lessor retains title to the buses being leased to the lessee school district and the title to the buses is never received by the lessee. Under such a lease agreement, the use of the buses by the lessee is limited by the term of the lease. If there is an auxiliary agreement either written or oral whereby at the end of the lease term, the title of the buses shall pass to the lessee school district, the agreement is not a lease agreement as described in this paragraph but is a lease-purchase agreement as outlined in subparagraph (ii) of this paragraph. The lease payment made by a school district obtaining the use of buses pursuant to a lease as defined in this paragraph shall be used in the computation of the reimbursement in place of the depreciation set forth in subparagraphs (i) and (ii) of this paragraph.

(l) Deductions:

(A) Payments Received from Other Districts and from Patrons. Money received from other school districts, parents, guardians, or students for transportation if paid in support of expenditures listed in subsections (5)(a) through (l) of this rule;

(B) Nonreimbursable Transportation Costs. Actual bus mileage of excludable trips shall include the actual mileage in district owned or contracted buses for transportation for activity trips, athletic trips, school lunch purposes, summer school, adult education, evening school, nursery school, and any other nonreimbursable purposes. Such mileage shall be deducted at the rate indicated in subsection (5)(m)(B) of this rule. The rate of deduction may be reviewed periodically by the State Board of Education and adjusted accordingly;

(C) State and Federal Receipts for Transportation. All state and federal receipts for transportation expenditures, exclusive of funds apportioned under ORS 327.006 and 327.033, that have been included in subsection (5)(a) through (l) of this rule;

(D) Rental or Lease Payments from Private Contractors. Payments received from private contractors for the use of district owned buses and garages in the operation of the pupil transportation system by the private contractor. This item must be shown as Revenue Code 1930 in the school district audit and the gross payments to the contractor must be included in subsection (5)(c) of this rule.

(7) Each district shall maintain a record, by purpose, of total pupil transportation miles and shall submit a report of such to the Oregon Department of Education on the form provided. The accuracy of such records shall be certified by the district clerk.

(8) If an education service district offers a special service under the provisions of section (4) of ORS 334.175, including home-to-school transportation that would qualify for reimbursement under the provisions of ORS 327.006 if provided by a local school district, the following procedure in crediting the transportation expenditure to the local district may be employed:

(a) The education service district shall compute approved home-to-school transportation costs as provided in section (4) of this rule;

(b) The approved costs so determined shall be billed to and paid by each of the local school districts. The expenditure shall be accounted for by the local district as a transportation expenditure paid to another education agency;

(c) The audited district expenditure shall be recognized by the State Superintendent of Public Instruction in computing the local district's entitlement under ORS 327.006;

(d) If the education service district reimburses the local district the difference between that portion billed and that paid under ORS 327.006, such reimbursement — if derived from property tax sources by education service district resolution — shall not be deducted by the state in determining the local district's approved costs. The local district shall account for the education service district reimbursement as other general receipts are accounted for from the education service district.

(9) For purposes of computing board and room entitlement for a district operating a dormitory under provisions of ORS 327.006, the state assumes responsibility for its proportionate share of costs associated with

the provision of food, facilities, staff, operation, and maintenance necessary to provide students with safe and healthy living conditions. The state does not assume responsibility for costs associated with recreation or entertainment of students. The approved cost against which the computation is made for state liability shall not exceed the limit stated in ORS 332.405. In addition, the state will assume its proportionate share of the cost of field trips as defined in subsection (3)(c) of this rule.

(10) The computation of approved expenditures for board and room entitlement shall be made as follows:

(a) Salaries;

(b) Operation:

(A) Utilities;

(B) Supplies;

(C) Other Operational Costs.

(c) Maintenance:

(A) Upkeep;

(B) Replacement.

(d) Fixed Charges:

(A) Employee Benefits;

(B) Other Fixed Charges.

(e) Food;

(f) Operation of Buses and Other Vehicles — Supplies, Repairs and Maintenance;

(g) Depreciation:

(A) Dormitory;

(B) Buses and Other Vehicles.

(h) Total Expenditures (Sum of subsections (10)(a) through (g) of this rule);

(i) Deductions (subtract if cost is included in cost above):

(A) Payments Received from Other Districts and from Patrons;

(B) Nonreimbursable Transportation Costs as indicated in subsection (5)(m)(B) of this rule;

(C) State and Federal Receipts for Transportation, except those apportioned under ORS 327.006, 327.033, or third party Medicaid payments, if used to support expenditures in subsections (10)(a) through (g) of this rule;

(D) Federal School Lunch, Breakfast, and Milk Reimbursements;

(E) Sales of Food.

(j) Total Deductions (sum (10)(i)(A) + (i)(B) + (i)(C) + (i)(D) + (i)(E));

(k) Approved Cost ((10)(h) minus (10)(j) of this rule).

(11) The items included in the board and room entitlement computation are defined as follows:

(a) Salaries. Salaries and wages paid dormitory personnel, including the dormitory manager, cooks, custodians, and other personnel directly concerned with operation of the dormitory, and that portion of salaries paid secretarial and clerical assistants and other personnel attributable to the dormitory program;

(b) Operation:

(A) Utilities. Heat for buildings, water and sewage, electricity, telephone, and other utilities necessary for the operation of the dormitory;

(B) Supplies. Custodial supplies, supplies for care of grounds, linens, and other supplies necessary for the operation of the dormitory including food services. Purchase of food is included in subsection (11)(e) of this rule;

(C) Other Operational Costs. Contracted custodial services, window washing, laundry or linen services, etc., necessary for the operation of the dormitory.

(c) Maintenance:

(A) Upkeep. Expenditures associated with maintaining the existing dormitory facilities in a safe, healthy, and efficient condition, including supplies and materials for upkeep of dormitory grounds and the dormitory building. Costs associated with maintenance of recreational or entertainment facilities are excluded;

(B) Replacement of Equipment. Expenditures associated with replacing equipment necessary to the safe, healthy, and efficient operation of the dormitory. Replacement of equipment used for recreational or entertainment purposes are excluded.

(d) Fixed Charges:

(A) Employee Benefits. Expenditures for dormitory employees' benefits including social security and retirement, employee health insurance, workers' compensation, and unemployment insurance;

(B) Other Fixed Charges. Expenditures for property insurance, liability insurance, rental of land and buildings for purposes associated with operation of the dormitory, and other fixed charges directly attributable to operation of the dormitory.

ADMINISTRATIVE RULES

(e) Food. Expenditures for food necessary for the operation of the dormitory;

(f) Operation of Buses and Other Vehicles — Supplies, Repairs, and Maintenance. Expenditures for fuel, oil, lubricants, tires, tire repair, batteries, vehicle repair parts and supplies, repair of vehicles by other than the school district, garage maintenance and operation, and garage equipment repair and maintenance necessary for the operation of buses utilized for purposes stated in section (3) of this rule and of other vehicles necessary for the operation of the dormitory;

(g) Depreciation:

(A) Dormitory. For purposes of computing dormitory depreciation, capitalized cost is defined as the unit cost of the asset (including the cost of original equipment), exclusive of interest, plus the cost of substantial improvements or remodeling. The purchase of land shall not be included. Costs associated with providing recreational or entertainment facilities are not included. Depreciation shall be computed at an annual rate of four percent;

(B) Buses and Other Vehicles. Depreciation for buses used for approved pupil transportation and that portion of other vehicles necessary for operation of the dormitory shall be computed in accordance with the formula and definition stated in paragraph (6)(k)(B) of this rule.

(h) Total. Sum of subsections (10)(a) through (g) of this rule;

(i) Deductions:

(A) Payments Received from Other Districts and from Patrons. Money received from other school districts, parents, guardians, or students for transportation or room and board if paid in support of expenditures listed in subsections (10)(a) through (f) of this rule;

(B) Nonreimbursable Transportation Costs. Costs for nonreimbursable transportation according to the formula and definition stated in paragraph (6)(l)(B) of this rule;

(C) State and Federal Receipts for Transportation. All state and federal receipts for transportation or room and board expenditures exclusive of funds apportioned under ORS 327.006 that have been included in subsections (10)(a) through (f) of this rule;

(D) Federal School Lunch, Breakfast, and Milk Reimbursements. All federal receipts for school lunch, breakfast, and milk expenditures that have been included in subsections (10)(a) through (f) of this rule;

(E) Sales of Food. Money received from teachers, students, or other individuals from food sales for which the expenditures are included in subsections (10)(a) through (f) of this rule.

(12) Such items of expenditure as may be questionable in applying the policy stated in this administrative rule shall be resolved by the State Superintendent of Public Instruction and such determination shall be final.

(13) Apportionment of the State School Fund for 2001–02 and subsequent years.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013 & 820.100 - 820.120

Hist.: 1EB 177, f. 10-2-74; 1EB 181, f. 1-17-75, ef. 7-1-75; 1EB 209, f. 12-5-75, ef. 1-16-76; 1EB 220, f. 2-17-76, ef. 3-15-76; 1EB 233, f. 6-11-76, ef. 6-18-76; 1EB 4-1978, f. 1-27-78, ef. 1-27-78; 1EB 10-1980, f. & ef. 5-5-80; 1EB 6-1981, f. 3-2-81, ef. 3-3-81; 1EB 4-1982, f. & ef. 2-10-82; 1EB 15-1982, f. 8-4-82, ef. 8-5-82; 1EB 17-1983, f. 11-23-83, ef. 11-25-83; 1EB 1-1985, f. 1-4-85, ef. 1-7-85; 1EB 5-1986, f. 1-30-86, ef. 2-1-86; EB 4-1987, f. & ef. 2-20-87; EB 32-1987, f. & ef. 12-10-87; EB 42-1988, f. & cert. ef. 11-15-88; EB 3-1992, f. & cert. ef. 2-21-92; EB 21-1993, f. & cert. ef. 6-2-93; EB 4-1997, f. & cert. ef. 4-25-97; ODE 9-2000, f. & cert. ef. 4-5-00; ODE 25-2001, f. & cert. ef. 11-7-01; ODE 9-2003, f. & cert. ef. 6-13-03; ODE 10-2006, f. & cert. ef. 2-21-06; ODE 8-2008, f. & cert. ef. 3-21-08; ODE 6-2010, f. & cert. ef. 4-26-10; ODE 22-2011, f. & cert. ef. 12-15-11; ODE 39-2014, f. & cert. ef. 9-3-14

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Rule Caption: Pupil Transportation Rules

Adm. Order No.: ODE 40-2014

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Rules Amended: 581-053-0003, 581-053-0004, 581-053-0040, 581-053-0050, 581-053-0060, 581-053-0130, 581-053-0140, 581-053-0220, 581-053-0225, 581-053-0230, 581-053-0240, 581-053-0250, 581-053-0440, 581-053-0540, 581-053-0630, 581-053-0640

Subject: These rules were last updated in 2012. These changes correct grammatical errors and clarify rule meanings. Some rules changed due to changes to State Law and Federal Rule. Rules become effective 9-1-14.

Rules Coordinator: Cindy Hunt—(503) 947-5651

581-053-0003

Definitions

The following terms used in OAR chapter 581, division 53 shall be defined as follows:

(1) “Accident” means an occurrence that results in any of the following:

(a) An injury requiring medical or dental treatment.

(b) Combined vehicle and property damage in excess of \$500. This includes:

(A) Damage to the school bus or school activity vehicle; and

(B) Damage to property other than the school bus or school activity vehicle, including damage to another school bus or school activity vehicle, or transportation entity property.

(2) “Activity trip” means transportation between a school or location to another school or location, but not home-to-school.

(3) “Actual knowledge” means direct and clear awareness of a circumstance or fact, resulting from either observation or investigation.

(4) “Approved” means a motor carrier approved by ODE for transportation of school children for activity trips.

(5) “Authorized official” means a person designated by the local employer.

(6) “CDL” means a commercial driver license as defined in ORS 801.207.

(7) “CFR” means code of federal regulations.

(8) “CLP” means a commercial learners permit issued by this state or another jurisdiction to allow an individual to be trained on the operation of a commercial motor vehicle, including a school bus.

(9) “Carrier or Motor carrier” means for-hire carrier or private carrier subject to ORS Chapter 825.

(10) “Certificate of Carrier Approval” means a certificate from ODE authorizing a motor carrier to transport students for Oregon schools.

(11) “Chaperone” means a person authorized by the school district.

(12) “Chargeable Accident” is an accident in which the driver is answerable as the primary cause of, or the result of, the accident.

(13) “Classroom instructor” means a person who holds one or more of the following certificates issued by ODE:

(a) Core Instructor Certificate;

(b) Core Refresher Instructor Certificate; or

(c) Transporting Students with Special Needs Instructor Certificate.

(14) “Contractor” means any company, organization or person that provides transportation services to a transportation entity and is not subject to ORS Chapter 825 while providing that service.

(15) “DMV” means the Oregon Department of Transportation, Driver and Motor Vehicle Services Division.

(16) “Diabetic person” means a person who takes insulin.

(17) “Driving instructor” means a person who holds one of the following certificates issued by ODE:

(a) Behind-the-Wheel Trainer Certificate;

(b) Behind-the-Wheel Probationary Trainer Certificate;

(c) Advanced Reference Point Trainer Certificate; or

(d) Assistant Trainer Certificate.

(18) “FMCSA” means the Federal Motor Carrier Safety Administration.

(19) “Invalid” means a certificate or permit that has expired, has been made inactive, or is otherwise immediately disqualified by rule.

(20) “Medical certificate” is defined in OAR 735-063-0060.

(21) “Home to School” means transportation between the student’s residence, babysitter, daycare or designated pick up or drop off spot and their educational facility.

(22) “Motor coach” means an over-the-road bus, having a gross vehicle weight rating (GVWR) of 26,000 lbs or more but does not include the following:

(a) Buses used in public transportation provided by a State or local government; and

(b) Vehicles owned or operated by a mass transport district created under ORS Chapter 267.

(23) “OAR” means Oregon Administrative Rule(s).

(24) “ODE” means the Oregon Department of Education.

(25) “ORS” means Oregon Revised Statute(s).

(26) “Provider of Motor coach services” means a motor carrier providing passenger transportation service with a motor coach for compensation, including per-trip compensation or chartered compensation.

(27) “Refused” means that ODE has determined that an applicant is unqualified for the certificate or permit being applied for.

ADMINISTRATIVE RULES

(28) "Rejected" means that an application for certificate or permit is incomplete and no determination of qualification will be made.

(29) "Revoke" means the termination of one or more certificates or permits. Revoked certificates are not reinstated at the end of the revocation period. Individuals who have had a certificate revoked shall reenter the program in the same way as an individual entering the program for the first time.

(30) "School board" means the governing board or governing body of the transportation entity.

(31) "School activity vehicle" is defined in ORS 801.455 and includes all such vehicles that are owned, leased, or rented by a transportation entity.

(32) School Activity Vehicle Types:

(a) "Type 10 vehicle" means a vehicle that has a capacity of not more than ten persons, a gross vehicle weight rating of not more than 10,000 pounds and are used to transport students to and from school or authorized school activities.

(b) "Type 20 vehicle" means a vehicle that has a capacity of not more than 20 passengers, a gross vehicle weight rating of not more than 14,500 pounds, and are used to transport students to and from authorized school activities.

(c) "Type 21 vehicle" means a vehicle that has a capacity of more than 20 passengers or a gross vehicle weight rating of more than 14,500 pounds, and is used to transport students to and from authorized school activities.

(d) "School pupil activity bus (SPAB)" means a motor coach with a gross vehicle weight rating of more than 26,000 pounds and operated by a motor carrier, used under a contractual agreement between a transportation entity and a carrier to transport school pupils on activity trips.

(33) "School bus" is defined in ORS 801.460 and includes all such vehicles that are owned, leased, or rented by a transportation entity.

(34) School Bus Types:

(a) "Type A-1" means a school bus with a gross weight rating of 14,500 pounds or less.

(b) "Type A-2" means a school bus with a gross weight rating between 14,500 and 19,500 pounds, and a passenger capacity not to exceed 36.

(c) "Type B" means a school bus with a gross weight rating between 10,000 pounds and 19,500 pounds. Most of the engine is beneath and/or behind the windshield and beside the driver's seat. The entrance door is behind the front wheels.

(d) "Type C" means a school bus with all or part of the engine in front of the windshield and the entrance door behind the front wheels.

(e) "Type D" means a school bus with the engine mounted in the front behind the windshield, midship, or rear. The entrance door is ahead of the front wheels.

(35) "Skills test" means the test given to a school bus or school activity vehicle driver prior to certification or approval to drive that type of vehicle. The skills test is composed of the following tests:

(a) Vehicle Inspection Test

(b) Basic Control Skills Test (only applicable to a school bus or type 21 test)

(c) On-Road Driving Test

(36) "Submit" means that a document has been received by ODE

(37) "Supervisor":

(a) Prior to July 1, 2015 means a person authorized by the transportation entity or contractor.

(b) On or after July 1, 2015 means a person designated by the transportation entity or contractor who holds ODE Supervisor Certification.

(38) "Suspend" means the temporary withdrawal of one or more certificates or permits for a period not to exceed one year. Suspended certificates are reinstated at the end of the suspension period provided that all other certificate requirements are met.

(39) "Trained in first aid" means a person who possesses a valid first aid card verifying completion of a hands-on first aid class that meets the requirements of the American Red Cross first aid program or an equivalent course that is consistent with the Best Practices Guide: Fundamentals of a Workplace First-Aid Program (OSHA 3317-2006) published by the Occupational Safety Health Administration, U.S. Department of Labor. The training program shall include instructor observation of acquired skills and shall include, but not be limited to, the following training:

(a) Curriculum based on a consensus of scientific evidence;

(b) Treating airway obstruction in a conscious victim;

(c) Recognizing the signs and symptoms of shock and providing first aid for shock due to illness or injury;

(d) Controlling bleeding with direct pressure;

(e) Poisoning;

(f) Wounds;

(g) Burns;

(h) Temperature Extremes;

(i) Musculoskeletal Injuries;

(j) Eye Injuries;

(k) Mouth and Teeth Injuries; and

(l) Bites and Stings.

(40) "Transportation entity" means any school district, individual school, educational service district or head start agency to which the rules of this division apply.

(41) "Transportation service" means home to school or school to home transportation provided to a qualifying student, regardless of how that transportation is provided.

(42) "Valid" means an unexpired, active certificate or permit with no automatic disqualifiers listed in the rule for that certificate or permit.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0004

General

(1) Transportation entities shall provide transportation in compliance with all applicable laws and administrative rules.

(2) Transportation entities that contract out all or part of their pupil transportation services are required to ensure that their contractor complies with all applicable laws and administrative rules.

(3) Transportation entities or contractors shall not require or knowingly permit any person to operate a school bus or school activity vehicle in violation of any applicable rules of the State Board of Education or Oregon laws.

(4) Transportation entities or contractors shall notify ODE within 30 days if they have actual knowledge that:

(a) A school bus or school activity vehicle driver has violated an ORS or OAR; and

(b) Student or public safety was jeopardized by the violation.

(5) Transportation entities or contractors shall notify ODE within 30 days anytime a school bus or school activity vehicle driver leaves their employment or is hired while already possessing an otherwise valid certificate or permit:

(6) Each school board shall adopt and implement written policies that:

(a) Direct schools governed by the board to notify the transportation service provider's designee if students receiving transportation services have special medical or behavioral protocols identified in their student records; and

(b) Ensure drivers receive appropriate and documented training related to specified protocols, including but not limited to satisfying confidentiality requirements.

(7) Relocation of school buses and school activity vehicles:

(a) Written notification must be sent to ODE when a school bus or school activity vehicle is moved to another transportation entity for a period exceeding 10 days.

(b) Written notification must be sent to ODE when a school bus or school activity vehicle is received from another transportation entity for a period exceeding 10 days.

(c) School buses with a manufacture date prior to September 1, 1998 may not be relocated.

(d) Type 20 and Type 21 school activity vehicles with a manufacture date prior to September 1, 1994 may not be relocated.

(8) A seat that fully supports the passenger shall be provided for every passenger on all school buses and school activity vehicles. Seating is not permitted on any portion of the vehicle not designed for that purpose. Passengers shall not be permitted to stand while the vehicle is in motion.

(9) Transportation entities and contractors shall provide for the required training, examination and testing of their school bus and school activity vehicle drivers to comply with rules promulgated by the State Board of Education. Appropriate specialized training designed for special needs transportation shall be provided prior to allowing drivers to transport students with disabilities. Records to document training and testing shall be maintained by transportation entities. Such records shall be made part of each driver's driver-training record file. Records shall be made available to ODE personnel or the driver upon request.

(10) Transportation entities and contractors that use aides, either assigned to specific bus routes or to specific students, shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

ADMINISTRATIVE RULES

(11) Transportation entities or contractors employing school bus drivers or school activity vehicle drivers shall immediately notify ODE if they have reason to believe any change has occurred in an employed driver's criminal or driving record that could affect the driver's qualifications under the provisions of OAR 581-053-0050.

(12) When a school bus driver requires a physical exam as required by OAR 581-053-0040 or a school activity driver requires a physical exam as required by 49 CFR 391.41-381.49, the transportation entity or contractor shall verify that the driver was certified by a medical examiner listed on the National Registry of Certified Medical Examiners as of the date of issuance of the medical examiner's certificate.

(13) A transportation entity or contractor shall notify ODE in writing within 30 days of when they receive notification that a school bus driver employed by the entity or contractor:

(a) No longer meets the physical requirements for school bus drivers specified in OAR 581-053-0040;

(b) Fails to comply with the testing or screening requirements established by the Federal Motor Carrier Safety Administration for commercial drivers at title 49 CFR part 382.

(14) Transportation entities shall submit accident reports to ODE, signed by a supervisor or designee, within 72 hours of the crash. In the case of an accident involving serious injury or death, ODE shall be notified immediately.

(15) Transportation entities shall report to ODE statistics related to pupil transportation.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0040

Physical Examinations

(1) An applicant for a school bus driver's permit or certificate, or renewal of a school bus driver's certificate must have passed a physical examination approved by the Oregon Department of Education and administered within six months prior to the date of application by an individual certified by FMCSA and listed on the National Registry of Certified Medical Examiners.

(2) Physicians completing the required ODE forms for diabetic persons must be a:

- (a) Board certified endocrinologist;
- (b) Board certified diabetologist;
- (c) Board certified family practitioner; or
- (d) Board certified internist.

(3) A cardiac stress test shall be required with medical examination given any evidence of myocardial infarction within the past three months or unstable angina pectoris. The examining physician may require a resting electrocardiogram (ECG) or other testing as determined appropriate related to coronary insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive heart failure.

(4) Physical examination and certificate application forms adopted by the ODE shall be utilized by applicants for a school bus driver's certificate or permit.

(5) An applicant is physically qualified to drive a school bus if the applicant:

(a) Has no impairment in the use of the driver's foot, leg, finger, hand or arm or other structural defect or limitation likely to interfere with the driver's ability to perform tasks associated with operating a school bus. Drivers may be required to demonstrate their ability to:

(A) Utilize a manually operated bus entrance door control with a force of at least 30 pounds;

(B) Ascend and descend steps with a maximum step height of 17 1/2 inches;

(C) Operate two hand controls simultaneously and quickly;

(D) Have a reaction time of 3/4 of a second or less from the throttle to the brake control;

(E) Carry or drag a 125 pound person 30 feet in 30 seconds or less;

(F) Depress a brake pedal with the foot to a pressure of at least 90 pounds;

(G) Depress a clutch pedal with the foot to a pressure of at least 40 pounds unless operating an automatic transmission; and

(H) Exit from an emergency door opening of 24 x 48 inches at least 42 inches from the ground in ten seconds or less.

(b) Is physically able to open all emergency exits installed in any school bus they drive; and

(c) Has no mental, nervous, organic or functional disease or disability likely to interfere with safe driving or other responsibilities of a school bus driver.

(d) Has visual acuity of at least 20/40 (Snellen) in each eye either with or without corrective lenses and a binocular acuity of at least 20/40 (Snellen) in both eyes either with or without corrective lenses. Form field of vision shall not be less than a total of 140 degrees and the ability to distinguish colors red, green and yellow. Drivers requiring corrective lenses shall wear properly prescribed lenses at all times while driving.

(e) Perceives a forced whispered voice in the better ear not less than five feet with or without the use of a hearing aid, or if tested by the use of an audiometric device, the applicant shall not have average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard Z24.5-1951. Drivers requiring a hearing aid shall wear a properly operating hearing aid at all times while driving.

(f) Controlled substances:

(A) Does not use any controlled substance identified in 21 CFR 1308.11 Schedule 1, an amphetamine, a narcotic, or other habit-forming drug.

(B) Does not use any non-Schedule I controlled substance except when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a school bus.

(g) Has no current clinical diagnosis of alcoholism.

(h) Has not had a loss of consciousness or loss of control (cognitive function) due to a diabetic event within the preceding one year period, provided there has not been a recurrent hypoglycemic reaction requiring assistance of another person within the previous five years. A period of one year of demonstrated stability is required following the first episode of hypoglycemia.

(i) Does not have a diabetic condition; Applicants with a diabetic condition may be physically qualified provided they comply with all of the following requirements. Drivers shall:

(A) Self-monitor their blood glucose and demonstrate a blood glucose level of more than 100mg/dl and less than 300 mg/dl, using a device approved by the Food and Drug Administration, U.S. Department of Health and Human Services, within one hour before driving pupil transporting vehicles and approximately every four hours while on duty;

(B) Report immediately to their employer, any failure to comply with specific glucose level requirements as listed in paragraphs (i)(A) and (E) of this subsection, or loss of consciousness or control;

(C) Maintain a daily log of all blood glucose test results for the previous six month period and provide copies to their employer, the examining physician and the Oregon Department of Education, upon request;

(D) Carry a source of readily absorbable, fast-acting glucose while on duty;

(E) Undergo and submit physician-signed results of a glycated hemoglobin (HbA1c) test indicating glucose levels of more than 5.9 percent and less than 9.6 percent to their employer for transmission to the Oregon Department of Education every six months;

(F) Undergo and submit the results of an annual examination to detect any peripheral neuropathy, unstable diabetic retinopathy or clinically significant eye disease that prevents the individual from meeting current vision standards included in this rule, or circulatory insufficiency;

(G) Provide a signed statement by the examining physician indicating that within the past three years the driver has completed instruction to address diabetes management and driving safety, to identify signs and symptoms of hypoglycemia and hyperglycemia, and what procedures must be followed if complications from diabetes arise;

(H) Submit all required Oregon Department of Education forms signed by the appropriate medical professionals within the prescribed time-limits;

(j) Does not have severe hypertension (grade 3 retinopathy); or

(k) Does not have an established medical history or clinical diagnosis of epilepsy or any other condition likely to cause loss of consciousness or any loss of ability to control a motor vehicle.

(6) A driver is no longer physically qualified to operate a school bus and shall be immediately removed from duty for the following:

(a) Diabetic person:

(A) Results of an HbA1c test indicating values less than 6.0 or greater than 9.5 unless accompanied by the required medical opinion that the event was incidental and not an indication of failure to control glucose levels;

ADMINISTRATIVE RULES

(B) Results of self-monitoring indicate glucose levels less than 100 mg/dl or greater than 300 mg/dl, until self-monitoring indicates compliance with specifications; proofread

(C) Experiencing a loss of consciousness or control relating to a diabetic condition; or

(D) Failing to maintain or falsifying the required medical records.

(b) A new diagnosis of diabetes requiring insulin until all requirements under subsection (5)(i) have been met;

(c) Notwithstanding subsections (a) and (b) of this section, if the driver has a serious illness, injury, or change in physical or mental condition and no longer meets the physical requirements outlined in this rule, then re-examination and medical approval are required before the driver may resume driving a school bus.

(7) Notwithstanding any other section of this rule, Type 20 CDL drivers and SPAB drivers shall meet the FMCSA physical requirements found in 49 CFR part 391 and shall carry a medical certificate to indicate compliance.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120
Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120
Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0050

Driving and Criminal Records

(1) The Oregon Department of Education shall review the driving record of each applicant for certification or approval as a school bus or school activity driver. Applicants who have held a driver license in a state other than Oregon anytime during the preceding three-year period may be required to furnish a copy of the driving record from each state in which the applicant has held a driver license to ODE. If the driver currently holds a driver license from another state, the driving record shall be printed no more than 30 days prior to the date received by ODE.

(2) ODE shall review the criminal record of each applicant for certification or approval as a school bus or school activity driver.

(3) An applicant does not qualify as a school bus or school activity driver if the applicant:

(a) Has ever been convicted of a crime listed in ORS 342.143. (Forever Crime)

(b) Has ever been convicted of a crime involving violence, threat of violence or theft. This shall not apply if the applicant or driver has been free from custody, probation and parole for the preceding three-year period from date of application.

(c) Has ever been convicted of a crime involving activity in drugs or alcoholic beverages. This shall not apply if the applicant or driver has been free from custody, probation, and parole for the preceding three-year period from date of application.

(d) Has had his or her driving privileges suspended by any state, within the preceding three-year period, for a cause involving the unsafe operation of a motor vehicle or because of driving record.

(e) Has been convicted within the preceding three-year period of:

(A) Driving under the influence of intoxicants, as defined in ORS 813.010;

(B) Reckless driving, as defined in ORS 811.140;

(C) Fleeing or attempting to elude a police officer, as defined in under ORS 811.540;

(D) Failure to perform the duties of a driver involved in an accident or collision which results in injury or death of any person, as described in ORS 811.705; or

(E) An equivalent out of state conviction for any of the above.

(f) Has had his or her driving privileges revoked or suspended as a habitual offender under ORS 809.600. This shall not apply if applicant or driver has had his or her driving privileges restored under ORS 809.660 for the preceding three years;

(g) Has a driving record for the preceding three-year period that has an accumulation of 31 or more points based upon the following point system:

(A) Each chargeable accident shall have a value of 10 points. Applicable traffic code and preventability guidelines published by the National Safety Council and the Pupil Transportation Safety Institute may be used to determine if an accident is chargeable; and

(B) Each of the traffic violations on Table 1 shall have a value of 10 points.

(C) One point shall be subtracted from the total number of points for each full month, since the last chargeable accident or conviction, to the time of driving record check; however, all subtracted points will be reinstated if any additional qualifying convictions or chargeable accidents occur within the three-year calculation period.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 327.013 & 820.100 - 820.120
Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120
Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0060

Refusals, Suspensions, Revocations and Invalid Certificates

(1) The Oregon Department of Education shall refuse to issue a certificate or permit to an applicant who does not meet the qualifications for the certificate or permit being sought. Incomplete applications shall be rejected.

(2) ODE may suspend or revoke a certificate or permit based on the violations and sanctions listed on **Table 1** [Table not included. See ED. NOTE.]. If the certificate holder has been suspended within the prior three-year period, the current offense may be considered a second or subsequent offense.

(3) If the conditions of reinstatement are not met for a suspended certificate or permit at the end of the suspension period, the certificate or permit shall be immediately revoked.

(4) A certificate or permit holder shall surrender any suspended or revoked certificate or permit to ODE.

(5) A certificate or permit holder whose certificate or permit was suspended or revoked, or application for a certificate for permit was refused, may request a hearing. Hearings conducted under this section on appeal for refusal, suspension or revocation of a certificate or permit shall be conducted pursuant to ORS chapter 183.

(6) ODE may only reinstate a certificate or permit if all conditions of the suspension or revocation have been met, and the person otherwise qualifies for the certificate or permit being reinstated.

(7) Notwithstanding section (5) of this rule, no hearing will be held when a certificate or permit becomes invalid because of the provisions of the rule that govern the certificate or permit.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 327.013 & 820.100 - 820.120
Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120
Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0130

Assistant Trainer Certificate

(1) The Oregon Department of Education may issue an Assistant Trainer Certificate to an individual who has:

(a) One year experience operating a school bus;

(b) A current School Bus Driver's Certificate;

(c) Submitted an application that includes information regarding the behind-the-wheel trainer(s) that the applicant will be working with; and

(d) Submitted a letter of recommendation from their supervisor.

(2) Assistant trainers shall work under the direction of a certified behind-the-wheel trainer.

(3) The Assistant Trainer Certificate authorizes an individual to:

(a) Work with school bus driver applicants on portions of the behind-the-wheel training that have already been taught and documented by a certified behind-the-wheel trainer; and

(b) Train applicants to drive a type 20 vehicle and sign off on the type 20 performance check list and application in accordance with OAR 581-053-0420 only if the applicant has a valid driver license or CDL. If the type 20 vehicle is designed to hold 15 or more passengers, a CDL or CLP with a medical certificate is required.

(4) Assistant trainers shall not sign off on any item on the performance checklist for new school bus drivers except for the assistant trainer line on the last page.

(5) The assistant trainer certificate shall be invalid if:

(a) The assistant trainer no longer has a valid school bus certificate; or

(b) The behind-the-wheel trainer(s) is (are) no longer available to provide direction to the assistant trainer.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120
Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120
Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0140

Behind-the-Wheel Trainer Certificate

(1) The Oregon Department of Education shall issue a Behind-the-Wheel Trainer Certificate to an individual who has:

(a) Two years' experience operating commercial motor vehicles;

(b) One year experience operating a school bus;

(c) Six months experience as a certified assistant trainer, except that:

(A) This requirement may be waived by the ODE Director of Pupil Transportation. Request for exception from this requirement will be decided on an individual basis.

ADMINISTRATIVE RULES

(B) Trainers who have attended the Behind-the-Wheel Instructor Workshop prior to July 1, 2012 are exempt from this provision.

- (d) A current School Bus Driver's Certificate;
- (e) Been recommended by a transportation entity or contractor; and
- (f) Either:
 - (A) Completed the Behind-the-Wheel Instructor Workshop with a score of at least 80%; or

(B) Met all conditions of probation after being issued a Behind-the-Wheel Probationary Trainer Certificate in OAR 581-053-0145 prior to the expiration date of the probationary certificate.

(2) The Behind-the-Wheel Training Certificate authorizes an individual to:

(a) Train applicants for a School Bus Driver's Permit or Certificate in accordance with OAR 581-053-0220, only if the applicant has:

(A) A valid CDL with proper endorsements, or a valid CLP and documentation that the individual has passed the proper written endorsement exams at DMV; and

(B) A valid medical certificate.

(b) Train applicants for a Type 20 Certificate in accordance with OAR 581-053-0420, only if the applicant has a valid driver license or CDL. If the type 20 vehicle is designed to hold 15 or more passengers, a CDL or CLP with a medical certificate is required.

(c) Test applicants for a School Bus Driver's Permit or Certificate who have:

(A) Met all requirements of subsection (a) of this section;

(B) A School Bus Application Form signed by the medical examiner, the applicant, and the behind-the-wheel trainer that conducted the training; and

(C) A completed school bus performance checklist on file that is initialed and signed by the applicant and the behind-the-wheel trainer that conducted the training.

(d) Test applicants for a Type 20 Certificate who have:

(A) A valid driver's license or CDL. If the type 20 vehicle is designed to hold 15 or more passengers, a CDL with a medical certificate is required; and

(B) A completed type 20 performance checklist on file that is initialed and signed by the applicant and the behind-the-wheel or assistant trainer that conducted the training.

(e) Teach the material out of the Advanced Reference Point Manual, published by ODE, to school bus drivers who already possess a valid School Bus Driver's Permit or Certificate and sign-off mastery of the reference points on the Advanced Reference Point Performance Checklist for the driver's file and ODE training credit.

(3) The Behind-the-Wheel Training Certificate shall become invalid if the certificate holder:

- (a) Does not have a valid School Bus Certificate; or
- (b) Does not recertify when required by OAR 581-053-0100.

(4) Behind-the-wheel trainers shall not conduct skills tests for school bus driver applicants they have trained unless:

(a) The applicant has taken a CDL skills test at DMV that resulted in the issuance of a school bus endorsement; or

(b) The behind-the-wheel trainer has written permission from ODE.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0220

School Bus Driver's Permit and Certificate

(1) No person shall transport pupils in a school bus or a vehicle that has a capacity of more than 20 passengers and not subject to regulations promulgated by the Oregon Department of Transportation or U.S. Department of Transportation, unless such person has a valid School Bus Driver's Permit or Certificate or is a temporary driver, approved by ODE. No person shall transport pupils in a school bus of any size or type without first receiving documented instruction in its safe operation.

(2) ODE shall issue a School Bus Driver's Permit to an applicant who:

(a) Possess a valid CDL with proper endorsements for the vehicle being driven;

(b) Passes a physical examination as required in OAR 581-053-0040 Physical Examinations within six months prior to application;

(c) Passes a behind-the-wheel test administered by an ODE certified behind-the-wheel trainer within one year prior to application;

(d) Is not disqualified based on driving or criminal record as required in OAR 581-053-0050 Driving and Criminal Records;

(e) Submits an application for School Bus Driver's Permit or Certificate signed by the local supervisor certifying:

(A) The employer will:

(i) Immediately notify ODE if the employer learns of any changes to the applicant's driving and criminal records that could disqualify them from driving under OAR 581-053-0050 Driving and Criminal Records;

(ii) Be in compliance with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing; and

(iii) Ensure the driver complies with all applicable OARs.

(B) The applicant demonstrates the knowledge and ability to perform the duties of a school bus driver.

(f) Completes approved behind-the-wheel training.

(A) Training shall be for a minimum of 15 hours in actual operation of the vehicle(s) that the applicant will be expected to drive, except training may be to a minimum of four hours if:

(i) The applicant has regularly driven a school bus for a period of six months within the last three years;

(ii) The school bus was of a size and type similar to that which the applicant will be expected to drive; and

(iii) The employer has documentation from the applicant's previous employer regarding previous experience.

(B) Hours counted in paragraph (A) of this subsection shall be spent with a certified Behind-the-Wheel Trainer, or a certified Assistant Trainer working under the direction of a Behind-the-Wheel Trainer, as outlined in OAR 581-053-0130 Assistant Trainer Certificate.

(g) Reads and speak the English language sufficiently to converse with the general public, understand highway signs and traffic signals in the English language and respond to official inquiries and make entries on reports and records; and

(h) Complies with 49 CFR Part 382, FMCSA Controlled Substances and Alcohol Use and Testing.

(i) Has not held a valid School Bus Driver's Permit or Certificate within the last year.

(3) ODE shall issue an original School Bus Driver's Certificate to applicants who:

(a) Possess a valid CDL with proper endorsements for the vehicle being driven;

(b) Pass a physical examination as required in OAR 581-053-0040 within six months prior to application;

(c) Pass a behind-the-wheel test administered by an ODE certified behind-the-wheel trainer within one year prior to application;

(d) Are not disqualified based on driving or criminal record as required in OAR 581-053-0050;

(e) Submit an application for School Bus Driver's Permit or Certificate signed by the local supervisor certifying that:

(A) The employer will:

(i) Immediately notify ODE if the employer learns of any changes to the applicant's driving and criminal records that could disqualify them from driving under OAR 581-053-0050;

(ii) Be in compliance with FMCSA Controlled Substances and Alcohol Use and Testing regulations at 49 CFR 382; and

(iii) Ensure that the driver complies with all applicable OARs.

(B) The applicant:

(i) Demonstrates the knowledge and ability to perform the duties of a school bus driver;

(ii) Has completed the Core Course for school bus drivers taught by a certified Core instructor within the last four years; and

(iii) Is trained in first aid;

(f) Complete approved behind-the-wheel training.

(A) Training shall be for a minimum of 15 hours in actual operation of the vehicle(s) that the applicant will be expected to drive, except the training shall be for a minimum of four hours if:

(i) The applicant has regularly driven a school bus for a period of six months within the last three years;

(ii) The school bus was of a size and type similar to that which the applicant will be expected to drive; and

(iii) The employer has documentation from the applicant's previous employer regarding previous experience.

(B) Hours counted in paragraph (A) of this subsection shall be spent with a certified Behind-the-Wheel Trainer, or a certified Assistant Trainer working under the direction of a Behind-the-Wheel Trainer, as outlined in OAR 581-053-0130 Assistant Trainer Certificate;

(g) Read and speak the English language sufficiently to converse with the general public, understand highway signs and traffic signals in the

ADMINISTRATIVE RULES

English language, and respond to official inquiries and make entries on reports and records; and

(h) Comply with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing regulations.

(i) Notwithstanding any other provision of this section, ODE shall issue a School Bus Driver's Certificate to an applicant who holds a valid School Bus Driver's Permit issued under section (2) of this rule, and who submits a School Bus Driver's Permit Conversion Card signed by a local supervisor certifying that the applicant has:

(A) Completed the Core Course for school bus drivers taught by a certified Core Instructor within the last four years; and

(B) Is trained in first aid.

(4) ODE shall renew a School Bus Driver's Certificate for an applicant who:

(a) Possesses or has possessed within the last 12 month period a valid School Bus Driver's Certificate;

(b) Possesses a valid CDL with proper endorsements for the type of vehicle being driven;

(c) Passes a physical examination as required in OAR 581-053-0040 Physical Examinations within six months prior to application;

(d) Is not disqualified based on driving or criminal record as required in OAR 581-053-0050 Driving and Criminal Records;

(e) Submits an application for School Bus Driver's Permit or Certificate signed by a local supervisor certifying:

(A) The employer will:

(i) Immediately notify ODE if the employer learns of any changes to the applicant's driving and criminal records that could disqualify them from driving under OAR 581-053-0050;

(ii) Be in compliance with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing; and

(iii) Ensure that the driver complies with all applicable OARs.

(B) The applicant:

(i) Demonstrates the knowledge and ability to perform the duties of a school bus driver;

(ii) Has completed a Core or Core Refresher Course for school bus drivers, taught by a Core or Core Refresher instructor within the last four years;

(iii) Is trained in first aid; and

(iv) Has completed training averaging at least eight hours annually, while certified as a school bus driver during the preceding four-year period. Training must meet the requirements in OAR 581-053-0225 Approved Training for School Bus Drivers and be received by ODE to qualify.

(v) Complies with 49 CFR Part 382 FMCSA Controlled Substances and Alcohol Use and Testing.

(f) Additional tests may be required by ODE if reasonable doubt of driver competency exists or as required by rule.

(5) ODE may approve a person who does not currently possess a valid School Bus Driver's Certificate or Permit as a temporary driver. If approved, a driver shall not drive more than 10 days as a temporary driver during the approval period. ODE shall only approve a temporary driver if the driver:

(a) Submits a Request for Approval of a Temporary Driver form, signed by a supervisor;

(b) Is judged competent by the local supervisor;

(c) Possesses a valid CDL with proper endorsements for the vehicle being driven;

(d) Possesses a valid medical certificate;

(e) Has passed a driving and criminal records check as required in OAR 581-053-0050 Driving and Criminal Records; and

(f) Meets all other requirements listed on the Request for Approval of a Temporary Driver form.

(6) Expiration:

(a) School Bus Driver's permits expire 120 days after issuance, or on the date of medical certificate expiration, whichever occurs first. Permits may not be renewed. The holder of a valid permit may apply for a School Bus Driver's Certificate, provided that all requirements have been met for such certificate.

(b) School Bus Drivers' Certificates shall expire two years from the date of the physical examination required in OAR 581-053-0040, except:

(A) Certificates for applicants 55 years of age and older shall expire one year from the date of physical examination required in OAR 581-053-0040;

(B) Certificates for applicants who are diabetic shall expire one year from the date of the physical examination required in OAR 581-053-0040; and

(C) Certificates for applicants who have had a physical examination as required in OAR 581-053-0040 and have been issued a medical certificate with an expiration date that is prior to the expiration dates outlined in this subsection shall expire on the date the medical certificate expires.

(c) An approval of a temporary driver expires on July 1, following approval.

(7) Age Restrictions: To obtain an original School Bus Driver's Certificate or Permit, or to renew a School Bus Driver's Certificate following a person's 70th birthday, an applicant must comply with all certification requirements and successfully complete an ODE behind-the-wheel test no more than 30 days before the date of application. The test must be administered by a behind-the-wheel trainer. A copy of the test shall be attached to the application form.

(8) A driver shall notify ODE, in writing, of any change in the driver's name, address or employer within 30 days of the change. A duplicate certificate will be issued if necessary.

(9) A School Bus Driver's Permit or Certificate shall be invalid any-time that:

(a) A transportation entity or contractor notifies ODE that the driver is no longer active;

(b) The driver is no longer trained in first aid (School Bus Certificate Only);

(c) The driver no longer meets the physical requirements outlined in OAR 581-053-0040; or

(d) The driver does not maintain or falsifies records required of a diabetic driver outlined in OAR 581-053-0040.

(10) A School Bus Driver's Permit or Certificate shall be valid again if:

(a) The permit or certificate was invalid under subsection (9)(a) of this rule when a transportation entity or contractor notifies ODE that they are ensuring the driver's compliance with these OARs.

(b) The certificate was invalid under subsection (9)(b) of this rule when the driver is trained in first aid.

(c) The permit or certificate was invalid under subsection (9)(c) of this rule when the driver meets the physical requirements outlined in OAR 581-053-0040.

(d) The permit or certificate was invalid under subsection (9)(d) of this rule when the driver is able to produce two weeks of medical records demonstrating compliance with the physical requirements for diabetic drivers outlined in 581-053-0040.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0225

Approved Training for School Bus Drivers

(1) Training taught from material published by the Oregon Department of Education shall count towards a school bus driver's average training hours when taught by a certified instructor within the scope of their certificate.

(2) Training taught by a certified first aid instructor that results in the issuance of a first aid card demonstrating that a driver is trained in first aid. Proper certification of a first aid instructor is determined by the organization that issues a first aid card to the driver.

(3) Training taught from material not published by ODE shall count towards a school bus driver's required training hours if:

(a) The transportation entity has an ODE approval letter on file; and

(b) The training was conducted in accordance with the letter and applicable OARs.

(4) ODE may approve training for inclusion in a school bus driver's required training hours if the transportation entity:

(a) Submits a letter to ODE requesting approval of the training that includes a list of instructors who will teach the material. If the instructors are not certified through ODE, then the letter shall include background information and supporting documentation to establish the instructor as an expert in the field being taught; and

(b) A copy of the presentation material. This may include, but is not limited to, hand outs, outlines, and multimedia presentations.

(5) If ODE approves training that has been properly submitted as required by section (3) of this rule, then ODE shall issue a letter that indicates:

(a) The amount of time that will be accredited towards a school bus driver's required training hours for attending the training;

(b) The class and unit that the training will be assigned for record keeping purposes;

(c) The instructor(s) that may teach the material; and

ADMINISTRATIVE RULES

(d) The expiration date for the approval shall be four years after the approval date.

(6) Transportation entities may request a renewal of an expired approval letter or request that additional instructors be added to an approval letter by submitting:

(a) A letter certifying that the material being taught has not changed since the original approval letter was issued by ODE

(b) A list of instructors that will teach the material; and

(c) A copy of the original letter issued by ODE.

(d) Letters issued under this section will contain the same information as a letter issued in section (4) of this rule.

(7) Approval letters issued before July 1, 2012 that do not have an expiration date shall expire on July 1, 2013 or four years after the issue date of the letter, whichever is later.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0230

Approved Training for School Bus Drivers

(1) The driver shall report as soon as possible to the proper official any deficiency or malfunction of any equipment or component of the vehicle.

(2) The driver shall not transport students unless the vehicle is safe to operate.

(3) School bus drivers shall observe all local and state traffic laws and ordinances.

(4) Drivers shall enforce local school board and Oregon Department of Education rules governing pupils riding school buses.

(5) Drivers shall observe local school board and Oregon Department of Education rules pertaining to school bus drivers.

(6) After stopping at a railway crossing as required by law, the driver shall turn off any noise-producing device with the exception of two-way radio communication. The driver shall then open the bus entrance door and driver window, look and listen for an approaching train, then close the door before proceeding across the tracks.

(7) The driver shall assist in conducting student instruction and evacuation drills as directed by the transportation entity.

(8) Drivers shall report to their employer(s) within 15 days:

(a) Any conviction for driving or criminal offenses specified in OAR 581-053-0050.

(b) Any involvement in an accident.

(c) If their CDL is no longer valid.

(9) A school bus driver shall:

(a) Never drive backwards on the school grounds prior to looking behind the bus, sounding the horn, and placing a responsible person to guard the rear;

(b) Not leave the bus when pupils are in it until the motor is shut off, the brakes set, a manual transmission put in gear and the key removed from the ignition;

(c) Not disengage the clutch or have transmission in neutral to allow the bus to coast;

(d) Stop to load or unload pupils only at designated places;

(e) See that all doors on the bus are kept closed while the bus is in motion;

(f) Bring the bus to a complete stop before taking on or letting off pupils. Whenever possible the driver shall stop at a place where the road may be clearly seen for several hundred feet in either direction;

(g) Not permit anyone to hang on or hitch onto the outside of the bus;

(h) Not use a school bus for any purpose other than transporting pupils to and from schools or authorized school activities;

(i) Not permit anyone else to operate the bus or controls, except with the permission of transportation entity or contractor;

(j) Not permit animals on the bus except guide dogs and assistance animals from recognized programs that will be accepted when accompanying blind, deaf, or physically impaired persons as identified on an IEP. Guide/assistance animals or animals in training as defined in ORS 346.680 are also accepted when they comply with all the following:

(A) Are enrolled and identified in an assistance animal training program registered with and regulated by an appropriate county extension service or designated state agency;

(B) Have a comprehensive immunization record on file with the district;

(C) Are always clearly and distinctively identified as an assistance animal in training;

(D) Are accompanied by the trainer identified in district records;

(E) Continue to demonstrate their ability to ride safely with students, posing no hazards or distractions; and

(F) Comply with any additional requirements and safeguards specified by the transportation entity.

(k) Not permit firearms or other weapons to be carried in the bus;

(l) Not operate the bus with a trailer attached;

(m) Not fill the fuel tank while pupils are in the bus or while the motor is running;

(n) Not transport any person who is not a pupil, a teacher, or an official of the school while traveling the regular route, unless authorized to do so by a authorized school official. School officials may authorize other persons to ride in the school buses on special occasions having to do with school affairs;

(o) Make certain that all aisles and passageways are kept clear;

(p) Not permit signs of any kind to be attached to the bus, except those specifically permitted by law or regulation;

(q) Report to school officials immediately when buses are overloaded as described in OAR 581-053-0002 and ORS 820.180(1)(b);

(r) Stop the bus if any difficulty arises or if disorder prevails in the bus making it unsafe to continue and not proceed until the situation is remedied. Misconduct of pupils shall be reported to the proper official;

(s) Not use tobacco on the school bus and shall not permit passengers to use tobacco on the bus;

(t) Not be under the influence of any alcoholic beverage or any drug likely to affect the person's ability to operate the vehicle safely while on duty; shall not consume an alcoholic beverage, regardless of its alcoholic content or any drug likely to affect the person's ability to operate the vehicle safely while on duty or within eight hours before going on duty to operate a pupil transporting vehicle;

(u) Not allow pupils to leave the bus except at their designated stop without the authorization of school officials;

(v) Ensure students are seated before putting the bus in motion;

(w) Complete any training required by the Oregon Department of Education, transportation entity or contractor;

(x) Make written reports of accidents involving the pupil-transporting vehicle to the Oregon Department of Education. Reports shall be submitted within 72 hours of the accident. Drivers shall use forms provided by ODE.

(y) Make other reports as required by the transportation entity, the Oregon Department of Education and the Motor Vehicles Division:

(z) Use all securement straps and attachments for students with adaptive/assistive devices in a manner consistent with their design;

(aa) Not transport pupils seated on three-wheeled mobile seating devices.

(bb) Not use a cell phone, with or without a hands free device, while operating a school bus unless summoning medical or other emergency help if no other person in the vehicle is capable of summoning help.

(cc) Not eat or drink while operating the bus.

(dd) Not transport students in three wheeled devices.

(ee) Not transport compressed oxygen unless:

(A) The capacity is less than or equal to 22 cubic feet;

(B) The tank is certified and labeled as approved by the Department of Transportation;

(C) The tank valve and regulator are protected from breakage; and

(D) The tank is securely attached to avoid being a hazard for students and away from intense heat.

(ff) Not transport liquid oxygen unless:

(A) The capacity is less than or equal to 23 cubic feet;

(B) The tank is certified and labeled as approved by the Department of Transportation; and

(C) The tank is securely attached to avoid being a hazard for students and away from intense heat.

(gg) Ensure that no students are left unattended on the school bus after a route or activity trip.

(10) Use of Bus Safety Lights:

(a) When pupils must cross the roadway to board, or after leaving the bus, the driver shall actuate the amber flashing warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right hand traffic lane. The red lights shall remain flashing until all pupils have safely crossed the roadway;

(b) When pupils need not cross the roadway to board, or after leaving the bus, the driver shall:

(A) When practicable, stop completely off the main traveled portion of the roadway. The driver shall not actuate the bus safety lights;

(B) Where it is not practicable to stop completely off the main traveled portion of the roadway the driver shall actuate the amber flashing

ADMINISTRATIVE RULES

warning lights 100 to 300 feet before the stop. The driver shall stop the bus in the right-hand traffic lane. The red lights shall remain flashing until pupils have safely boarded or left the bus.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0240

Minimum Standards for School Buses

(1) Air Cleaner:

(a) The engine intake air cleaner shall be furnished and properly installed by the chassis manufacturer to meet engine specifications;

(b) All Type C and Type D buses equipped with diesel engines shall have an air cleaner restriction indicator properly installed by the chassis manufacturer to meet engine specifications.

(2) Air System: All buses equipped with air systems for brakes shall provide and identify an appropriate air port for plumbing in air powered accessories.

(3) Air-Operated Accessories: Air-operated accessories shall be plumbed into the vehicle's air supply system in compliance with all the following:

(a) Safeguarded by a check valve or equivalent device located between the air supply system and the accessory to prevent air loss due to accessory failure. This shall include the supply line for a designated accessory air tank;

(b) Connected to the air supply system in compliance with all applicable Federal Motor Vehicle Safety Standards;

(c) Connected in the manner prescribed by the vehicle manufacturer.

(4) Aisle:

(a) Minimum clearance of all aisles shall be 12 inches.

(b) Minimum clearance of aisles from wheelchair areas to an emergency door shall be at least 30 inches wide to permit passage of a wheelchair. Special service entrance doors are not considered emergency doors unless in compliance with all right side emergency door requirements.

(5) Axles: The front and rear axles and suspension systems shall have a gross axle weight rating at ground commensurate with the respective front and rear weight loads of the bus loaded to the rated passenger capacity.

(6) Back-up camera: A back-up camera may be installed. The camera housing shall not block any signage or lights that are required. The monitor for the back-up camera system shall not block the view of any window, gauges, or required indicator lights. The monitor shall only work when the transmission is in reverse.

(7) Body Construction:

(a) Construction shall be of prime commercial quality steel, or other metal, or other material with strength at least equivalent to all-steel as certified by bus body manufacturer;

(b) Construction shall provide a water-tight and reasonably dustproof unit;

(c) Must meet or exceed applicable federal motor vehicle safety standards for construction, effective December 2, 1993.

(8) Body Sizes:

(a) Body manufacturer shall determine the vehicle's maximum designed and equipped passenger capacity and post it on the vehicle with the GVWR and vehicle compliance information.

(b) For determining standard requirements on buses with power lifts and wheel chair tie down stations, the passenger and gross vehicle weight rating classification will be determined as if the vehicle were equipped with a standard seating arrangement.

(9) Brakes:

(a) Air brakes are required on all buses having a manufacturer's gross vehicle weight rating of 26,001 pounds or greater;

(b) Buses using air or vacuum in the operation of the brake system shall be equipped with warning signals, readily audible and visible to the driver, that will give a continuous warning when the air pressure available in the system for braking is 60 psi (pounds per square inch) or less or the vacuum in the system available for braking is 8 inches of mercury or less. An illuminated gauge shall be provided that will indicate to the driver, the air pressure in pounds per square inch available for the operation of the brake.

(A) Vacuum-assist brake systems shall have a reservoir used exclusively for brakes which shall be adequate to ensure loss in vacuum at full stroke application of not more than 30 percent with engine not running. Brake system on gas-powered chassis shall include suitable and convenient connections for the installation of separate vacuum reservoir;

(B) Any brake system dry reservoir shall be so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its con-

nection to the source of compressed air or vacuum, the stored dry air or vacuum shall not be depleted by the leakage or failure.

(c) Buses using a hydraulic assist-booster in the operation of brake system shall be equipped with a warning signal, readily audible and visible to the driver, which will provide continuous warning in the event of a loss of fluid pressure from primary source or loss of electric source powering the backup system;

(d) The brake lines and booster-assist lines shall be protected from excessive heat and vibrations and be so installed as to prevent chafing;

(e) All brake systems shall be designed to permit visual inspection of brake lining wear without removal of any chassis components except for inspection dust covers or wheels;

(f) Air brake systems shall be equipped with manual drain valves on all air tanks. A provision shall be made to operate manual drain valve(s) on first (wet) reservoir(s) from the side of the bus unless one of the following options is provided:

(A) Automatic moisture ejector on the first (wet) reservoir;

(B) An air dryer that has the drying ability to ensure an adequate margin of safety under normal and adverse operating conditions;

(C) Skirt-mounted controls for manual drain valve(s) shall not extend beyond the outer side of bus skirt panel.

(10) Bumper (Front):

(a) The bumper on Type A-2, B, C, and D buses shall be equivalent in strength and durability to pressed steel channel at least 3/16 inches thick and not less than 8 inches wide (high). It shall extend beyond the forward-most part of the body, grille, hood and fenders and shall extend to the outer edges of the fenders at the bumper's top line.

(b) Type A-1 buses may be equipped with an OEM-supplied bumper.

(c) The bumper shall be of sufficient strength to permit pushing or being pushed by another vehicle with the same GVWR on a smooth surface with a five degree (8.7 percent) grade, without permanent distortion to the bumper, chassis, or body.

(d) The bumper shall be designed or reinforced so that it will not deform when the bus is lifted by a chain that is attached to both tow hooks when the bus is empty and positioned on a level, hard surface and both tow hooks share the load equally.

(e) Deer guards may be added to a front bumper to protect the front grill. Deer guards shall not be in any portion of the driver's forward view, including use of all mirrors.

(11) Bumper (Rear):

(a) Rear bumper for all body on chassis units shall be of pressed steel channel or equivalent material at least 3/16-inch thick and eight inches wide (high), and of sufficient strength to permit pushing by another vehicle without distortion;

(b) Bumper for all body on chassis units shall wrap around back corners of bus. It shall extend forward at least 12 inches, measured from rear-most point of body at floor line;

(c) Bumper shall be attached to chassis frame in such manner that it may be easily removed, shall be so braced as to develop full strength of bumper section from rear or side impact, and shall be so attached as to prevent the insertion of small fingers between the body and bumper;

(d) Bumper shall extend beyond rear-most part of body surface at least one inch, measured at floor line;

(e) An energy absorbing rear bumper may be used providing a self-restoring energy absorbing bumper system so attached as to prevent the hitching of rides and of sufficient strength to permit pushing by another vehicle without permanent distortion to the bumper, chassis, or body;

(f) The manufacturer of the energy absorbing system shall provide evidence from an approved test facility (capable of performing the above FMVSS tests) that their product conforms to the above.

(12) Certification:

(a) The vehicle shall be certified as a "School Bus" as required in the FMVSS certification requirements of 49 CFR part 567.

(b) Manufacturer will, upon request, certify to the Oregon Department of Education that their product meets minimum standards on items not covered by FMVSS certification requirements of 49 CFR part 567.

(13) Chains, Automatic: Automatic tire chains (traction) may be installed at drive wheels in conformance with manufacturer specifications and any applicable chassis manufacturer standards. (Note: Air-applied chain systems must comply with air-operated accessory requirement included in this rule.)

(14) Child Safety Restraint Systems:

(a) Child safety restraint systems used for transporting infants, toddlers, or others requiring added support shall conform to specific strength

ADMINISTRATIVE RULES

and performance standards or dynamic test standards identified in 49 CFR 571.213 for protection of a child up to 50 pounds;

(b) Child safety restraint systems shall bear a label specifying compliance with all applicable Federal Motor Vehicle Safety Standards at the time of their manufacture;

(c) Child safety restraint systems shall be secured to the school bus seat as per the manufacturer's instructions. If used, a child safety restraint anchorage system must meet 49 CFR 571.225 and a seat belt shall meet section 61 of this rule.

(15) Clutch:

(a) Clutch torque capacity shall be equal to or greater than, the engine torque output;

(b) A starter interlock shall be installed to prevent actuation of the starter if the clutch is not depressed on all buses manufactured after January 1, 1999.

(16) Color:

(a) Chassis and bumpers shall be black; Wheels may be painted either black or National School Bus Yellow. Type A-1, A-2, and B buses may have manufacturer standard color wheels.

(b) The school bus body shall be painted a uniform National School Bus Yellow. The body exterior paint trim, bumper, lamp hoods, and emergency door lettering shall be black. The engine hood may be painted low-luster yellow. The roof of the bus may be painted white. The white color may extend across the roof down to the drip rails or within 6 inches above the passenger windows on the sides of the bus except that front and rear caps shall remain National School Bus Yellow. Retroreflective material may be used as trim on rear bumper;

(17) Crossing Arm: A crossing arm may be mounted on the front of a school bus in accordance with the following specifications:

(a) Installed on the front bumper as close as practicable to the right (curb) side, opening left to right and providing an extension of the curbside of bus;

(b) Arm shall be located at least 18 inches but not more than 32 inches above ground level and in the closed position; arm shall not cover numbers on license plate;

(c) Installed in a manner to limit the outward deployment to 90 degrees from the front bumper;

(d) Arm shall extend 70 inches from the front bumper in its extended position;

(e) Arm shall be activated through the existing bus safety light system assuring the driver is required to take no additional action to either deploy or retract the arm. No outward movement of the arm may occur before red flashing sequence begins;

(f) Override switches are prohibited;

(g) Crossing arm must be safeguarded from damage due to pushing or pulling by hand through the use of a clutch-like device or equivalent, double spring hinges are not acceptable);

(h) The arm may be equipped with an amber flashing light that functions only when the arm is in the fully extended position;

(i) Entire unit shall have no sharp edges or other projections that could injure children or others due to casual contact;

(j) Unit shall provide secure mounting opportunities to prevent misalignment or failure due to extreme weather conditions;

(k) Shall be either air, vacuum, or electrically operated and in conformance to section (69)(g) of this rule;

(l) Crossing arm color shall be yellow or yellow and black;

(m) All components and connections shall be weatherproofed.

(18) Cup holders on vehicles manufactured after July 1, 2013 shall not be allowed. No additional cup holders shall be installed.

(19) Defrosters:

(a) Defrosting and defogging equipment shall direct a sufficient flow of heated air onto the windshield, the window to the left of the driver and the glass in the viewing area directly to the right of the driver to reduce the amount of frost, fog and snow;

(b) The defrosting system shall conform to SAE performance standards J-381 and 382;

(c) The defroster and defogging system shall be capable of furnishing heated outside ambient air, except that part of the system furnishing additional air to the windshield, entrance door and step well may be of the recirculation air type;

(d) Auxiliary fans, if used, shall not be considered as a defrosting and defogging system:

(A) Auxiliary fans shall be mounted above the windshield, so as not to interfere with the driver's vision of the roadway, mirrors or students outside the bus;

(B) The fan blades shall be covered with a protective cage.

(20) Doors:

(a) Service door shall be under the driver's control, designed to afford easy release and to provide a positive latching device on manual operating doors to prevent accidental opening. When hand lever is used, no part shall come together so as to shear or crush fingers. Manual door controls shall not require more than 25 pounds of force to operate at any point throughout the range of operation, as tested on a 10% grade, both up hill and downhill;

(b) Service door shall be located on right side of bus opposite driver and within direct view;

(c) Service door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 68 inches;

(d) Service door shall be a split-type door and shall open outward;

(e) If service door is power operated, pressure shall be controlled by a regulator valve or switch and provision shall be made for opening the door manually in the event of driver disability or mechanical failure. Emergency release valve or switch for power operated doors shall be located in an accessible place, in plain view, as near the service door as practicable. Valve or switch shall be properly identified and "open" and "closed" position plainly marked;

(f) All service door windows shall be approved safety glass. Bottom of lower glass panel shall not be more than ten inches from top surface of bottom step. Top of upper glass panel shall not be more than six inches from top of door.

(g) Vertical closing edges on the service door shall be equipped with flexible material to protect children's fingers.

(h) There shall be no door to left of driver. (This shall not be interpreted to conflict with emergency doors or windows.) Type A-1 and A-2 and B buses may be equipped with chassis manufacturers' left side driver's door;

(i) All doors shall be equipped with an energy absorbing pad at the top edge of each door opening. Pad shall be at least 3 inches wide and 1 inch thick and extend the full width of the door opening.

(21) Drive Shaft: Drive shafts over 24 inches in length shall be protected by metal guard or guards around circumference of drive shaft to reduce the possibility of the shaft whipping through floor or dropping to ground if broken. Guards shall be mounted around front half of each drive shaft section.

(22) Electrical System:

(a) Battery(ies):

(A) Battery shall have a minimum cold cranking capacity rating equal to the cranking current required for 30-seconds at 0° Fahrenheit (-17.8c) and a minimum reserve capacity rating of 120-minutes at 25 amp. Higher capacities may be needed dependent upon optional equipment and local environmental conditions;

(B) The manufacturer shall securely attach the battery(ies) on a slide-out or swing-out tray in a closed, vented compartment in the body skirt so that the battery(ies) is accessible for convenient servicing from the outside. Battery compartment(s) door or cover shall be hinged at front or top and secured by adequate and conveniently operated latch or other type fastener. Type A-1 and A-2 buses may have battery(ies) mounted under the hood in an accessible location;

(C) Access to battery shall not be through body floor;

(D) Buses may be equipped with a battery shut-off switch. The switch shall be placed in a battery compartment or the engine compartment.

(b) Circuits: An appropriate identifying diagram (color and number coded) for electrical circuits shall be provided to the body manufacturer for distribution to the end user;

(c) Generator or Alternator:

(A) All buses with a GVWR of 14,500 pounds or less shall have a generator or alternator with a minimum rating of at least 130 amperes (in accordance with Society of Automotive Engineer rating) with minimum charging of 50 percent of maximum rated output at manufacturer's recommended engine idle speed (12 volt system), and shall be ventilated and voltage-controlled and, if necessary, current-controlled;

(B) All buses with a GVWR greater than 14,500 pounds shall have a generator or alternator with a minimum rating of at least 160 amperes (in accordance with Society of Automotive Engineer rating) with minimum charging of 50 percent of maximum rated output at manufacturer's recommended engine idle speed (12 volt system), and shall be ventilated and voltage-controlled and, if necessary, current-controlled;

(C) Generator or alternator may be direct/gear driven or belt driven. Belt driven generator or alternators shall be capable of handling the rated

ADMINISTRATIVE RULES

capacity of the generator or alternator with no detrimental effect on other belt driven components;

(d) Wiring, Chassis:

(A) General — all wiring shall conform to current applicable recommended practices of the Society of Automotive Engineers. All wiring shall use a standard color coding and each chassis shall be delivered with a wiring diagram that coincides with the wiring of the chassis;

(B) Chassis manufacturer shall install a readily accessible terminal strip or plug on the body side of the cowl, or at accessible location in engine compartment of vehicles designed without a cowl, which shall contain the following terminals for the body connections:

- (i) Main 100 amp body circuit;
 - (ii) Tail lamps;
 - (iii) Right turn signal;
 - (iv) Left turn signal;
 - (v) Stop lamps;
 - (vi) Back up lamps;
 - (vii) Instrument panel lights (controlled by dimmer switch).
- (e) Wiring, Body:

(A) All wiring shall conform to current standards of Society of Automotive Engineers;

(B) Circuits:

(i) Wiring shall be arranged in circuits, as required, with a circuit protection system. A system of color or number coding shall be used for all buses purchased after September 1, 1993 and an appropriate identifying diagram shall be provided the end user along with the wiring diagram provided by the chassis manufacturer. The following interconnecting circuits shall be color coded as noted:

- (I) Left rear directional light — yellow;
- (II) Right rear directional light — dark green;
- (III) Stop lights — red;
- (IV) Back-up lights — blue;
- (V) Tail lights — brown;
- (VI) Ground — white;
- (VII) Ignition feed, primary feed — black;
- (VIII) The color of cables shall correspond to SAE J1128.

(ii) Wiring shall be arranged in at least seven regular circuits, as follows:

- (I) Head, tail, stop (brake) and instrument panel lamps;
 - (II) Clearance and step well lamps (step well lamp shall be activated when service door is opened);
 - (III) Dome lamp;
 - (IV) Ignition and emergency door signal;
 - (V) Turn signal lamps;
 - (VI) School Bus Safety Lights;
 - (VII) Heaters and defrosters.
- (iii) Any of above combination circuits may be subdivided into additional independent circuits;
- (iv) Whenever possible, all other electrical functions (such as sanders and electric-type windshield wipers) shall be provided with independent and properly protected circuits.

(C) The entire electrical system of the body shall be designed for the same voltage as the chassis on which the body is mounted;

(D) All wiring shall have an amperage capacity equal to or exceeding the designed load. All wiring splices are to be done at an accessible location and noted as splices on wiring schematic;

(E) Each body circuit shall be coded by number or letter on a diagram of easily readable size and be furnished with each bus body or affixed in an area convenient to the electrical accessory control panel;

(F) Body power wire is to be attached to special terminal on the chassis;

(G) All wires passing through metal openings shall be protected by a grommet;

(H) Wires not enclosed within body shall be fastened securely at intervals of not more than 18 inches. All joints shall be soldered or joined by equally effective connectors and shall be moisture and corrosion resistant.

(I) A 12-volt power port may be installed in the driver's area;

(J) There shall be a non-momentary manual noise suppression switch installed in the control panel. The switch shall be clearly labeled and distinguishable from other switches. This switch shall be an on/off type that deactivates body equipment that produces noise, including the AM/FM/audio radio, heaters, air conditioners, fans and defrosters. The switch shall not deactivate safety systems such as windshield wipers or lighting systems.

(23) Emergency Equipment:

(a) Belt cutter: Each bus equipped with passenger seat belts or webbed restraining devices shall have a belt cutter mounted in the driver's compartment within reach of a driver sitting in the driver's seat. Belt cutter shall be of a design offering protected cutting edges to prevent accidental or intentional injury to drivers or passengers;

(b) Emergency road reflectors:

(A) Each bus shall be equipped with at least three reflex reflective triangle vehicle warning devices that conform to 49 CFR 581.125;

(B) Reflectors must be in a container securely mounted with nut-and-bolt fasteners enhanced with large flat (fender) washers or held in place by a nut-and-bolt mounted metal bracket that also protects and secures the container lid. Both shall be located in an accessible location. Reflectors shall not be mounted in any engine compartment;

(c) Body fluid cleanup kit: Buses shall have a removable moisture proof and dust proof body fluid cleanup kit, mounted in an accessible place within the driver's compartment. Contents shall include at least the following items:

(A) Two pair rubber/latex gloves;

(B) Two four-ounce packages of stabilized chlorine absorbent deodorant (or equivalent) capable of stabilizing at least 1 liter/36 fl. oz. of body fluids;

(C) One spatula for pick up of congealed fluid;

(D) One plastic bag in which to place congealed fluid;

(E) One red plastic bag with tie, identified for infectious waste and as a bio-hazard;

(F) One two-ounce bottle of germicidal detergent to apply to a contaminated area;

(G) Four paper towels to wipe up contaminated area;

(H) One one-ounce antiseptic alcohol hand rinse (or equivalent);

(I) One placard of step by step use instructions;

(J) Germicidal detergents, stabilized chlorine absorbent deodorant, alcohol hand rinse, or their equivalents shall provide documentation of EPA approval regarding their microbiological efficacy for at least the following:

(i) Staphylococcus aureus;

(ii) Pseudomonas aeruginosa;

(iii) Salmonella choleraesuis;

(iv) Streptococcus species;

(v) Herpes simplex Type II;

(vi) HIV (Associated with AIDS);

(vii) Fungi (athlete's foot);

(viii) Poliovirus; and

(ix) Tuberculosis.

(K) Documentation of efficacy for Hepatitis B may be hospital or test studies. The certified effective shelf life of these products shall be a minimum of 12 months. Product expiration date shall be clearly displayed on all time-sensitive products.

(d) Fire extinguishers:

(A) Each bus shall be equipped with at least one pressurized, dry, chemical type fire extinguisher, mounted in a bracket, located in the driver's compartment, and readily accessible. A pressure gauge shall be mounted on the extinguisher so as to be readily read without removing the extinguisher from its mounted position;

(B) The fire extinguisher shall be of a type approved by the Underwriters Laboratories, Inc., with a rating of not less than 2 A-10 BC. The extinguisher shall have a minimum five pound capacity and equipped with a hose and nozzle;

(C) The operating mechanism shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher;

(D) Extinguishers with plastic heads are not permitted.

(e) First aid kit:

(A) Each bus shall have a readily removable, moisture proof and dust-proof first-aid kit container mounted in an accessible place within driver's compartment;

(B) The first aid kit contains a minimum of 24 units that shall include the following:

(i) One 1" adhesive compress — 16 per unit;

(ii) Two 2" bandage compress — 4 per unit;

(iii) Two 3" bandage compress — 2 per unit;

(iv) Two 4" bandage compress — 1 per unit;

(v) Two 3" x 3" plain gauze pads — 4 per unit;

(vi) Two 2" x 6 yards gauze roller bandage — 1 per unit;

(vii) Three 1/2 square yard gauze;

(viii) Three 24" x 72" gauze;

(ix) Four triangular bandages;

(x) One 1/2 x 5 yard adhesive tape - one per unit;

ADMINISTRATIVE RULES

(xi) One round nose scissors and tweezers. Latex gloves - one pair; and

(xii) One micro-shield for mouth-to-mouth airway (to lay on top of other contents).

(C) Specific local requirements may be substituted in lieu of 2 units of 1/2 square yard gauze.

(f) Any piece of emergency equipment may be mounted in an enclosed compartment, provided the compartment is labeled in not less than 1 inch letters, identifying each piece of equipment contained therein. If emergency road reflectors are stored outside the driver's compartment, the location of the triangles shall be displayed in a readily viewable location by the driver in minimum 1 inch letters.

(24) Emergency Exits:

(a) All emergency exits and doors shall comply with the design and performance requirements of 49 CFR 571.217, Bus Emergency Exits and Window Retention and Release applicable to that type of exit.

(b) In addition to the requirements of 49 CFR 571.217, all emergency exits and doors shall meet the additional requirements:

(A) Doors:

(i) Upper portion of emergency door shall be equipped with approved safety glazing, exposed area of not less than 400 square inches;

(ii) Lower portion of rear emergency door shall be equipped with approved safety glass and shall have an exposed area of not less than 350 square inches of approved safety glazing;

(iii) There shall be no steps leading to emergency door;

(iv) Clearance between outside emergency door handle and emergency door shall not exceed 1/4 inch when handle is in the closed position. Handle shall not provide a firm handhold for someone trying to "hitch" a ride. Handles shall be positioned to prevent snagging of clothing or pinching of fingers;

(v) Emergency door hinge shall not provide an opening for insertion of fingers when door is closed;

(vi) An adequately padded head bumper shall be placed on the interior directly above any emergency exit door opening. The pad shall extend the full width of the door opening and shall be at least three inches wide and one inch thick;

(vii) If emergency door is lockable, provision must be made to prevent the bus from starting while the door is locked. An audible warning which does not affect engine operation shall be provided to alert the driver should the door be locked while the bus is in operation; and

(viii) Emergency doors shall be labeled "Emergency Door" in minimum 2 inch letters that contrast with the background at the top of, or immediately above, the emergency door on both the inside and outside of the bus;

(B) Rear Push-Out Window:

(i) Rear push-out window shall be operable from inside or outside the bus;

(ii) Rear push-out window shall have a lifting assistance device that will aid in lifting and holding the rear emergency window open; and

(iii) If rear push-out window is lockable, provision must be made to prevent the bus from starting while the exit is locked. An audible warning which does not affect engine operation shall be provided to alert the driver should the exit be locked while the bus is in operation;

(C) Swing-Out Windows:

(i) Swing-out windows are windows along the side of the bus with a hinge that is opposite of the emergency release so that it "swings-out" when opened. Swing-out windows may be hinged along any edge of the window. If the hinge is installed vertically, it shall be installed on the forward side of the window;

(ii) Swing-out windows shall not be located above a stop arm;

(iii) Swing-out windows shall provide a minimum clear opening of 18" x 24"; and

(iv) Swing-out windows that are inoperable from the outside shall include the message "Operates From Inside Only" adjacent to the outside "Emergency Exit" labeling required under 49 CFR 571.217;

(D) Roof Hatches:

(i) Roof hatch shall be waterproof and provide a minimum clear opening of 16" x 16";

(ii) When a release mechanism on the roof hatch is open and the vehicle's ignition is in the "on" position, a continuous warning shall be audible at the drivers seating position; and

(iii) Roof hatch may also serve as a roof ventilator; however, this shall not be used in place of the required static vent.

(c) Each bus shall be equipped with:

(A) A rear emergency exit door and one roof hatch; or

(B) A left side emergency exit door, a rear emergency push out window, and one roof hatch.

(d) Buses equipped with a rear emergency exit door and roof hatch (as in paragraph (c)(A) of this section) require additional emergency exits based on the maximum design passenger capacity listed below:

(A) Buses designed or equipped with a maximum design passenger capacity of 1 to 22 shall also provide:

(i) 2 swing-out windows placed at approximately the midpoint of the passenger compartment; or

(ii) Side windows with a 12 inch vertical drop.

(B) Buses designed or equipped with a maximum design passenger capacity of 23 to 45 shall also provide:

(i) Left side emergency door; or

(ii) 2 swing-out windows at approximately the midpoint of the passenger compartment.

(C) Buses designed or equipped with a maximum design passenger capacity of 46 and above shall also provide one additional roof hatch and:

(i) Left side emergency door; or

(ii) 4 swing-out windows at approximately the midpoint of the passenger compartment, but not immediately adjacent to each other.

(e) Buses equipped with a left side door and rear push-out window (as in paragraph (c)(B) of this section) require additional emergency exits based on the maximum design passenger capacity listed below:

(A) Buses designed or equipped with a maximum design passenger capacity of 1 to 22 shall also provide:

(i) 2 swing-out windows placed at approximately the midpoint of the passenger compartment; or

(ii) Side windows with a 12 inch vertical drop.

(B) Buses designed or equipped with a maximum design passenger capacity of 23 to 45 shall also provide two swing out windows.

(C) Buses designed or equipped with a maximum design passenger capacity of 46 and above shall also provide one additional roof hatch and:

(i) Right side emergency door; or

(ii) Four swing-out windows.

(f) Any additional emergency exits necessary to comply with the "additional emergency exit area" requirements of 49 CFR 571.217 shall be made by the vehicle purchaser.

(g) Manufacturer shall identify all emergency exits used for calculations relating to this rule and 49 CFR 571.217 compliance and list the daylight (clear) opening for each exit.

(h) All emergency exits shall be marked on the exterior perimeter with one inch retroreflective yellow material that meets the retro reflectivity requirements of section (57) of this rule. The color of the retroreflective material may be white for a roof hatch on a white roof.

(25) Emissions: School buses that operate on diesel fuel shall:

(a) Have engines manufactured on or after January 1, 2007; or

(b) Be retrofitted to meet the same federal emission standards as a bus equipped with an engine manufactured on or after January 1, 2007.

(26) Engine Compartment Fire Suppression System: Automatic fire extinguisher systems may be installed in the engine compartment on buses. System shall have a visible gauge easily read from the driver's seat and a manual activation switch clearly identified and located in the driver's compartment. The entire system must be UL (Underwriters Laboratories) approved and assure protection from passenger compartment. Extinguisher system manual activation switch/control shall be safeguarded from accidental activation by a pull-pin or equivalent device. The extinguisher, if mounted in the passenger compartment, shall not be readily removable for use elsewhere, but dedicated for the engine compartment.

(27) Exhaust System:

(a) Exhaust pipe, muffler, and tailpipe shall be outside bus body compartment and attached to chassis;

(b) Tailpipe shall be constructed of a corrosion-resistant tubing material at least equal in strength and durability to 16 gauge steel tubing;

(c) Tailpipe shall meet one of the following options:

(A) Tailpipe may exit in the rear of the bus provided it:

(i) Does not create a hand hold.

(ii) Does not create a step.

(iii) Exhaust is defused away from passenger compartment.

(B) Tailpipe may extend to, but not beyond the body limits on the left side of the bus forward or rearward of the rear tires outboard of chassis centerline as described in sub-section (c)(C) of this section. If the tailpipe terminates forward of the rear tires it shall terminate not more than 24 inches or less than 6 inches forward of rear tires. No tailpipe shall terminate beneath any emergency exit or fuel fill receptacle;

(C) Tailpipe shall not exit the right side of the vehicle.

ADMINISTRATIVE RULES

(d) Exhaust system shall be properly insulated from fuel tank and connections by securely attached metal shield at any point where it is 12 inches or less from tank or tank connections;

(e) Muffler shall be constructed of corrosion-resistant material.

(28) Fenders, Front:

(a) Total spread of outer edges of front fenders, measured at fender line, shall exceed total spread of front tires when front wheels are in straight-ahead position;

(b) When equipped, front fenders shall be properly braced and free from any body attachments.

(29) Floor:

(a) Floor in under seat area, including tops of wheel housing, driver's compartment and toe board, shall be covered with rubber floor covering or equivalent having minimum overall thickness of .125 inch:

(A) Floor covering in aisle shall be of aisle-type fire-resistant rubber or equivalent, wear-resistant and ribbed or equivalent non-slip material. Minimum overall thickness shall be .1875 inch measured from tops of ribs;

(B) Floor covering shall be permanently bonded to floor and shall not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof and shall be of type recommended by manufacturer of floor-covering material. All seams shall be sealed with waterproof sealer.

(b) Edge of floor at step well shall be treated as a step edge and shall be protected as required in section (67)(f)(C) of this rule;

(c) A vapor and liquid proof inspection plate provided for access to the fuel tank sending may be installed;

(d) A subfloor of 5-ply plywood, at least 5/8 inch nominal thickness or equivalent, shall be installed over the standard school bus floor. Plywood shall equal or exceed properties of exterior grade C-C plywood as specified in NIST PS 1. Floor shall be level from front to back and from side to side except for wheel housing, toe board and driver's seat platform areas;

(e) Plywood sub-floor may be replaced with an equivalent material provided it has equal or greater insulation R-value, sound abatement, deterioration-resistant, and moisture-resistant properties.

(30) Frame:

(a) Frame shall be of such design and strength characteristics as to correspond at least to standard practice, for trucks of same general load characteristics which are used for highway service;

(b) Any secondary manufacturer that modifies the original chassis frame shall guarantee the performance of workmanship and materials resulting from such modification;

(c) Any frame modification shall not be for the purpose of extending the wheelbase;

(d) Holes in top or bottom flanges of frame side rail shall not be permitted except as provided in original chassis frame. There shall be no welding to frame side rails except by chassis manufacturer;

(e) Frame lengths shall be established in accordance with the design criteria for the complete vehicle.

(31) Fuel System:

(a) The following fuels may be used:

(A) Diesel, including biodiesel blends,

(B) Gasoline, including ethanol blends,

(C) Liquefied Petroleum Gas (LPG),

(D) Compressed Natural Gas (CNG),

(E) Dual fuel systems using any combination of (A) through (D) above, provided that the system:

(i) Meets Environmental Protection Agency specifications;

(ii) Meets vehicle manufacture specifications; and

(iii) Has been approved by the Oregon Department of Education.

(F) Other fuels may be approved by the Oregon Department of Education upon request.

(b) Buses with a capacity of 57 or less shall be equipped with one or more fuel tanks that provide a combined liquid capacity of not less than 30 gallons.

(c) Buses with a capacity of 58 or more shall be equipped with one or more fuel tanks that provide a combined liquid capacity of not less than 60 gallons.

(d) The actual draw capacity of each fuel tank shall be a minimum of 83 percent of the tank capacity.

(e) No portion of the fuel system, which is located outside of the engine compartment, except the filler tube, shall extend above the top of the chassis frame rail. Fuel lines shall be mounted to obtain maximum possible protection from the chassis frame;

(f) Fuel filter with replaceable element shall be installed between fuel tank and engine;

(g) Tank(s) shall be mounted, filled and vented outside of body. The tank(s) location shall not permit fuel spillage to drip or drain on any portion of the exhaust system.

(h) Liquefied Petroleum Gas (LPG) systems shall comply with National Fire Protection Association (NFPA) 58, Liquefied Petroleum Gas Code.

(32) G.P.S. Navigation: A G.P.S. navigation unit may be installed. The unit shall not block any windows, gauges or indicator lights that are required. Portable units shall use an installed 12 volt power port.

(33) Governor:

(a) An electronic engine speed limiter shall be provided and set to limit engine speed, not to exceed the maximum revolutions per minute, as recommended by the engine manufacturer.

(b) When it is desired to limit road speed, a road-speed governor should be installed;

(34) Heaters:

(a) At least one heater of hot water type shall be required;

(b) If only one heater is used, it shall be of fresh-air or combination fresh-air and recirculation type;

(c) If more than one heater is used, additional heaters may be of recirculation air type;

(d) The heating system shall be capable of maintaining throughout the bus a temperature of not less than 50 degrees Fahrenheit at average minimum January temperature as established by the National Weather Service, for the area in which the vehicle is to be operated;

(e) All heaters shall bear a name plate which shall indicate the heater rating in accordance with SBMTC Standard No. 001, said plate to be affixed by the heater manufacturer which shall constitute certification that the heater performance is as shown on the plate;

(f) Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges, and shall not interfere with or restrict the operation of any engine function. Heater hose shall conform to SAE J20c. Heater hoses on the interior of the bus shall be shielded to prevent scalding of the driver or passengers;

(g) Each hot water heater system installed by a body manufacturer shall include a shutoff valve installed in the pressure and return lines near the engine in an accessible location. There shall be a water flow regulating valve or airflow regulating door for the front heater installed for convenient operation by the driver while seated;

(h) Return heater lines on body company installed heaters shall be equipped with bleeder valves in an accessible location to allow for removal of heater line air;

(i) Auxiliary fuel-fired combustion heating systems may be installed, provided that:

(A) The auxiliary heating system shall be marked plainly with certification stating, "Meets FMCSA Bus Heater Requirements"

(B) The auxiliary heating system shall utilize the same type of fuel as specified for the vehicle engine;

(C) The auxiliary heating system may be direct, hot air-type or may be connected to the engine coolant system;

(D) When connected to the engine coolant system, the auxiliary heating system may be used to preheat the engine coolant or preheat and add supplementary heat to the heating system, or both;

(E) Auxiliary heating systems shall be installed pursuant to the manufacturer's recommendations outside of the passenger compartment;

(F) Exhaust from auxiliary heating system shall not exit the right side of the bus;

(G) Installation of auxiliary heating system shall not compromise the requirements of Title 49 CFR Part 579.301 Fuel System Integrity.

(j) Portable heaters shall not be used.

(35) Horn: Bus shall be equipped with horn or horns of standard make, each horn capable of producing complex sound in bands of audio frequencies between approximately 250 and 2,000 cycles per second and tested per SAE Standard J-377.

(36) Identification:

(a) School buses shall bear the words "SCHOOL BUS" in black capital series letters at least eight inches high and of proportionate width on both front and rear of bus. Lettering shall be placed as high as possible without impairment of its visibility. The background shall be a maximum of 12 inches by 36 inches and shall be either:

(A) Retroreflective material that conforms to the retro reflectivity requirements of section (57); or

(B) Illuminated.

ADMINISTRATIVE RULES

(b) A warning sign shall be installed on the rear of all school buses calling attention to the school bus stop law. It shall be located in the most attainable vertical center of the rear emergency door, between the upper and lower windows. Signs on rear engine transit type buses shall be vertically centered and horizontally adjacent to the left and right upper brake lights. Sign shall be either:

(A) A decal with white retroreflectorized letters that conform to the retroreflective requirements listed in section (57) of this rule mounted on a flat black background. The word message shall be centered horizontally and vertically on the decal. The decal shall have the lettering shown below:

UNLAWFUL TO PASS (3 inches in height)
WHEN (1 inches in height)
RED LIGHTS FLASH (3 inches in height) or:

(B) An electronic sign that displays warning messages to motorists. The electronic sign:

(i) Shall be sealed weather tight construction approximately 23.5 X 8.75 X 1.5 in size.

(ii) Shall be connected to the school bus safety lights;

(iii) Shall alternately flash the word message "CAUTION" and the word message "STOPPING" when the amber school bus safety lights are active. The letters in the word messages shall be amber with a minimum height of three inches;

(iv) Shall alternately flash the word message "STOP" and the word message "DO NOT PASS" when the red school bus lights are active. The letters in the word messages shall be red with a minimum of three inches;

(v) May flash or display the word message "CAUTION" or the word message "CAUTION STOPPING" when the hazard lights are activated. The letters in the word message shall be amber with a minimum height of three inches;

(vi) May flash or display the word message "CAUTION" when the backup lights are activated. The letters in the word message shall be amber with a minimum height of three inches;

(vii) Shall have a minimum viewing angle of 15 degrees on each side of the perpendicular axis;

(viii) Flashing messages may be controlled by the hazard light and school bus safety light flashers;

(ix) Word and picture messages shall be clearly visible in direct sunlight from a distance of 500 feet along the axis of the vehicle; and

(x) L.E.D. lights, if used, shall be of sufficient quantity to result in a clear and legible message.

(C) An electronic sign that displays warning messages to motorists may be placed on the front of the bus provided that:

(i) There is an electronic sign on the back of the bus per section (B) above;

(ii) The sign shall only be wired to the amber and red bus safety lights; and

(iii) The sign shall be mounted below the windshield, vertically centered.

(c) The name of the school district, private school, or parochial school, and contractor name if applicable, shall be placed on the left and right sides of the bus. The name shall appear in the area directly below the side windows and the letters and figures in the name shall not be less than four inches nor more than seven inches in height and of proportionate width;

(d) School team name or contractor's insignia may be placed above the side windows on the front portion of the bus body. All such lettering must be approved by the Pupil Transportation Section of the Oregon Department of Education;

(e) One bus identification number at least four inches in height shall be placed on a flat vertical surface on each side and on the front and rear of the bus. At least one complete bus identification number shall be visible from any point 50 feet from the bus. Type A-1 and A-2 bus numbers may be three inches in height.

(f) Only signs and lettering approved by state law or by the regulations of the Department of Education shall appear on the inside or outside of a school bus.

(g) Optional identification and lettering may be added to the vehicle as outlined below:

(i) Bus identification number on top of the bus. Numbers shall be black and a minimum of 12 inches high;

(ii) The location of the battery(ies) identified by the word "BATTERY" or "BATTERIES" in black letters on the battery compartment door in 2 inch capital series letters;

(iii) Manufacture or dealer identification or logos. Placement must be approved by the Pupil Transportation Section of the Oregon Department of Education;

(iv) Identification of fuel type on or adjacent to the fuel filler opening in 2 inch black capital series letters;

(v) Symbols, letters, or numbers not to exceed 64 square inches of total display near the entrance door, displaying information for identification by the students of the bus or route served;

(vi) Buses designed and used for transporting children with special needs may display universal handicapped symbols located near service entrance door and at the rear of the vehicle below the window line. Such emblems shall be white on blue, shall not exceed 12 inches square in size, and may be reflectorized.

(37) Inside Height:

(a) Clear inside body height for type A-1 buses shall be a minimum of 62 inches measured at any point on the longitudinal center line from the front vertical bow to the rear vertical bow.

(b) Clear inside body height for all other buses shall be a minimum of 72 inches measured at any point on the longitudinal center line from front vertical bow to rear vertical bow.

(c) Height requirements do not apply to air conditioning units installed in the passenger compartment when installed to manufacturer's specifications.

(38) Instruments, Gauges, and Indicators:

(a) Bus shall be equipped with the following instruments and gauges. (Telltale warning lights in lieu of gauges are not acceptable except as noted):

(A) Speedometer;

(B) Odometer, which will give accrued mileage including tenths of miles;

(C) Voltmeter: A graduated charge and discharge ampmeter compatible with generating capacities is permitted in lieu of or in addition to a voltmeter;

(D) Oil-pressure gauge;

(E) Water temperature gauge;

(F) Fuel gauge;

(G) High beam headlight indicator light;

(H) Air pressure or vacuum gauge according to brake system used: Light indicator or gauge required on vehicle equipped with hydraulic-over hydraulic brake system;

(I) Turn signal indicator light;

(J) Tachometer on type B, C, or D buses. Tachometer is optional on Type A buses;

(K) Glow plug indicator light, where appropriate;

(L) Fog light indicator, if fog lights are installed;

(M) Bus safety light pilot lamps / monitors: Each bus shall be equipped with 2 illuminated pilot lamps, one amber and one red. The placement of these lamps shall be in accordance with other telltale light placement requirements in 49 CFR 571.101 Controls and Displays. Pilot lamps shall provide an unmistakable indication that the flasher system is operating and an unmistakable indication if any lamp is not operating or the system is not otherwise functioning normally.

(b) All instruments shall be easily accessible for maintenance and repair;

(c) Above instruments and gauges shall be mounted on instrument panel in such a manner that each is clearly visible to and lies within a 140 degree field of vision for a 95th percentile female anthropomorphic dummy while in normal seated position;

(d) Instrument panel shall have lamps of sufficient candlepower to illuminate all instruments and gauges and shift selector indicator for automatic transmission.

(e) All control and indicator lights shall be dimmable except telltale lights. Control and indicator lights may be controlled by one or two dimmer switches.

(39) Insulation:

(a) Ceiling and walls shall be insulated with proper material to deaden sound and to reduce vibration to a minimum.

(b) Thermal insulation that is fire-resistant, non-water absorbing, UL approved, with a minimum R-value of 5.5 shall be installed in the ceiling and walls;

(c) If floor insulation is desired it shall be installed in accordance with the floor section of this rule.

(40) Interior:

(a) Interior of bus shall be free of all projections, including but not limited to luggage/book racks or attendant hand holds, that can cause injury in the event of a collision or rollover.

(b) The ceilings and walls shall have an inner lining.

ADMINISTRATIVE RULES

(c) If ceiling is constructed with lap joints, forward panel shall be lapped by rear panel and exposed edges shall be beaded, hemmed, flanged or otherwise treated to minimize sharp edges;

(d) Buses shall assure noise level taken at the ear of the occupant nearest to the primary vehicle noise source shall not exceed 85 DBA when tested according to the Noise Test Procedure.

(41) Lamps and Signals:

(a) All lamps, signals, and reflectors shall comply with the design and performance requirements of FMVSS No. 108, Lamps, reflective devices, and associated equipment; Oregon Revised Statutes, Chapter 816, Vehicle Equipment: Lights; and Oregon Administrative rules, Chapter 735, Division 108, Lighting Equipment applicable to that type of lamp, signal or reflector.

(b) The following lights shall be installed with any additional requirements listed:

(A) Back-up lamps: The bus shall be equipped with 2 white rear back-up lamps that have a minimum illuminated area of 12 square inches. If back up lamps are placed in the same horizontal line as the tail-stop lamps and turn signal lamps, they shall be to the inside.

(B) Back-up warning alarm: An automatic audible alarm shall be installed on the rear of the bus that complies with SAE 994 Back-Up Alarm Standard specifying a minimum of 97±4db(A).

(C) Bus Safety Lights:

(i) Shall have red and amber flashing lights installed in accordance with SAE Standard J887. Each amber light shall be located near each red signal lamp, at the same level, but closer to the vertical centerline of the bus.

(ii) The area around each lens of the bus safety lights shall be painted black, extending outward a minimum of 3 inches where practicable.

(iii) The front bus safety lights shall be visible either directly or indirectly from inside the bus.

(iv) A separate fuse or circuit breaker, adequate to prevent damage to the system in the event of a short circuit, shall be provided between the power source and flasher system.

(v) The system shall be wired so that the system is activated by a manually operated spring-loaded switch that is clearly labeled and distinguishable from other switches.

(vi) A circuit master switch, if installed, shall be part of the activation switch outlined in subparagraph (v) of this paragraph.

(vii) Buses equipped with power-controlled entrance doors may have an additional spring loaded switch that will activate the red school bus safety lights prior to opening the entrance door or keep the red bus safety lights on after closing the entrance door.

(viii) The flashing mechanism shall be capable of carrying the full current load of the signal system.

(ix) Each lamp shall have a minimum illumination area of 38 square inches, flash a minimum of 60 times per minute, and be clearly visible in direct sunlight from a distance of 500ft along the axis of the vehicle.

(x) The Bus Safety Light System shall operate as follows:

(I) The bus safety light activation switch shall activate the amber safety lights when the entrance door is closed or red safety lights when the entrance door is open;

(II) When amber safety lights are activated, they shall automatically deactivate and the red safety lights shall automatically activate when the entrance door is opened;

(III) Once active, the red safety lights shall automatically deactivate when the entrance door is closed;

(IV) No bus safety lights shall activate when the entrance door is opened without first pressing the bus safety light activation switch;

(V) The amber bus safety lights and red bus safety lights shall not flash at the same time.

(VI) There shall be a canceling switch that will deactivate the bus safety lights and activation sequence if they are accidentally activated or if the driver discovers there is no need to make a stop after activating the switch.

(D) Clearance lamps;

(E) Headlamps;

(F) Identification Lamps;

(G) Fog lamps may be installed:

(i) Fog lamps shall be mounted symmetrically around the front centerline of the bus, below the headlights not less than 12 inches, no more than 30 inches above the ground;

(ii) Fog lamps shall be wired to a separate switch and pilot light and shall only come on when the low beam head lights are on.

(H) Interior dome lamps: Interior lamps shall be provided which will adequately illuminate interior aisles. There shall be at least one interior lamp for every two rows of passenger seats. One or two rear dome lamp(s) shall be wired through a separate switch unless there are less than five rows of seats.

(I) Reflectors;

(J) Side Marker Lamps;

(K) Step well Lamp: A step well lamp shall be provided which will adequately illuminate the entire step well. The lamp circuit shall be wired through the headlamp or clearance lamp system and shall be activated only when the door is opened.

(L) Strobe Lamp: A white flashing strobe lamp may be installed on the longitudinal center of the roof on the rear third of the bus, but no closer than one foot from the rear of the bus.

(i) The lamp shall have a single clear lens emitting light 360 degrees around its vertical axis and may not extend above the roof more than 6-1/2 inches, or exceed maximum legal vehicle height.

(ii) The lamp shall have a separate switch and be wired through the vehicle hazard lamp system. A pilot lamp to indicate when the light is in operation is required.

(M) Tail lamps & Stop lamps: Buses shall be equipped with four combination red tail-stop lamps.

(i) Two combination lamps with a minimum 38 square inches of illuminated area shall be mounted immediately inside of, and in line with, the rear turn signal lamps.

(ii) Two combination lamps with a minimum 12 square inches of illuminated area shall be placed on the rear of the bus between the beltline and the floor line. The horizontal centerline of the lights shall be a maximum of 12 inches above the floor line.

(iii) Stop lamps shall be activated by the service brakes and shall emit a steady light when illuminated.

(N) Turn Signals:

(i) Front signals shall either:

(I) have a minimum illuminated area of 38 square inches; or

(II) be manufacturer's standard front turn signals for Type A.

(ii) Rear signals shall have a minimum illuminated area of 38 square inches and be placed as wide apart as practical with the horizontal centerline a maximum of 12 inches below the rear window.

(iii) Side signals: A turn signal lamp with a minimum of 4 candlepower shall be mounted on each side of the bus at approximately seat level height, located to the rear of the entrance door on the right side, and to the rear of the stop arm on the left side. Side turn signals should be in approximately the same location on each side of the bus. Additional side turn signals may be installed if the horizontal centerline is the same for all side turn signals, and additional signals are in the same approximate location on each side of the bus.

(iv) All turn signal lamps shall be amber in color.

(v) All turn signal lamps shall be independent units and connected to turn signal switch and four-way hazard warning switch that will cause all turn signals to flash simultaneously.

(42) Metal Treatment:

(a) All metal used in construction of bus body shall be zinc- or aluminum-coated or treated by equivalent process before bus is constructed. Included are such items as structural members, inside and outside panels and floor sills; excluded are such items as door handles, grab handles, interior decorative parts and other interior plated parts;

(b) All metal parts that will be painted shall be (in addition to above requirements) chemically cleaned, etched, zinc-phosphate coated and zinc-chromate or epoxy primed or conditioned by equivalent process;

(c) In providing for these requirements, particular attention shall be given lapped surfaces, welded connections of structural members, cut edges, punched or drilled hole areas in sheet metal, closed or box sections, un-vented or un-drained areas and surfaces subjected to abrasion during vehicle operation;

(d) As evidence that above requirements have been met, samples of materials and sections used in construction of bus shall be subjected to a cyclic corrosion testing as outlined in SAE J1563.

(43) Mirrors:

(a) Exterior Mirror Systems:

(A) Bus shall be equipped with mirror systems complying with 49 CFR Part 571, FMVSS 111 as adopted by the National Highway Traffic Safety Administration for December 3, 1993 implementation, plus all applicable standards specified in this rule;

ADMINISTRATIVE RULES

(B) Manufacturer shall certify compliance with mirror and direct/indirect visibility standards listed in the aforementioned FMVSS 111.

(b) Interior Mirror:

(A) Interior mirror shall be either laminated or tempered. Mirror shall be a minimum of 6" x 30". Mirror shall have rounded corners and protected edges;

(B) Type A buses shall be equipped with a mirror that is 6" x 16" or providing at least 96 square inches of flat mirror surface;

(C) Bus seller shall certify compliance with mirror and direct/indirect visibility standards listed in the aforementioned FMVSS 111 and provide a copy to used bus purchasers when certification is not available from manufacturer for all buses manufactured prior to January 1, 1994.

(44) Mounting:

(a) Chassis frame shall support rear body cross member. Bus body shall be attached to chassis frame at each main floor sill, except where chassis components interfere, in such a manner as to prevent shifting or separation of body from chassis under severe operating conditions;

(b) Body front shall be attached and sealed to chassis in such manner as to prevent entry of water, dust or fumes through joint between chassis cowl and body;

(c) When floor is provided by bus body manufacturer, adequate insulating padding shall be placed at all contact points between body and chassis frame. Insulating material shall be approximately 1/4-inch thick and shall be so attached as to prevent movement under severe operating conditions.

(45) Mud Flaps:

(a) Mud flaps or splash aprons are required for rear wheels on all school buses;

(b) Flaps shall be of heavy-duty rubberized material or equivalent and shall extend at least the full width of tires from a point above the center of the tires to a point not more than ten inches above the surface of the highway when such vehicle is empty.

(46) Oil Filter: Oil filter of replaceable element or cartridge type shall be provided and shall be connected by flexible oil lines if it is not built-in or engine mounted design. Oil filter shall have a capacity in accordance with the engine manufacturer's recommendation.

(47) Openings: All openings in floorboard or firewall between chassis and passenger-carrying compartment, such as for gearshift lever and parking brake lever, shall be sealed. Access plates to cover openings shall have adequate gaskets and be fastened securely.

(48) Overall Length: Maximum length for school buses shall be limited to 45 feet.

(49) Overall Width: Overall width of bus shall not exceed 8.5 feet. The mirrors may exceed the maximum allowable width by a distance of not greater than five inches on each side of the vehicle.

(50) Overhang: Body shall be so mounted as to comply with requirements described in chassis weight distribution standard. Body length extending beyond the rear axle shall not exceed three-fourths the length of the vehicle's wheel base per Oregon Vehicle Code.

(51) Passenger Load:

(a) Actual gross vehicle weight (GVW) is the sum of the chassis wet weight, plus the body weight, plus the driver's weight, plus total seated pupil weight:

(A) For purposes of calculation, the driver's weight is 250 pounds;

(B) For purposes of calculation, the pupil weight is 120 pounds per pupil.

(b) Actual gross vehicle weight (GVW) shall not exceed the chassis manufacturer's gross vehicle weight rating (GVWR) or gross axle weight rating (GAWR) for the chassis;

(c) Manufacturer's gross vehicle weight rating and other chassis information shall be furnished by the manufacturer, the manufacturer's representative or seller to the Oregon Department of Education on forms furnished by the department.

(52) Power and Gradeability: Gross vehicle weight (GVW) shall not exceed 165 pounds per net published horsepower of the engine at the manufacturer's recommended maximum number of revolutions per minute.

(53) Power Lift: A power lift may be installed

(a) Vehicle lifts and installations shall comply with the public use lift requirements set forth in 49 CFR 571.403, Platform Lift Systems for Motor Vehicles, and 49 CFR 571.404, Platform Lift Installations in Motor Vehicles. This rule change applies to buses manufactured after December 27, 2004.

(b) Lifting mechanism shall be located on the right side of the bus and be capable of lifting a minimum load of 800 pounds;

(c) When the platform is in the fully upright position, it shall be locked in position mechanically by means other than a support, or lug in the door;

(d) Controls shall be provided that enable the operator to activate the lift mechanism from either inside or outside of the bus. There shall be a means of preventing the lift platform from falling while in operation due to a power failure. If equipped with a control switch flex cord, the cord shall be installed to minimize entanglement with lift mechanism;

(e) Power lifts shall be so equipped that they may be manually raised and lowered in the event of power failure of the power lift mechanism;

(f) Lift travel shall allow the lift platform to rest securely on the ground;

(g) All edges of the platform shall be designed to restrain wheelchair and operator's feet from being entangled during the raising and lowering process;

(h) Lift platform shall have a minimum usable area of 30 inches by 48 inches;

(i) Platform shall be fitted on both sides with full width barriers which extend above the floor line of the lift platform;

(j) A restraining device shall be affixed to the outer edge (curb end) of the platform that will prohibit the wheelchair from rolling off the platform when the lift is in any position other than fully extended to ground or desired platform level. Minimum height of device/barrier shall be four inches;

(k) A self-adjusting, skid resistant plate shall be installed on the outer edge of the platform to minimize the incline from the lift platform to the ground level. This plate, if so designed, may also suffice as the restraining device described in subsection (h) of this section. The lift platform must be skid resistant;

(l) A circuit breaker or fuse shall be installed between power source and lift motor if electrical power is used;

(m) The lift mechanism shall be equipped with adjustable limit switches or bypass valves to prevent excessive pressure from building in the hydraulic system when the platform reaches the full up position or full down position;

(n) Sharp corners or projections of the lift which are likely to cause injury to passengers in the event of a collision or rollover shall be padded with impact absorbing material;

(o) There shall be no exposed areas on lift mechanism or adjacent to lift that could cause injury to children while lift is in motion;

(p) Power unit for lift shall be located so as not to restrict or impair center aisle space or foot and leg room between seats;

(q) If body floor section serves as a portion of the lift platform, the adjacent under-floor areas on three sides shall be closed off with shields when platform is in the lowered position;

(r) Platform shall be confined within the perimeter of the school bus body when not extended, in no way attached to the exterior sides of the bus.

(54) Racks: The installation of any kind of exterior luggage rack outside the bus is prohibited. This does not prohibit enclosed luggage compartments.

(55) Radios and Public Address Systems:

(a) Buses shall be equipped with a public address system having interior and exterior speakers and a switch to separate inside and outside speaker systems.

(b) AM/FM/audio radio may be installed.

(c) Interior speakers mounted in the ceiling panels or side panels shall be either flush mounted or may protrude not more than 1-1/2 inches if the speaker housing is free of any corners or projections which can cause injury by striking with the head or in the event of a collision or rollover. Speakers protruding more than 1-1/2 inches may be mounted in the vertical end panels above the windshield or back windows as long as speakers are free of corners or projections that could cause injury;

(d) Speakers shall not be placed above any aisle or within four feet of the driver's seat back in its rearmost upright position;

(56) Ramps: a ramp may be installed on Type A buses:

(a) Ramp shall utilize a special service entrance located on the right side of the bus that is not less than 30 inches in width;

(b) Ramp shall be of sufficient strength and rigidity to support wheelchair, occupant and attendant. It shall be equipped with protective flange on each longitudinal side to keep wheelchair on ramp;

(c) Floor of ramp shall be covered with nonskid material;

(d) Ramp shall be of weight, and equipped with handle(s), to permit one person to put ramp in place and return it to storage place;

(e) Provisions shall be made to secure ramp to side of bus for use without danger of detachment, and ramp shall be connected to bus at floor

ADMINISTRATIVE RULES

level in such manner as to permit easy access of wheels on wheelchair to floor of bus;

(f) Ramp shall be at least 80 inches in length, and width of the ramp shall be adequate to accommodate wheelchairs up to 30 inches wide. Ramp shall be of one piece, or two 40-inch sections hinged to allow for storage;

(g) Dustproof and waterproof enclosed container shall be provided.

(h) Ramp shall not be stored in the passenger compartment.

(57) Retarder System: Retarder system, if installed, shall maintain the speed of the fully loaded school bus at 19.0 MPH on a seven percent grade for 3.6 miles without incurring damage to the retarder or vehicle.

(58) Retroreflective Material and Placement:

(a) Red: when used or required, red retroreflective material shall meet or exceed ASDM D4956 standards for type V super high-intensity sheeting and have a coefficient of retro reflection equal to or greater than:

(A) 120 for an observation angle of 0.2 degrees and a light entrance angle of -4 degrees; and

(B) 72 for an observation angle of 0.2 degrees and a light entrance angle of +30 degrees; and

(C) 28 for an observation angle of 0.5 degrees and a light entrance angle of -4 degrees; and

(D) 13 for an observation angle of 0.5 degrees and a light entrance angle of +30 degrees;

(b) White: when used or required, white retroreflective material shall meet or exceed ASDM D4956 standards for type V super high-intensity sheeting and have a coefficient of retro reflection equal to or greater than:

(A) 700 for an observation angle of 0.2 degrees and a light entrance angle of -4 degrees; and

(B) 400 for an observation angle of 0.2 degrees and a light entrance angle of +30 degrees; and

(C) 160 for an observation angle of 0.5 degrees and a light entrance angle of -4 degrees; and

(D) 75 for an observation angle of 0.5 degrees and a light entrance angle of +30 degrees;

(E) Exception: white retroreflective material on the "unlawful to pass" sign shall meet or exceed ASDM D4956 standards for type I engineering grade sheeting and have a coefficient of retro reflection equal to or greater than:

(i) 70 for an observation angle of 0.2 degrees and a light entrance angle of -4 degrees; and

(ii) 30 for an observation angle of 0.2 degrees and a light entrance angle of +30 degrees; and

(iii) 30 for an observation angle of 0.5 degrees and a light entrance angle of -4 degrees; and

(iv) 15 for an observation angle of 0.5 degrees and a light entrance angle of +30 degrees;

(c) Yellow: when used or required, yellow retroreflective material shall meet or exceed ASDM D4956 standards for type V super high-intensity sheeting and have a coefficient of retro reflection equal to or greater than:

(A) 470 for an observation angle of 0.2 degrees and a light entrance angle of -4 degrees; and

(B) 270 for an observation angle of 0.2 degrees and a light entrance angle of +30 degrees; and

(C) 110 for an observation angle of 0.5 degrees and a light entrance angle of -4 degrees; and

(D) 51 for an observation angle of 0.5 degrees and a light entrance angle of +30 degrees;

(d) All retroreflective material shall maintain at least 50 percent of the coefficient of retro reflection for a minimum of six years.

(e) Bumpers may be marked diagonally 45 degrees down to centerline of pavement with two-inch wide strips of black retroreflective material.

(f) Rub Rails may have retroreflective black material.

(g) The rear of the bus body shall be marked with strips of retroreflective yellow material that is a minimum of 1 inch and a maximum of 2 inches to outline the perimeter of the back of the bus. The horizontal strips shall be placed above the rear windows, and immediately above the bumper. Both horizontal strips shall extend to each rear corner of the bus. The vertical strips shall connect the two horizontal strips.

(h) Each side of the bus shall be marked with yellow retroreflective material that extends for the entire length of the bus body and is either:

(A) A background for the name of the school district identification required in section (35)(c) of this rule that is not less than 6 inches and not more than 12 inches in width; or

(B) A two inch wide strip that is between the beltline and the floor line;

(i) Further retroreflective placement requirements can be found in: Emergency Exits (section 24 of this rule), Identification (section 35 of this rule), and Stop Arm (section 69 of this rule)

(59) Rub Rails:

(a) There shall be one rub rail on each side of bus at, or no more than 8 inches above, the seat cushion level which shall extend from rear side of entrance door completely around bus body (except for emergency door and access panel(s)) to point of curvature near outside cowl on left side;

(b) There shall be one rub rail located 10 inches or less above the floor line which shall cover same longitudinal area as upper rub rail, except at wheel housing, and shall extend only to longitudinal tangent of right and left rear corners;

(c) All rub rails shall be attached at each body post and all other upright structural members;

(d) All rub rails shall be four inches or more in width, shall be of 16-gauge steel, suitable material of equivalent strength, and shall be constructed in corrugated or ribbed fashion;

(e) All rub rails shall be applied to the outside body or outside body posts. Pressed-in or snap-on rub rails do not satisfy this requirement. For buses using rear luggage or engine compartment, rub rails need not extend around rear corners.

(f) The bottom edge of the body side skirts shall be stiffened by application of a rub rail, or the edge may be stiffened by providing a flange or other stiffeners.

(60) Sanders and other traction assisting devices:

(a) Sanders may be installed. When installed, sanders shall:

(A) Be of hopper cartridge-valve type;

(B) Have metal hopper with all interior surfaces treated to prevent condensation of moisture;

(C) Be of at least 100 pound (grit) capacity;

(D) Have cover on filler opening of hopper, which screws into place, sealing unit airtight;

(E) Have discharge tubes extending to front of each rear wheel under fender;

(F) Have no-clogging discharge tubes with slush-proof, nonfreezing rubber nozzles;

(G) Be operated by electric switch with telltale light mounted on instrument panel;

(H) Be exclusively driver-controlled.

(b) Automatic traction chains may be installed.

(61) Seat Belts:

(a) Driver's seat belt: A Type 2 seat belt shall be provided for the driver, a driver's seat with an integrated Type 2 seat belt may be substituted. Each belt section shall be booted to keep belt and the button or buckle type latch off floor when not in use. Shoulder belt assemblies on Type B, C, and D buses shall provide for a height adjustment of at least four inches at its upper point of attachment to the bus. Belt shall be anchored or guided in a manner at the seat frame to prevent the driver from sliding sideways when belt is in use. Locking retractors may be either an ELR (Emergency Locking Retractor) or an ALR (Automatic Locking Retractor). All ALR equipped buses received after July 1, 1989, must include an approved anti-cinching device;

(b) Passenger seat belts:

(A) On buses manufactured prior to October 21, 2011 with a GVWR of more than 10,000 pounds, Type 1 seat belts or Type 2 seat belts may be installed. The attachments, belts and installation shall meet the requirements of:

(i) 49 CFR 571.208 Occupant Crash Protection, 49 CFR 571.209 Seat Belt Assemblies, and 49 CFR 571.210 Seat Belt Assembly Anchorages, as they apply to school buses with a GVWR of 10,000 pounds or less; or

(ii) The voluntary Type 1 or Type 2 installation requirements outlined in 49 CFR 571.222 School Bus Passenger Seating and Crash Protection that take effect on October 21, 2011.

(B) On buses manufactured on or after October 21, 2011 with a GVWR of more than 10,000 pounds, Type 2 seat belts may be installed. Standards for voluntary installation of seat belts are outlined in 49 CFR 571.222 School Bus Passengers Seating and Crash Protection.

(C) On buses with a GVWR of 10,000 pounds or less, mandatory seat belt standards are outlined in 49 CFR 571.222 School Bus Passenger Seating and Crash Protection.

(62) Seats and Crash Barriers:

(a) Driver's seat shall be so located in relationship to the steering wheel that the driver may assume a natural position while driving, have a clear view of the road, and sufficient leg room to operate safely and effectively the brake and clutch pedals and accelerator without cramping or

ADMINISTRATIVE RULES

interference. Minimum distance between steering wheel and back rest of driver's seat shall be 11 inches. Driver's seat shall have a fore-and-aft adjustment of not less than four inches and shall on Type B, C, and D buses be capable of being raised and lowered at least three inches and shall be strongly attached to comply with acceptable installation procedures:

(A) For type B, C, and D buses, driver's seat shall be a high back (suspension) seat with a minimum seat back adjustment of 15 degrees, not requiring the use of tools, and with a head restraint to accommodate a 95th percentile female anthropomorphic dummy as defined in FMVSS 208. The driver's seat shall be secured with nuts, bolts, and washers or flanged-headed nuts. Type A buses may use manufacturer's standard driver's seat.

(B) Driver's seat positioning and range of adjustment shall be designed to accommodate comfortable actuation of the foot control pedal by 95 percent of the adult female population.

(b) Passenger Seats: In addition to the requirements of 49 CFR 571.222 School Bus Passenger Seating and Crash Protection, all passenger seats have the following requirements:

(A) All seats shall have minimum depth of 15 inches;

(B) In determining seating capacity of bus, the minimum allowable rump width shall be 13 inches;

(C) Seat, seat back cushion and crash barrier shall be covered with a material having a minimum 42-ounce finished weight, 54-inch width and finished vinyl coating of 1.06 broken twill, or other material with equal tensile strength, tear strength, seam strength, adhesion strength, resistance to abrasion, resistance to cold, and flex separation. Material shall meet or exceed the criteria contained in the School Bus Seat Upholstery Fire Block Test. (see Appendix);

(D) All seats shall be forward facing and shall be securely fastened to that part(s) of bus that support them with a nut-and-bolt type of fastener. Each seat leg shall be secured to the floor by a minimum of two nut-and-bolt type fasteners of at least grade 5 SAE strength. Sheet metal screw-type fasteners without a nut are not acceptable, except in areas where it is not possible to install a nut-and-bolt type fastener. Seats may be track mounted;

(E) If flexible track mounted seating is installed, the manufacturer shall supply minimum and maximum seat spacing dimensions on a label permanently affixed to the bus to notify end user of seat installation requirements.

(F) No bus shall be equipped with jump seats or portable seats. Flip-up seats at side emergency exit doors are allowed;

(G) Seat spacing shall not be less than 24 inches between the front of the back of each seat and the rear of the back of the seat immediately ahead, measured at the center of the seat. The seat upholstery may be placed against the seat cushion padding, but without compressing the padding, before the measurement is taken.

(63) Shock Absorbers: Bus shall be equipped with front and rear double-acting shock absorbers compatible with manufacturer's rated axle capacity at each wheel location.

(64) Side skirts shall be 2 inches above the horizontal line between the center of the front spindle to the center of the rear axle, or lower. Measurement shall apply to an unloaded school bus located on a flat, level surface.

(65) Special Service Entrance:

(a) Bus bodies may have a special service entrance constructed in the body to accommodate a power lift;

(b) The special service entrance shall be at any convenient point on the right of the bus and far enough to the rear to prevent the door(s) from obstructing the right front regular service door when open;

(c) The opening may extend below the floor through the bottom of the body skirt. If such an opening is used, reinforcements shall be installed at the front and rear of the floor opening to support the floor and give the same strength as other floor openings;

(d) Entrance shall be of sufficient width and depth to accommodate various mechanical lifts and related accessories as well as the lifting platform. The minimum clear opening width shall be adequate to accommodate the minimum platform defined in section (10) of this rule;

(e) Door posts and headers from entrance shall be reinforced sufficiently to provide support and strength equivalent to the areas of the side of the bus not used for service doors;

(f) A drip molding shall be installed above the opening to effectively divert water from entrance;

(g) A pad shall be placed at the top edge of the special service entrance that is at least three inches wide and one inch thick and shall extend the full width of the door opening.

(h) A single door or double door may be used for special service entrance;

(i) A single door shall be hinged to the forward side of the entrance. If double doors are used, the system shall be designed to prevent the door(s) from being blown open by the aerodynamic forces created by the forward motion of the bus, and/or shall incorporate a safety mechanism to provide secondary protection should the primary latching mechanism(s) fail;

(j) All doors shall open outwardly;

(k) All doors shall be weather sealed;

(l) All doors shall have positive non-hitchable fastening devices to hold doors in the open position;

(m) All doors shall be weather sealed and on buses with double doors, they shall be so constructed that a flange on the forward door overlaps the edge of the rear door when closed;

(n) When manually operated dual doors are provided the rear door leaf shall have at least a one-point fastening device to the header. The forward mounted door shall have at least three-point fastening devices. One shall be to the header, one to the floor line of the body, and the other shall be into the rear door. These locking devices shall afford maximum safety when the doors are in the closed position. The door and hinge mechanism shall be of a strength that will provide for the same type of use as that of a standard entrance door;

(o) If optional power doors are installed the design shall permit manual release of the doors for opening and closing by the attendant from the platform inside the bus;

(p) Door materials, panels, and structural strength shall be equivalent to the conventional service and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body;

(q) Each door shall have windows set in a waterproof manner that are visually similar in size and location to adjacent non-door windows. Glazing shall be of the same type and tinting (if applicable) as standard fixed glass in other body locations;

(r) Door(s) shall be equipped with a device that will activate a green flashing signal located in the driver's compartment when door(s) is not securely closed and ignition is in "on" position;

(s) A switch shall be installed so that the lifting mechanism will not operate when the lift platform door(s) is closed;

(t) An interior light shall be placed to illuminate the area directly inside the special service door and be activated when the door is open. Circuit may be wired through step well light circuit.

(u) Buses equipped with special service entrance doors not currently in use for service to students with disabilities or power lift equipped, must assure that doors are in compliance with all requirements for right side emergency door, or all of the following:

(A) Be sealed and inoperable;

(B) Have no handles; and

(C) Have the words NOT AN EXIT placed in letters at least two inches high above the door on both the interior and exterior of the bus.

(66) Springs:

(a) Capacity of springs or suspension assemblies shall be commensurate with chassis manufacturer's gross vehicle weight rating;

(b) If rear springs are used they shall be of progressive type. Front leaf springs shall have a stationary eye at one end and shall be protected by a wrapped leaf in addition to the main leaf.

(67) Steering Gear:

(a) Steering gear shall be approved by manufacturer and designed to assure safe and accurate performance when vehicle is operated with maximum load and at maximum speed;

(b) Steering mechanism that allows for external adjustment to correct for lost motion shall provide an accessible adjustment location;

(c) No changes shall be made in steering apparatus which are not approved by manufacturer;

(d) There shall be clearance of at least two inches between steering wheel and cowl, instrument panel, windshield, or any other surface;

(e) Power steering of the integral type is required;

(f) The steering system shall be designed to provide for means for lubrication of all wear-points, if wear points are not permanently lubricated.

(68) Steps:

(a) Service door entrance may be equipped with two-step or three-step step well. Risers in each case shall be approximately equal and shall not exceed 10 inches in height. When plywood floor is used on steel, differential may be increased by thickness of plywood used:

ADMINISTRATIVE RULES

(A) First step at service door for type A-1, A-2, B, and C buses shall be not less than 10 inches and not more than 14 inches from ground, based on standard chassis specifications;

(B) Type D buses shall be equipped with a three-step step well. First step at service door shall not be less than 12 inches and not more than 16 inches from the ground based on standard chassis specifications.

(b) Steps shall be enclosed to prevent accumulation of ice and snow;

(c) Steps shall not protrude beyond side body line;

(d) Steps (if any) on Type A-1 and A-2 buses not manufactured originally as school buses may be chassis manufacturer's standard;

(e) At least one grab handle not less than 20 inches in length shall be provided to assist passengers during entry or egress in unobstructed locations inside doorway. Grab handle shall be designed, installed and maintained to minimize the opportunity for entanglement of passenger clothing and belongings.

(f) Step Treads:

(A) All steps, including floor line platform area, shall be covered with 3/16-inch rubber floor covering or other materials equal in wear resistance and abrasion resistance to top grade rubber;

(B) The step covering shall be permanently bonded to a durable backing material that is resistant;

(C) 3/16-inch ribbed step tread shall have a 1-1/2-inch white or yellow nosing as integral piece without any joint;

(D) Rubber portion of step treads shall have the following characteristics:

(i) Special compounding for good abrasion resistance and high coefficient of friction;

(ii) Flexibility so that it can be bent around a 1/2-inch mandrel both at 130 degrees F and 20 degrees F without breaking, cracking or crazing;

(iii) Show a durometer hardness 85 to 95.

(69) Steps, Windshield Access: There shall be at least one folding step or recessed foothold and suitably located handles on each side of the front of the body for easy accessibility for cleaning the windshield and lamps except when windshield and lamps are easily accessible from the ground. Standard does not apply to chassis not originally manufactured as school buses.

(70) Stop Signal Arms: Buses shall be equipped with stop signal arms mounted in accordance with the following requirements:

(a) Shall be installed on the left side of the bus; the vertical center of the stop blade shall be at least seven inches but not more than 14 inches below the window line, on the first body post to the rear of the driver or as close as practicable;

(b) A wind guard shall be provided. All sheet metal parts shall be 16 gauge metal or heavier;

(c) All parts of the assembly that are not color specific in 49 CFR 571.131 School Pedestrian Safety Devices shall be painted black;

(d) Shall be equipped with two, four-inch, double faced alternating flashing red lamps to be mounted centered on the vertical centerline of the stop arm near the perimeter of the sign with a minimum of 12 inches spacing between lamp centers. Lamps shall be LED or strobe

(e) The stop arm and lamps shall be wired to the circuit of the flashing red warning lamps mounted on the front and rear of the bus and shall operate simultaneously with the red bus safety lamps. Override switch is prohibited;

(f) Shall be retroreflectORIZED on both sides meeting the Retroreflective Materials standard (57) of this rule.

(g) Shall be either air, vacuum, or electrically operated:

(A) Air operated stop arms:

(i) Air may be supplied from an air accessory tank or from the first (wet) tank;

(ii) If source is from the first (wet) tank a pressure protection valve shall be installed to prevent the tank air supply from falling below 60 pounds;

(iii) Stop arm system must have a pressure regulating valve;

(iv) All fittings shall be brass.

(B) Vacuum operated stop arms:

(i) Vacuum shall be supplied from a separate accessory tank. Tank shall be protected by a check valve;

(ii) All fittings shall be brass.

(71) Sun Visor: Interior adjustable sun visor, not less than 6 by 30 inches in size, shall be installed above windshield in position convenient for use by driver. If transparent visor is used, it shall be of such material so as not to prevent distinguishing between the colors of red and green traffic signals. Type A-1 and A-2 may be equipped with manufacturer's standard visor. Visor shall have protected edges.

(72) Throttle: The force required to operate the throttle shall not exceed 16 pounds throughout the full range of accelerator pedal travel.

(73) Tires and Rims:

(a) Tires and rims of proper size and tires with load rating commensurate with chassis manufacturer's gross vehicle weight rating shall be provided. The use of multi-piece rims and/or tube type tires shall not be permitted;

(b) All tires on new buses shall be of same size. Load range of tires shall meet or exceed the gross axle weight rating as required by 49 CFR 571.120 Tire Selection and Rims for Vehicles Other Than Passenger Cars, and as indicated on the manufacturer's data plaque;

(c) If bus is equipped with spare tire and rim assembly, it shall be of the same size and load range as those mounted on the vehicle;

(d) A spare tire, when carried, shall be suitably mounted in an accessible location outside passenger compartment. Type A-1, and A-2 buses may have spare tire securely mounted in the rear corner of passenger compartment;

(e) Recapped tires are prohibited on the front of the bus;

(f) Regrooved tires are not permitted on any bus;

(g) Minimum tread depth on tires shall be:

(A) Front axle — 4/32 inch;

(B) Rear axle — 2/32 inch.

(h) Tread depth shall be measured as follows: The minimum depth in any two adjacent major grooves at three locations spaced approximately equally around the outside of the tire but not on wear indicators.

(74) Tool Compartment: A metal container of adequate strength and capacity for storage of tire chains, tow chains and such tools as may be necessary, may be provided. Container may be located inside or outside of passenger compartment. If inside, it shall have a cover and positive type latch to prevent opening in event of a severe impact or bus rollover, and shall be attached to the floor with a nut and bolt fastener, or may be securely attached to a seat frame under a seat. If tool compartment is outside, it shall be lockable.

(75) Tow Hooks: Type C and D buses shall have two front and rear tow hooks that have sufficient strength to pull or be pulled by another vehicle of the same GVWR. Tow hooks shall be installed in order that no permanent distortion to the body or chassis will result if the bus must be towed.

(76) Transmission:

(a) Transmission shall have an input torque capacity greater than maximum net torque developed by engine.

(b) When automatic or semi-automatic transmission is used, it shall provide for not less than three forward and one reverse speed. The shift selector, if applicable, shall provide a detent between each gear position when shift selector is not steering column mounted. Type C and D buses shall be equipped with a transmission temperature gauge.

(c) When manual transmission is used, second gear and higher shall be synchronized. A minimum of three forward speeds and one reverse shall be provided.

(d) Automatic transmissions incorporating a parking pawl shall have a transmission shifter interlock controlled by the application of the service brake to prohibit accidental engagement of the transmission. All non-park pawl transmissions shall incorporate a park brake interlock that requires the service brake to be applied to allow release of the parking brake.

(77) Trash container: When used, the trash container shall be secured by a holding device that is designed to prevent movement and to allow easy removal and replacement. It shall be installed in an accessible location in the driver's compartment, not obstruct passenger access to the entrance door and maintained to minimize the opportunity for entanglement of passenger clothing and belongings.

(78) Turning Radius:

(a) Chassis with a wheel base of 264 inches or less shall have a right and left turning radius of not more than 42 1/2 feet, curb to curb measurement;

(b) Chassis with a wheelbase of 265 inches or more shall have a right and left turning radius of not more than 44 1/2 feet, curb to curb measurement.

(79) Under carriage luggage compartments: Luggage compartments may be installed on the outside of the bus mounted below the floor level or in the rear of the bus. Access to compartments must be from the outside only. Compartment doors must have a positive retention to hold the doors open. Compartment doors must be lockable.

(80) Undercoating:

(a) The entire underside of the bus body, including floor sections, cross members and below floor-line side panels, shall be coated with rust-proofing material for which the material manufacturer has issued to the bus

ADMINISTRATIVE RULES

manufacturer a notarized certification that the materials meet or exceed all performance requirements of SAE J1959, Corrosion Preventive Compound, Underbody Vehicle Corrosion Protection;

(b) The undercoating material shall be applied to the material manufacturer's specifications, including application method and recommended film thickness, and shall show no evidence of voids in the cured film.

(c) The undercoating material shall not cover any exhaust components of the chassis.

(81) Ventilation:

(a) Body shall be equipped with suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather;

(b) Static-type non-closable exhaust ventilation shall be installed in low-pressure area of roof.

(82) Video surveillance cameras may be mounted inside or on either the forward or rear bulkhead, or to the ceiling in compliance with the following requirements:

(a) Surface mounted camera/camera housing/recording devices shall be mounted as far forward (if forward mounted) or as far rearward (if rear mounted) as possible and directly above the center of the windshield/rear window, and shall not:

(A) Extend into the passenger compartment more than 9 inches;

(B) Extend(s) down from the ceiling more than five inches;

(C) Be more than five inches wide;

(D) Interfere with the rear view mirror or sun visor.

(b) Recording devices or their housings shall not be mounted overhead in the passenger compartment;

(c) Video cameras/housings (not recorders) may be mounted overhead in the passenger compartment, provided they are over the seating area, but not over any part of the aisle, all edges must be rounded and/or protected with enclosure of shatterproof construction;

(d) Flush mounted cameras/housings may be mounted in any position in the front or rear bulkhead or ceiling provided that any modification to the body, in order to achieve flush mounting does not compromise the structural integrity of the body panels;

(e) All video related devices mounted to the interior bus body shall be securely fastened in a manner to prevent separation from the bus body in the event of collision or mishap;

(f) Recording devices/housings must allow ready access for camera and video recording medium removal without the use of tools;

(g) All electrical connections shall be made with UL approved wiring and terminals, and protected by grommets any place it passes through metal panels. Any electrical load added to the vehicles electrical system shall be protected with appropriate over current device (fuse).

(83) Weight Distribution:

(a) Weight distribution of fully loaded bus on level surface shall be such as to not exceed the manufacturer's front gross axle weight rating and rear gross axle weight rating;

(b) Weight distribution of fully loaded bus on level surface shall be such that no more than 75 percent of gross vehicle weight is on rear tires and no more than 35 percent is on front tires. Type B and D buses with engine inside front of body and entrance door ahead of front wheels shall have no more than 75 percent of gross vehicle weight on rear tires, no more than 50 percent on front tires. If entrance door is behind front wheels, no more than 75 percent of gross vehicle weight shall be on rear tires, no more than 40 percent on front tires. With engine in rear, no more than 75 percent of gross vehicle weight shall be on rear tires, no more than 40 percent on front tires.

(84) Wheelhousing:

(a) The wheelhousing opening shall allow for easy tire removal and service;

(b) Wheelhousing shall be attached to floor sheets in such a manner as to prevent any dust, water or fumes from entering the body. Wheelhousing shall be constructed of 16-gauge steel, or other material of equal strength;

(c) The inside height of the wheelhousing above the floor line shall not exceed 12 inches;

(d) The wheelhousing shall provide clearance for installation and use of tire chains on single and dual (if so equipped) power-driving wheels;

(e) No part of a raised wheelhousing shall extend into the emergency door opening.

(85) Wheelchair Tie Down and Occupant Restraint System (WTORS):

(a) A WTORS that meets 49 CFR 571.222 shall be provided for each fixed wheelchair location.

(b) A WTORS that meets 49 CFR 571.222 shall be provided for each flexible wheelchair location not occupied by a flexible track mounted school bus seat.

(c) The WTORS, including the anchorage track, floor plates, pockets or other anchorages, shall be provided by the same manufacturer or shall be certified to be compatible by the manufacturers of all equipment/systems used.

(d) Adjustable and accessible positive fastening devices shall be provided, attached to floor or walls or both, that will securely hold wheelchairs or other type of ambulatory mobility devices in the event the vehicle is overturned and to prevent the wheels from leaving the floor in case of a sudden movement. All floor-mounted attachment devices shall be affixed with nut and bolt fasteners, except in areas where it is not practicable.

(e) Wheelchairs or other devices designed solely for use by handicapped or convalescent passengers may be positioned in a direction other than forward-facing only at the specific direction of the student's IEP when forward-facing positions are available;

(f) No fastening device shall be attached to any door;

(86) Wind deflectors may be installed according to manufacturer's standards on the rear roof to deflect snow, dust and dirt from the rear window.

(87) Windshield and Windows:

(a) All glass in windshield, windows and doors shall be of approved safety glass so mounted that its identification mark is visible and of a quality to prevent distortion in any direction. All glazing materials shall be on the approved list of the Oregon Department of Motor Vehicles;

(b) Windshield shall be of safety plate glass AS-1 grade as specified by American National Standards Institute Safety Code Z26.1;

(c) Windshield glass may be heat absorbing and may have a horizontal gradient band starting slightly above the line of the operator's vision and gradually decreasing in light transmission to 20 percent or less at the top of the windshield in compliance with Federal Motor Vehicle Safety Standard 205;

(d) Glass in all side windows, doors and rear windows shall be AS-2 or better grade, as specified in ANSI Z26.1, or AS-4 coated abrasion resistant rigid plastic meeting requirements of Federal Motor Vehicle Safety Standard 205. Rigid plastic cannot be used for windshields or windows immediately to the left or right of the driver;

(e) Side windows shall conform to the following:

(A) Buses shall provide full drop or split sash windows which provide an unobstructed opening of at least 12 inches and not more than 14 inches in height, obtained by lowering the sash, and at least 22 inches in width. Type A-1 and A-2 buses may have a full drop or split sash windows which provide an unobstructed opening of at least 9 inches and not more than 13 inches in height, obtained by lowering the sash, and at least 22 inches in width, provided the bus has 2 swing-out windows. This requirement does not apply to emergency exit windows installed in compliance with subsection (22) of this rule

(B) One window on each side of the bus may be less than 22 inches in width. This window need not be split sash.

(C) Windows may be tinted.

(88) Windshield Washers: Bus shall be equipped with windshield washers.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0250

Retrofit Standards for Oregon School Buses

In addition to meeting the minimum standards in effect at the time of purchase, all school buses in use by a pupil transportation entity shall meet the following additional requirements:

(1) Body Fluid Kits: All school buses shall have body fluid kits that meet the requirements in OAR 581-053-0240

(2) Emergency Door and Exit Labeling:

(a) All emergency doors shall have the designation "Emergency Door" in letters at least one inch high, of a color that contrasts with its background. The designation shall be located at the top of, or directly above, the emergency door on both the inside and outside surfaces of the bus;

(b) All emergency window exits (swing-out windows and rear push-out windows) shall have the designation "Emergency Exit" in letters at least one inch high, of a color that contrasts with its background. The designation shall be located at the top of, or directly above, or at the bottom of

ADMINISTRATIVE RULES

the emergency window exit on both the inside and outside surfaces of the bus.

(3) Emissions: School buses that operate on diesel fuel and do not meet the emission standards applicable to an engine manufactured on or after January 1, 2007 shall not:

(a) Be retrofitted to meet these standards on or after January 1, 2017; and

(b) Shall not be used on or after January 1, 2025.

(4) Fog Lights: Regardless of the age of the vehicle, if a front fog light system is installed after January 21, 1997, then the system shall meet the following requirements:

(a) Fog lamps shall be mounted symmetrically around the front centerline of the bus, below the headlights not less than 12 inches no more than 30 inches above the ground;

(b) Fog lamps shall be wired to a separate switch and shall only come on when the low beam head lights are on.

(c) A steady burning indicator light shall be wired so it comes on when the fog lamps are turned on and mounted in a location readily visible to the driver

(d) Fog light systems installed on vehicles prior to January 21, 1997 are exempted from this regulation.

(5) Identification: The name of the school district, private school, or parochial school shall be placed on all school buses on both the left and right sides of the bus. The name shall appear in the area directly below the side windows and the letters and figures in the name shall not be less than four inches nor more than seven inches in height and of proportionate width.

(6) Stop Arm: All school buses shall have a stop arm that meets the requirements in OAR 581-053-0240 except that retroreflective material on the stop arm is not mandated on buses manufactured prior to October 21, 2011.

(7) Wheelchair Restraint Systems: All buses manufactured prior to September 3, 1993 that are equipped to transport students in a wheelchair shall be retrofitted to meet the following requirements:

(a) Each wheelchair location shall have not less than four wheelchair securement anchorages and shall be situated so that:

(A) The wheel chair is secured in a forward-facing position; and

(B) The wheelchair can be secured by wheelchair securement devices at two locations in the front and two locations in the rear.

(b) Each wheelchair location shall have:

(A) Not less than one anchorage for the upper end of the upper torso restraint; and

(B) Not less than two floor anchorages for wheelchair occupant pelvic and upper torso restraint.

(c) Wheelchair securement devices and an occupant restraint may share a common anchorage.

(d) All components must conform to 49 CFR 571.222 School Bus Passenger Seating and Crash Protection published in volume 58 of the Federal Register, September 3, 1993.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0440

Minimum Standards for Purpose Built Type 20 Vehicles

Type 20 school activity vehicles shall meet all minimum standards for a type A-1 school bus as listed in OAR 581-053-0240 and retrofit standards applicable to a type A-1 school bus as listed in 581-053-0250, with the following modifications. Type 20 vehicles:

(1) Shall be certified as a school bus or multifunctional school activity bus, as required by the FMVSS.

(2) May be painted any color.

(3) Shall not have a crossing arm.

(4) Shall not display the words "School Bus".

(5) Shall not display bus safety lights. If the vehicle has been converted from school bus use to activity vehicle use, the safety lights shall be inoperable.

(6) Shall not display a school bus stop arm. If the vehicle has been converted from school bus use to activity vehicle use, the school bus stop arm shall be removed.

(7) Do not require a public address system.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0540

Minimum Standards for Type 21 Vehicles

Type 21 school activity vehicles shall meet all minimum standards for a school bus as listed in OAR 581-053-0240 and retrofit standards applicable to school buses as listed in 581-053-0250, with the following modifications. Type 21 vehicles:

(1) Shall be certified as a school bus or multifunctional school activity bus, as required by the FMVSS.

(2) May be painted any color.

(3) Shall not display the words "School Bus".

(4) Shall not display bus safety lights.

(5) Shall not display a school bus stop arm.

(6) Do not require a public address system.

Stat. Auth.: ORS 327.013 & 820.100-820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: IEB 26-1986, f. 7-17-86, ef. 10-1-86; ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0630

Rules Pertaining to SPAB Drivers

(1) Safety Instructions:

(a) Prior to departure the driver shall instruct passengers on the operation and location of all emergency exits;

(b) Driver shall instruct students to:

(A) Keep hand and head inside the vehicle at all times;

(B) Keep aisle clear;

(C) Use caution when opening the overhead compartments;

(D) Use seat belts if equipped; and

(E) Keep emergency exits clear.

(2) Drivers shall:

(a) Notify ODE within 30 days of a change of name, address or employer. A duplicate certificate will be issued if necessary;

(b) Not exceed 55 mph as required in ORS 811.111; and

(c) Not use a cellular telephone, with or without a hands free device, while driving a SPAB vehicle unless summoning medical or other emergency help if no other person in the vehicle is capable of summoning help.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

581-053-0640

Minimum Standards for Special Pupil Activity Buses

(1) SPAB equipment requirements:

(a) Emergency exits shall be labeled with instructions to meet FMVSS 217.

(b) Shall have roof hatches that meet FMVSS 217.

(c) Shall have reflective "conspicuity marking" on the rear that meets or exceeds the coefficient of retro reflectivity of ASTM D 4956 for Type 1 Engineering Grade standards.

(d) Rear wheel wells shall not be composed of exposed flammable material or rear wheel wells shall have pressure and temperature sending units mounted inside rear wheel rims that will activate an alarm in the drivers compartment when either pressure or temperature are outside normal ranges.

(e) Shall have air brakes.

(2) Emergency Equipment:

(a) Emergency road reflectors:

(A) Each SPAB shall be equipped with at least three DOT triangle reflectorized disabled vehicle warning devices;

(B) Reflectors must be in a container securely mounted with nut-and-bolt fasteners enhanced with large flat (fender) washers or held in place by a nut-and-bolt mounted metal bracket that also protects and secures the container lid or in a location provided by the Original Equipment Manufacturer (OEM) which securely holds the container. Both must be located in an accessible location. Reflectors must not be mounted in any engine compartment;

(C) If not mounted in plain view of the driver, the location must be clearly designated.

(b) Fire extinguishers:

(A) Each SPAB shall be equipped with at least one pressurized, dry, chemical type fire extinguisher, mounted in a bracket. A pressure gauge shall be mounted on each extinguisher so as to be readily read without removing the extinguisher from its mounted position. A SPAB must have either:

(i) One or more fire extinguishers of a type approved by the Underwriters Laboratories, Inc., with a rating of 5 BC or more; or

ADMINISTRATIVE RULES

(ii) Two or more fire extinguishers, each of which has Underwriters Laboratories, Inc., rating of 4 BC or more.

(B) Extinguishers with plastic heads are not permitted.

(c) A first aid kit.

(3) Maintenance and inspections:

(a) SPABs must be maintained in safe operating condition and must meet or exceed the minimum standards in effect at the time of purchase for the type of vehicle, plus any subsequent rules applicable to the vehicle.

(b) Vehicle maintenance records must be kept for each vehicle used to transport students. These records shall be available to ODE upon request. Records shall be kept for every service, adjustment or repair of the following items and shall include date and mileage:

(A) Chassis lubrication;

(B) Engine oil and filter changes;

(C) Major engine tune-ups and repairs;

(D) All adjustment, service and repair of brake system;

(E) All adjustment, service and repair of steering mechanism and other related parts;

(F) Tires; and

(G) Drive train components.

(c) SPAB carriers shall have all vehicles used in transporting pupils inspected annually, and certify to ODE that all deficiencies have been corrected before the SPAB is used to transport students. Copies of the Annual Vehicle Inspection Report must be sent to ODE.

(d) ODE personnel may conduct an inspection of a SPAB at any time or upon request of the motorcoach carrier. ODE may investigate accidents and examine SPABs involved in accidents as the Department considers necessary.

(e) Upon inspection of a SPAB by ODE personnel, motor coach carrier shall be notified in writing of deficiencies. Such deficiencies must be corrected by the motorcoach carrier before the SPAB is dispatched.

(f) The motor coach carrier must notify ODE in writing that the deficiency is corrected before transporting students in a SPAB that has been declared unsafe in subsection (e) of this section.

Stat. Auth.: ORS 327.013 & 820.100 - 820.120

Stats. Implemented: ORS 327.013, 820.100, 820.105, 820.110 & 820.120

Hist.: ODE 19-2012, f. & cert. ef. 6-14-12; ODE 40-2014, f. & cert. ef. 9-3-14

Rule Caption: Employment-Related Transition Services

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Rules Amended: 581-015-2000, 581-015-2245

Subject: Changes to the definition of “sheltered workshop” for further clarity and consistency and to more fully align with the definition as used by DHS. Also an additional citation for OAR 581-015-2245 to further align to rules that were promulgated by DHS-Office of Employment, pursuant to Executive Order 13-14.

Rules Coordinator: Cindy Hunt—(503) 947-5651

581-015-2000

Definitions

The definitions below apply to OARs 581-015-2000–581-015-2999, unless the context indicates otherwise.

(1) “Adult student” is a student for whom special education procedural safeguard rights have transferred as described in OAR 581-015-2325.

(2) “Assistive technology device” means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

(3) “Assistive technology service” means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

(a) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child’s customary environment;

(b) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;

(c) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;

(d) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;

(e) Training or technical assistance for a child with a disability or, if appropriate, that child’s family; and

(f) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child.

(4) “Children with disabilities” or “students with disabilities” means children or students who require special education because of: autism; communication disorders; deafblindness; emotional disturbances; hearing impairments, including deafness; intellectual disability; orthopedic impairments; other health impairments; specific learning disabilities; traumatic brain injuries; or visual impairments, including blindness.

(a) “Autism” means a developmental disability significantly affecting verbal and nonverbal communication and social interaction that adversely affects a child’s educational performance. Other characteristics that may be associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. Essential features are typically but not necessarily manifested before age three. Autism may include autism spectrum disorders such as but not limited to autistic disorder, pervasive developmental disorder, not otherwise specified, and Asperger’s syndrome. The term does not apply if a child’s educational performance is adversely affected primarily because the child has an emotional disturbance. However, a child who qualifies for special education under the category of autism may also have an emotional disturbance as a secondary disability if the child meets the criteria under emotional disturbance.

(b) “Communication Disorder” means the impairment of speech articulation, voice, fluency, or the impairment or deviant development of language comprehension and/or expression, or the impairment of the use of a spoken or other symbol system that adversely affects educational performance. The language impairment may be manifested by one or more of the following components of language: morphology, syntax, semantics, phonology, and pragmatics.

(c) “Deafblindness” means having both hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that the child cannot be accommodated in special education programs designed solely for students having hearing or visual impairments.

(d) “Emotional Disturbance” means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child’s educational performance:

(A) An inability to learn that cannot be explained by intellectual, sensory, or health factors;

(B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;

(C) Inappropriate types of behavior or feelings under normal circumstances;

(D) A general pervasive mood of unhappiness or depression; or

(E) A tendency to develop physical symptoms or fears associated with personal or school problems;

(F) The term includes schizophrenia but does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

(e) “Hearing Impairment” means a hearing condition, whether permanent or fluctuating, that adversely affects a child’s educational performance. The term includes those children who are hard of hearing or deaf.

(f) “Intellectual Disability” means significantly sub average general intellectual functioning, and includes a student whose intelligence test score is two or more standard deviations below the norm on a standardized individual intelligence test, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, and that adversely affects a child’s educational performance.

(g) “Orthopedic Impairment” means a motor disability that adversely affects the child’s educational performance. The term includes impairments caused by an anomaly, disease or other conditions (e.g., cerebral palsy, spinal bifida, muscular dystrophy or traumatic injury).

(h) “Other Health Impairment” means limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environment, that:

(A) Is due to chronic or acute health problems (e.g. a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, attention deficit disorder, attention deficit hyperactivity disorder, leukemia, Tourette’s syndrome or diabetes); and

(B) Adversely affects a child’s educational performance.

ADMINISTRATIVE RULES

(i) "Specific Learning Disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. Specific learning disability includes conditions such as perceptual disabilities, brain injury, dyslexia, minimal brain dysfunction, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, intellectual disability, emotional disturbance, or environmental, cultural, or economic disadvantage.

(j) "Traumatic Brain Injury" means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term includes open or closed head injuries resulting in impairments in one or more areas, including cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not include brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

(k) "Visual Impairment" means a visual impairment that, even with correction, adversely affects a child's educational performance. The term includes those children who are partially sighted or blind.

(5) "Consent" means that:

(a) The parent or adult student has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language or other mode of communication;

(b) The parent or adult student understands and agrees in writing to the carrying out of the activity for which consent is sought; and the consent describes that activity and lists any records that will be released and to whom; and

(c) The parent or adult student understands that the granting of consent is voluntary and may be revoked at any time in accordance with OAR 581-015-2090(4) or 581-015-2735.

(6) "Day" means calendar day unless otherwise indicated as:

(a) "Business day," which means Mondays through Fridays, other than holidays; or as

(b) "School day," which means any day, including partial days that children are in attendance at school for instructional purposes. The term "school day" has the same meaning for all children in school, including those with and without disabilities.

(7) "Department" means the Oregon Department of Education.

(8) "EI/ECSE" means early intervention/early childhood special education and refers to services or programs for preschool children with disabilities.

(9) "Elementary or secondary school or facility" means a school or facility with any combination of grades K through 12.

(10) "Evaluation" means procedures used to determine whether the child has a disability, and the nature and extent of the special education and related services that the child needs.

(11) "General education curriculum" means the same curriculum as for children without disabilities (children without disabilities). For preschool children with disabilities, the term means age-appropriate activities.

(12) "Health assessment statement" means a written statement issued by a nurse practitioner licensed by a State Board of Nursing specially certified as a nurse practitioner, or by a physician assistant licensed by a State Board of Medical Examiners. Both a nurse practitioner and a physician assistant must be practicing within his or her area of specialty.

(13) "Homeless children" (or "homeless youth") has the same meaning as in section 725 of the McKinney-Vento Act, 42 USC § 11434a(2).

(14) "Identification" means the process of determining a child's disability and eligibility for special education and related services.

(15) "Individualized Education Program" (IEP) means a written statement of an educational program which is developed, reviewed, revised and implemented for a school-aged child with a disability.

(16) "Individualized Family Service Plan" (IFSP) is defined in OAR 581-051-2700.

(17) "Limited English proficient" has the same meaning as in the Elementary and Secondary Education Act, 20 USC § 9101(25).

(18) "Mediation" means a voluntary process in which an impartial mediator assists and facilitates two or more parties to a controversy in reaching a mutually acceptable resolution of the controversy and includes all contacts between a mediator and any party or agent of a party, until such a time as a resolution is agreed to by the parties or the mediation process is terminated.

(19) "Medical statement" means a written statement issued by a physician licensed by a State Board of Medical Examiners.

(20) "Native language", when used with respect to a person who is limited English proficient, means the language normally used by that person or, in the case of a child, the language normally used by the parent of the child. For an individual with deafness, blindness, deafblindness or no written language, the term means the mode of communication normally used by the person (such as sign language, Braille, or oral communication). In direct contact with a child, the term means the language normally used by the child.

(21) "Parent" means:

(a) One or more of the following persons:

(A) A biological or adoptive parent of the child;

(B) A foster parent of the child,

(C) A legal guardian, other than a state agency;

(D) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or

(E) A surrogate parent who has been appointed in accordance with OAR 581-015-2320, for school-age children, or 581-015-2760 for preschool children.

(b) Except as provided in subsection (c), if more than one party is qualified under subsection (a) to act as a parent and the biological or adoptive parent is attempting to act as the parent, the biological or adoptive parent is presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.

(c) If a judicial decree or order identifies a specific person under subsection (a) to act as the parent of a child or to make educational decisions on behalf of a child, then that person will be the parent for special education purposes.

(22) "Participating agency" means a state or local agency, other than the school district responsible for a student's education, that is financially and legally responsible for providing transition services to the student.

(23) "Personally identifiable information" means information as defined in the Family Educational Rights and Privacy Act (FERPA), found at 34 CFR 99.3, which includes, but is not limited to:

(a) The name of the child, the child's parent or other family member;

(b) The address of the child or the child's family;

(c) A personal identifier, such as the child's social security number or student number, or biometric record; and

(d) Other indirect identifiers, such as the child's date of birth, place of birth, and mother's maiden name;

(e) Other information that alone or in combination is linked or linkable to a specific child that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the child with reasonable certainty; or

(f) Other information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

(24) "Placement" means educational placement, not social service placement by a state agency.

(25) "Preschool child" means "preschool child with a disability" as defined under OAR 581-015-2700.

(26) "Private school" means an educational institution or agency not operated by a public agency.

(27) "Public agency" means a school district, an education service district, a state agency or institution, EI/ECSE contractor or subcontractor, responsible for early intervention, early childhood special education or special education.

(28) "Related services" includes transportation and such developmental, corrective and other supportive services as are required to assist a child with a disability to benefit from special education, and includes orientation and mobility services, speech language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation including therapeutic recreation, school health services and school nurse services, counseling services, including rehabilitation counseling services, social work services in schools, parent counseling and training, school health services and medical services for diagnostic or evaluation purposes, and includes early identification and assessment of disabling conditions in children. This definition incorporates the exception for services for children with surgically implanted devices, including cochlear implants, in 34 CFR 300.34(b) and the definitions for individual related services in 34 CFR 300.34(c).

ADMINISTRATIVE RULES

(29) "School age child or children" means a child or children who have reached 5 years of age but have not reached 21 years of age on or before September 1 of the current school year.

(30) "Scientifically Based Research" is defined in section 9101(37) of the Elementary and Secondary Education Act of 1965, as amended ESEA.

(31) "School district" means the public education agency (school district, ESD, or state agency) that is responsible by statute, rule or contract for providing education to children with disabilities.

(32) "Services plan" is defined in OAR 581-015-2450.

(33) "Sheltered Workshop" is a facility based service that congregates more than eight adults with disabilities, including intellectual or developmental disabilities. Sheltered workshops are operated by service provider entities. In general, a sheltered workshop employs only individuals with an intellectual or developmental disability or other disabilities except for service or support staff. However, assessments, instruction, and activities that typically occur in public schools and that are provided either directly or by contract by public school districts, by public charter school, by an Educational Service District, or the Oregon Department of Education, in a school setting, are not considered sheltered workshops.

(34) "Short term objectives" means measurable intermediate performance steps that will enable parents, students and educators to gauge, at intermediate times during the year, how well the child is progressing toward the annual goals by either:

(a) Breaking down the skills described in the goal into discrete components, or

(b) Describing the amount of progress the child is expected to make within specified segments of the year.

(35) "Special education" means specially designed instruction that is provided at no cost to parents to meet the unique needs of a child with a disability "Special education" includes instruction that:

(a) May be conducted in the classroom, the home, a hospital, an institution, a special school or another setting; and

(b) May involve physical education services, speech language services, transition services or other related services designated by rule to be services to meet the unique needs of a child with a disability.

(36) "Specially designed instruction" means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction:

(a) To address the unique needs of the child that result from the child's disability; and

(b) To ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.

(37) "Supplementary aids and services" means aids, services and other supports that are provided in regular education classes or other education-related settings and in extracurricular and nonacademic settings to enable children with disabilities to be educated with children without disabilities to the maximum extent appropriate.

(38) "Superintendent" means the State Superintendent of Public Instruction or the designee of the State Superintendent of Public Instruction.

(39) "Surrogate parent" means an individual appointed under OAR 581-015-2320 for school age children or 581-015-2760 for preschool children who acts in place of a biological or adoptive parent in safeguarding a child's rights in the special education decision-making process.

(40) "Transition services" means a coordinated set of activities for a student with a disability that:

(a) Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student to facilitate the student's movement from school to post school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(b) Is based on the individual student's needs, taking into account the student's preferences and interests; and

(c) Includes:

(A) Instruction;

(B) Related services;

(C) Community experiences;

(D) The development of employment and other post school adult living objectives; and

(E) If appropriate, acquisition of daily living skills and functional vocational evaluation; and

(d) May be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

(41) "Ward of the state" means child who is in the temporary or permanent custody of, or committed to, the Department of Human Services or Oregon Youth Authority through the action of the juvenile court.

Stat. Auth.: ORS 343.041, 343.045, 343.155 & 343.223

Stat. Implemented: ORS 343.045, 343.155, 343.223, 34 CFR 300.5, 300.6, 300.8, 300.11, 300.15, 300.19, 300.22, 300.27, 300.28, 300.29, 300.30, 300.34, 300.37, 300.39, 300.42, 300.43 & 300.45

Hist.: 1EB 8-1978, f. & ef. 3-3-78; 1EB 35-1978, f. & ef. 10-5-78; 1EB 18-1979(Temp), f. & ef. 11-15-79; 1EB 5-1980, f. 2-22-80, ef. 2-23-80; 1EB 18-1983(Temp), f. & ef. 12-20-83; 1EB 5-1985, f. 1-30-85, ef. 1-31-85; EB 39-1988(Temp), f. & cert. ef. 11-15-88; EB 18-1989, f. & cert. ef. 5-15-89; EB 28-1989(Temp), f. & cert. ef. 10-16-89; EB 3-1990, f. & cert. ef. 1-26-90; EB 25-1991(Temp), f. & cert. ef. 11-29-91; EB 16-1992, f. & cert. ef. 5-13-92; EB 9-1993, f. & cert. ef. 3-25-93; EB 18-1994, f. & cert. ef. 12-15-94; EB 22-1995, f. & cert. ef. 9-15-95; ODE 10-2000, f. & cert. ef. 5-3-00; ODE 2-2003, f. & cert. ef. 3-10-03; Renumbered from 581-015-0005, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 26-2008, f. 10-23-08, cert. ef. 10-24-08; ODE 13-2009, f. & cert. ef. 12-10-09; ODE 12-2011, f. & cert. ef. 10-31-11; ODE 14-2012, f. 3-30-12, cert. ef. 4-2-12; ODE 29-2013, f. & cert. ef. 12-18-13; ODE 41-2014(Temp), f. & cert. ef. 9-8-14 thru 3-7-15

581-015-2245

Alternative Placements and Supplementary Aids and Services

School districts must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. The continuum must:

(1) Include as alternative placements, instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions;

(2) Make provision for supplementary aids and services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement; and

(3) Not include sheltered workshops as defined in OAR 581-015-2000(33) and 407-025-0010(16)

Stat. Auth.: ORS 343.041, 343.045 & 343.055,

Stat. Implemented: ORS 343.045 & 343.155, 34 CFR 300.115

Hist.: 1EB 269, f. & ef. 12-22-77; EB 11-1995, f. & cert. ef. 5-25-95; ODE 31-1999, f. 12-13-99, cert. ef. 12-14-99; Renumbered from 581-015-0060, ODE 10-2007, f. & cert. ef. 4-25-07; ODE 29-2013, f. & cert. ef. 12-18-13; ODE 41-2014(Temp), f. & cert. ef. 9-8-14 thru 3-7-15

Oregon Health Authority Chapter 943

Rule Caption: Individual Rights: Prohibiting Discrimination against Individuals Based on Protected Class

Adm. Order No.: OHA 3-2014

Filed with Sec. of State: 9-10-2014

Certified to be Effective: 1-1-15

Notice Publication Date: 7-1-2014

Rules Adopted: 943-005-0040, 943-005-0050, 943-005-0060, 943-005-0070

Rules Amended: 943-005-0000, 943-005-0005, 943-005-0010, 943-005-0015, 943-005-0020, 943-005-0025, 943-005-0030

Subject: These rules establish a policy of non-discrimination for the Oregon Health Authority as well as processes for requesting modifications and reporting and investigating complaints of discrimination based on protected class, in accordance with state and federal law. These rules apply to Authority contractors and subcontractors and provide for Authority assistance to these groups. The rules also provide for data gathering and the standardization of processes across the Authority.

Rules Coordinator: Keely L. West—(503) 945-6292

943-005-0000

Purpose and Applicability

(1) These rules establish the Oregon Health Authority (Authority) policy of non-discrimination and a process for reporting and investigating complaints of discrimination based on protected class, in accordance with state and federal law, including but not limited to Title VI of the Civil Rights Act of 1964 (Title VI), the Americans with Disabilities Act of 1990 (ADA as amended), Section 504 of the Rehabilitation Act of 1973.

(2) These rules do not apply when the:

(a) Authority's Office of Equity and Inclusion (OEI) has determined that the report of discrimination does not involve an allegation of discrimination based on protected class status.

ADMINISTRATIVE RULES

(b) Allegation of discrimination based on protected class status is against an entity other than the Authority or an Authority contractor or subcontractor.

(3) OAR 943-005-0060 applies to all client service delivery contracts involving the receipt of federal funds executed or amended on or after January 1, 2015.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0005

Definitions

(1) "Alternate format communication" means printed material converted to a style allowing individuals with disabilities to achieve effective communication.

(2) "Auxiliary aids or services" mean devices or services that allow individuals with hearing, cognitive or speech impairments to achieve effective communication.

(3) "Client" means any individual receiving services, seeking services or information, or who is the intended recipient of Authority services.

(4) "Contractor" means any entity with which the Authority has an agreement or contract to provide services using federal funds to clients.

(5) "Direct threat" means a significant risk to the health or safety of others. A direct threat is one that:

(a) Cannot be eliminated or reduced to an acceptable level through the provision of auxiliary aids or services or through reasonably modifying policies, practices or processes.

(b) Is identified through an individual assessment that relies on current medical evidence, or the best available objective evidence that shows:

(A) The nature, duration and severity of the risk;

(B) The probability that a potential injury will actually occur; and

(C) Whether reasonable modifications of policies, practices or processes will lower or eliminate the risk.

(6) "Discrimination" means the denial of services to individuals or groups because the individual or group is part of a protected class. It includes policy, practice or treatment resulting in unequal access to Authority programs and services, or having a disparate impact on a protected class.

(7) "Good cause" exists when an action, delay, or failure to act arises from an excusable mistake, surprise, excusable neglect, or the reasonable reliance on the statement of a party, Authority contractor, subcontractor or agency representative.

(8) "Harassment" means unwelcome, unwanted or offensive conduct directed at an individual based on the individual's protected class status.

(9) "Individual with a disability" means an individual who:

(a) Has a physical or mental impairment that substantially limits one or more major life activities; or

(b) Has a record or history of such an impairment; or

(c) Is regarded as having such an impairment.

(10) "Protected class" means a group of people protected from discrimination by law, on the basis of sexual orientation, race, color, national origin, religion, disability, age, sex (includes pregnancy-related conditions and sexual harassment), marital or familial status, or other class protected by law.

(11) "Qualified individual with a disability" means an individual who can meet the essential eligibility requirements for a program, service or activity with or without reasonable modification of rules, policies or processes, or the provision of auxiliary aids or services.

(12) "Reasonable modifications" means a modification of policies, practices, or processes made to a program or service that allows an individual with a disability to participate equally in the program or benefit from the program or service.

(13) "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

(14) "Subcontractor" means any entity or agent who enters into an agreement with an Authority contractor to perform part or all of the obligations of the contractor who has a contract with the Authority funded in whole or part with federal funds.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0010

Non-Discrimination Policy

(1) The Authority shall not, either directly or through another entity, discriminate against any individual, or harass, exclude from participation, or deny the benefit of programs, services or activities because the individual belongs to a protected class.

(2) The Authority shall not discriminate against an individual in the granting of licenses and certificates because the individual is part of a protected class.

(3) The Authority shall not apply criteria, standards, or practices that screen out or tend to screen out individuals in a protected class from fully and equally enjoying any goods, programs, services, or activities unless:

(a) The criteria can be shown to be necessary for providing those goods, programs, services or activities; or

(b) The Authority determines the screening or exclusion identifies a direct threat to the health or safety of others.

(4) The Authority shall provide programs, services, and activities in the most integrated setting possible to meet the needs of individuals within the context of the program, service, or activity.

(5) The Authority shall not require an individual to participate in programs, services, or activities that are separate or different, despite the existence of permissibly separate or different programs or activities.

(6) The Authority shall ensure each program, service, or activity, including public meetings, hearings and events, are usable by all individuals. This includes respecting the individual's dignity by providing individuals with disabilities the ability to safely approach, enter, operate, and participate in the program, service, or activity with or without reasonable modifications.

(7) The Authority shall ensure each program, service, or activity provides individuals with the opportunity to access translation, oral and sign language interpreters, auxiliary aids or services and other alternative methods of communications, including help for non-English speaking individuals and limited English proficiency (LEP) persons.

(8) The Authority shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.

(9) The Authority shall not deny individuals the opportunity to participate on planning or advisory boards based on the individual's protected class.

(10) The Authority shall not discriminate against individuals due to their relationship or association with one or more individuals in a protected class.

(11) The Authority shall not retaliate against any individual filing a report of discrimination or harassment.

(12) The Authority shall comply with the following statutes and regulations:

(a) Title VI of the Civil Rights Act of 1964 prohibiting discrimination in the delivery of services based on race, color or national origin (42 USC §2000d), and the United States Department of Justice (DOJ) implementing regulations at 28 C.F.R. Part 42, Subpart C.

(b) The Omnibus Crime Control and Safe Streets Act of 1968, prohibiting discrimination in the delivery of services based on race, color, national origin, religion, or sex (42 U.S.C. § 3789d(c) (1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D.

(c) Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons at 67 Fed. Reg. 41455 (June 18, 2002), addressing the obligation of recipients to take reasonable steps to provide meaningful access to funded programs and activities to those persons who may be limited English proficient (LEP), pursuant to Title VI and the Safe Streets Act.

(d) Section 504 of the Rehabilitation Act of 1973, prohibiting discrimination in the delivery of services based on disability (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G.

(e) Title II of the Americans with Disabilities Act of 1990 (as amended), prohibiting discrimination in the delivery of services based on disability (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35.

(f) Title III of the Americans with Disabilities Act of 1990 (as amended), prohibiting discrimination in places of public accommodation based on disability (42 U.S.C. § 12182), and the DOJ implementing regulations at 28 C.F.R. Part 36.

ADMINISTRATIVE RULES

(g) Title IX of the Education Amendments of 1972, prohibiting discrimination in educational services based on sex (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54.

(h) The Age Discrimination Act of 1975, prohibiting discrimination in the delivery of services based on age (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I.

(i) Executive Order 13279 and the DOJ regulations on the Equal Treatment for Faith-Based Organizations, prohibiting discrimination in the delivery of services based on religion and prohibiting the use of federal funding for inherently religious activities (28 C.F.R. Part 38(i)).

(j) Section 1557 of the Patient Protection and Affordable Care Act of 2010, prohibiting discrimination in the delivery of services in health care programs or activities based on race, color, national origin, sex, sex stereotypes, gender identity, age or disability.

(k) Oregon Revised Statute 659A.403, prohibiting discrimination in places of public accommodation based on race, color, religion, sex, sexual orientation, national origin, marital status or age if the individual is 18 years of age or older.

(l) Oregon Revised Statute 659A.103, prohibiting discrimination on the basis of disability.

(m) All other applicable state or federal laws.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0015

Illegal Drug Use

(1) Except as provided in OAR 943-005-0015(2), this rule does not prohibit discrimination against an individual based on that individual's current illegal use of drugs.

(2) The Authority shall not deny services to an eligible individual based on the individual's current illegal use of drugs when the requested or provided services are in connection with drug rehabilitation or other health services related to the individual's current illegal use of drugs.

(3) A drug rehabilitation or treatment program may deny participation to an individual who engages in illegal use of drugs while that individual is in the program.

(4) A program may adopt reasonable drug testing policies designed to ensure that an individual who has illegally used drugs in the past is not now using drugs illegally.

(5) A psychoactive substance use disorder resulting from current illegal use of drugs is not a disability under these rules.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0020

Reasonable Modifications

(1) Unless the Authority Director or the Director's designee determines in writing that a modification or alteration will fundamentally alter the nature or benefit of the program, service or activity, or create an undue administrative or financial burden, the Authority shall:

(a) Make reasonable modifications to the policies, practices or processes of a program, service or activity when the modifications are necessary to avoid discrimination based on disability.

(b) Provide aids and services or alternate format communications to individuals with disabilities where necessary to ensure an equal opportunity to participate in, and enjoy the benefits of a program, service, or activity.

(2) The Authority shall decide which aid, service or format may be provided without fundamental alteration or undue burden, but shall consider first the choice of the requester.

(a) Except as authorized under specific programs, the Authority is not required to provide personal devices, individually prescribed devices, readers for personal use or study, or services of a personal nature.

(b) The Authority shall not assess a charge or fee to an individual with a disability or any group of individuals with disabilities to cover the costs of measures required to provide the individual with a reasonable modification.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0025

Requesting a Reasonable Modification

(1) Requests for reasonable modification to a program, service, or activity may be made to Authority staff either verbally, by completing the Request for Reasonable Modification form, or in any manner otherwise acceptable to the Authority.

(2) When the Authority receives a request for reasonable modification, the Authority shall:

(a) Make a determination about any additional documentation needed and request the documentation.

(b) Communicate with the individual requesting the reasonable modification about the process, additional required documentation and the possibility of acceptable alternate modifications.

(c) Authority staff shall consider the requester a partner, communicating routinely and respectfully in an effort to achieve a swift and satisfactory resolution to requests for reasonable modification.

(3) When a request for reasonable modification is related to an event or activity that is fixed in time, such as a public meeting, Authority staff shall make a decision as soon as reasonably possible, and in no case less than eight hours prior to the event or activity, provided the request is received at least 12 hours prior to the event or activity.

(4) No more than 15 days after receiving a request or any additional required documentation, whichever is later, the Authority shall notify the requester in writing that the requested modification was approved, approved with alternate modification, or denied.

(a) Notification related to a request for reasonable modification approved with alternate modifications or denied shall be clearly labeled "Preliminary Notification Subject to Review".

(b) The Authority shall ensure the approved modification occurs within a reasonable time.

(5) The Authority's ADA Coordinator shall review all preliminary notifications.

(6) An individual or the individual's representative may request a review meeting with the ADA Coordinator after receiving a preliminary notification approving alternate modifications or denying modifications.

(a) If a review meeting is not requested within 60 days of the preliminary notification, the decision shall become final.

(b) Within 15 days of receiving a request for a review meeting, the ADA Coordinator will meet with the individual or the individual's representative and attempt to resolve the individual's concerns.

(c) Within 15 days of the review meeting, the ADA Coordinator will respond in writing and shall notify the requestor of the final result of the review.

(7) An individual whose request for reasonable modification has been denied or approved with an alternate modification that the individual believes to be inadequate may file:

(a) A report of discrimination as described in these rules; or

(b) A complaint with the appropriate federal or state regulatory agency.

(8) The Authority shall retain all written requests for meetings with the ADA Coordinator for at least three years.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0030

Reporting Discrimination and Available Remedies

(1) Any individual, or individual's representative, who believes an individual has been discriminated against, harassed, excluded from participation or denied the benefit of programs, services, or activities because the individual is a member of a protected class may file a report of discrimination based on protected class.

(a) The Authority shall accept anonymous reports and investigate them to the extent possible.

(b) The Authority shall maintain confidentiality when conducting investigations to the extent possible.

(c) The Authority shall ask the reporter or affected individual to sign a release of information indicating authorization for the Authority to access information to assist the investigation.

(2) The Authority shall accept a report of discrimination based on a request for reasonable modification only if:

(a) The request for reasonable modification, including requests for auxiliary aids or services, an interpreter, or an alternate format communication, was made as provided for in these rules; and

ADMINISTRATIVE RULES

(b) The final result under these rules was a denial or provision of an alternate modification that the requester believes to be inadequate.

(3) A report of discrimination shall be filed within 180 days of the date of the alleged discrimination unless good cause exists for the delay in reporting.

(4) The Authority shall accept a report of discrimination on the Authority's form, in a verbal report or in any other format that contains enough information to allow the Authority to investigate the report.

(a) A report of discrimination may be submitted to any Authority office, in person, by phone, fax or electronically.

(b) Any Authority employee who receives a report of discrimination based on protected class shall notify OEI in accordance with approved Authority policies and processes.

(c) OEI or its designee shall coordinate and conduct investigations related to reports of discrimination.

(5) A complete report of discrimination includes:

(a) The name of all parties involved, including any witnesses.

(b) A specific and detailed description of the conduct or action that the individual believes is discriminatory or harassing.

(c) The name and location of the building or facility the individual was unable to access or the program, service, or activity in which the individual was denied participation.

(d) The date or time period in which the discrimination or harassment occurred.

(e) A description of the remedy the client or the individual filing the report desires.

(f) A statement of good cause that justifies waiving the time limit, if more than 180 days have passed since the discrimination or harassment occurred.

(6) Authority staff shall assist reporters and make every effort to obtain a complete report.

(7) The Authority shall investigate all reports of discrimination to the fullest extent possible.

(a) All investigations shall include an interview with the individual filing the report, when that individual is known.

(b) All Authority employees shall fully cooperate with investigations.

(8) The Authority shall provide as requested, at no cost to the parties, reasonable modifications or alternate means of participation in order to aid the investigation. Such modifications or alternate means include but are not limited to the provision of an interpreter or written material in large print.

(9) Within seven days of receiving a report of discrimination based on protected class, the Authority shall provide written notification to:

(a) The individual who was allegedly discriminated against or harassed, the individual's representative, or the reporter, if different.

(b) The alleged perpetrator in accordance with the respective collective bargaining agreements and related state policies.

(c) The notice to the alleged perpetrator shall state that retaliation is prohibited.

(10) When the investigation is complete, the Authority shall provide written notification to the:

(a) Individual who filed the report.

(b) Individual who was allegedly discriminated against or harassed, or the individual's representative, if different from (a).

(c) The alleged perpetrator in accordance with appropriate collective bargaining agreements and related policies.

(11) The closing notice shall include, as appropriate:

(a) The findings of the investigation.

(b) An explanation about the process and timelines for a request for reconsideration.

(12) When the Authority substantiates a report of discrimination or harassment, the Authority shall take prompt and appropriate action in accordance with policy, contracts, and collective bargaining agreements.

(13) Authority employees who violate these rules may be subject to disciplinary action up to and including termination from state service.

(14) The remedies provided under these rules are in addition to other remedies available under state or federal rule or law, except where exhaustion of these remedies is a requirement of seeking remedies in another forum.

(15) The Authority shall make available:

(a) Information about an individual's right to file a complaint with the other entities, including the U.S. Department of Justice (USDOJ), U.S. Department of Health and Human Services Office of Civil Rights (OCR), and the Oregon Bureau of Labor and Industries (BOLI); and

(b) Applicable timelines for reporting complaints of discrimination and harassment with other entities.

(16) These rules and remedies do not create a contested case subject to judicial review.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 5-2011(Temp), f. & cert. ef. 7-1-11 thru 12-27-11; OHA 19-2011, f. 8-30-11, cert. ef. 9-1-11; OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0040

Request for Reconsideration

(1) When the investigation of a report of discrimination or harassment is complete, the individual who filed the report of discrimination or harassment, the aggrieved individual, or the person accused of discrimination or harassment may submit a written request for reconsideration within 20 days of the date the closing notice is issued.

(2) Written requests for reconsideration must be dated and submitted to the Authority's Director's Office.

(3) The Director or Director's designee shall issue a final written response to the request for reconsideration.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0050

Data Collection

(1) OEI shall maintain records related to reports of alleged discrimination and harassment including data on the:

(a) Number of reports received.

(b) Types of discrimination or harassment alleged.

(c) Location of the alleged discrimination.

(d) Resolution status of individual reports.

(e) Number of requests for reconsideration.

(2) OEI shall establish reporting standards for designees.

(3) OEI shall retain all collected reporting records for at least three years.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0060

Authority Contractors and Subcontractors

(1) Authority contractors and subcontractors shall:

(a) Comply with all applicable state and federal statutes and rules.

(b) Designate an individual to serve as the Authority contact for tracking and compliance purposes.

(c) Establish non-discrimination and reasonable modifications policies similar to those described in these rules.

(d) Establish written processes for documenting and resolving reports of discrimination, harassment, and requests for reasonable modification.

(e) Provide a copy of their non-discrimination policies and processes to OEI upon request.

(f) Maintain records related to reports of alleged discrimination and harassment substantially similar to the data collection requirements established by these rules and provide them to the Authority upon request.

(g) Retain these records for at least three years.

(2) Authority contractors or subcontractors with 15 or more employees shall designate at least one person to coordinate its efforts to adopt grievance procedures.

(3) The name and contact information of the coordinator shall be communicated to individuals requesting information, or applying for or receiving the benefit of programs, services, or activities in handbooks and other general information materials, including but not limited to appropriate websites and publications.

(4) Contractor and subcontractor grievance procedures shall:

(a) Incorporate appropriate due process standards.

(b) Provide for the prompt and equitable resolution of complaints alleging discrimination or harassment based on protected class.

(5) Authority contractors and subcontractors shall provide timely and meaningful notice to individuals about the:

(a) Contractor's or subcontractor's non-discrimination policies and processes;

(b) Individual's right to file a complaint with the Authority, U.S. Department of Justice (USDOJ), U.S. Department of Health and Human Services Office of Civil Rights (OCR), and the Oregon Bureau of Labor and Industries (BOLI); and

(c) Applicable timelines for reporting complaints of discrimination and harassment with the Authority, USDOJ, OCR and BOLI.

(6) Authority contractors and subcontractors shall include the information required by this rule in handbooks and other general information

ADMINISTRATIVE RULES

Oregon Liquor Control Commission Chapter 845

materials including but not limited to appropriate websites and publications provided to individuals requesting information, or applying for or receiving the benefit of programs, services, or activities.

(7) If the Authority receives a report of discrimination or harassment involving the conduct of an Authority contractor or subcontractor:

(a) The Authority shall inform the Authority contractor or subcontractor of the report.

(b) The Authority contractor or subcontractor shall:

(A) Cooperate with the Authority's investigative process;

(B) Take prompt and appropriate action consistent with this rule, Authority contracts, and all applicable Authority administrative rules, policies and processes.

(8) Authority contractors who violate these rules may be subject to action including, but not limited to requests to cure, implementation of compliance work plans, contract amendments, or termination and non-renewal of contract.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

943-005-0070

Implementation and Training

(1) OEI shall develop a plan to communicate the Authority's non-discrimination rules and associated policies and processes to individuals who interact with the Authority, including regular and temporary employees, volunteers, contractors and subcontractors and clients.

(2) OEI shall coordinate the Authority's civil rights compliance activities.

(3) All Authority employees shall receive training regarding this policy that includes:

(a) Information about where to find these rules and associated policies; and

(b) An opportunity to ask questions and have their questions answered.

(4) OEI shall work collaboratively within the Authority to:

(a) Bring existing processes into compliance with this rule and Authority policy.

(b) Increase uniformity within Authority programs in policy and processes related to civil rights violations and investigations.

(c) Improve identification of civil rights violations.

(d) Ensure uniformity in tracking and compiling data related to civil rights complaints and violations.

(e) Communicate the Authority's non-discrimination rules, policies, and processes in handbooks and other general information materials to individuals requesting information, or applying for or receiving the benefit of programs, services, or activities.

(5) The Authority shall provide contractors and subcontractors with communication and training materials developed as a part of the implementation of these rules.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 413.042

Hist.: OHA 3-2014, f. 9-10-14, cert. ef. 1-1-15

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Oregon Health Authority, Division of Medical Assistance Programs Chapter 410

Rule Caption: Medicaid Prescription Drug Assistance for Fully Dual Eligible Medicare Part D Clients

Adm. Order No.: DMAP 51-2014

Filed with Sec. of State: 8-27-2014

Certified to be Effective: 8-27-14

Notice Publication Date: 8-1-2014

Rules Repealed: 410-121-0149

Subject: OAR 410-121-0149 was an emergency rule adopted in response to difficulties related to the roll-out of Medicare Part D. In January 2006, thousands of Oregonians who were dually eligible for Medicare and Medicaid were unable to fill prescriptions because pharmacies could not confirm their Medicare Part D eligibility. OAR 410-121-0149 provided relief by allowing pharmacies to obtain DMAP reimbursement. The issues have since been resolved. This rule is being repealed as it is no longer needed.

Rules Coordinator: Sandy Cafourek—(503) 945-6430

Rule Caption: Amends/adopts or repeals 11 procedural rules in Division 001 (rulemaking) and Division 003 (contested cases).

Adm. Order No.: OLCC 9-2014

Filed with Sec. of State: 9-10-2014

Certified to be Effective: 10-1-14

Notice Publication Date: 5-1-2014

Rules Adopted: 845-003-0345

Rules Amended: 845-001-0007, 845-003-0200, 845-003-0210, 845-003-0220, 845-003-0270, 845-003-0331, 845-003-0460, 845-003-0590, 845-003-0670

Rules Repealed: 845-003-0340

Subject: This rulemaking package is comprised of eleven procedural rules in Division 001 and Division 003 of Chapter 845 of the Oregon Administrative Rules. The Commission amended, adopted or repealed the rules in this package for the following reasons:

In 2012, 2008 and 2007, the Commission amended OAR 845-001-0007, Attorney General's Model Rules of Procedure. These rule-making actions adopted the Attorney General's Model Rules for Rulemaking by reference. However, due to a technical defect, they are invalid. The rule's language is also ambiguous. Permanent rule-making is required to correct these defects.

In 2012, the Commission amended all of its Division 003 rules. This rulemaking action had two goals: (1) Adopt the Attorney General's Model Rules of Procedure for Contested Cases Office of Administrative Hearings, and (2) Adopt eight additional, compatible procedural rules for contested case proceedings. However, due to a technical defect, this rulemaking action is invalid. Select language is also ambiguous and fails to adopt by reference the Attorney General's Model Rules for Orders in Other Than Contested Cases. Permanent rulemaking is required to correct these defects.

In February 2014, the Department of Justice amended its letter authorizing lay representation in certain classes of contested case proceedings, in effect expanding the Commission's authority to use employee representatives. OAR 845-003-0331, Employee Representation at Contested Case Hearings, must be amended on a permanent basis to reflect this expanded authority.

The Commission repealed OAR 845-003-0340, Interpreters, because it is redundant. The use and provision of interpreters in contested case hearings is already addressed in the Attorney General's Model Rules of Procedure for Contested Cases Office of Administrative Hearings.

Finally, the Commission adopted new rule OAR 845-003-0345, Public Attendance and Representation of Parties. This rule memorializes in rule the Commission's longstanding practice of excluding non-participants from its contested case hearings.

Rules Coordinator: Bryant Haley—(503) 872-5136

845-001-0007

Attorney General's Model Rules of Procedure

(1) The Attorney General's "Model Rules for Rulemaking," effective May 1, 2014, are hereby adopted by reference as permanent rules for rule-making procedure. The Attorney General's "Model Rules for Rulemaking" are set forth in OAR 137-001-0005 to 137-001-0100.

(2) The Commission's administrative rules for contested case proceedings, miscellaneous proceedings, and orders in other than contested cases are set forth in Division 003 of this chapter.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or the Liquor Control Commission.]

Stat. Auth.: ORS 471.030 & 471.730(1) & (5)

Stats. Implemented: ORS 183.341(1)

Hist.: LCC 10-1986, f. 6-4-86, ef. 7-1-86; OLCC 4-1989, f. 4-28-89, cert. ef. 7-1-89; OLCC 9-1992, f. 10-7-92, cert. ef. 12-1-92; OLCC 1-1994, f. & cert. ef. 5-2-94; OLCC 9-1995, f. 12-4-95, cert. ef. 1-1-96; OLCC 3-1999, f. 2-16-99, cert. ef. 3-1-99; OLCC 8-2001, f. 8-15-01, cert. ef. 9-1-01; OLCC 10-2004, f. 10-15-04 cert. ef. 11-1-04; OLCC 4-2007, f. 3-22-07, cert. ef. 4-1-07; OLCC 5-2008, f. 3-25-08, cert. ef. 4-1-08; OLCC 5-2012, f. 5-14-12, cert. ef. 6-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

ADMINISTRATIVE RULES

845-003-0200

Statement of Purpose

(1) The purpose of these rules is to implement the statutory policies set forth in ORS 183.411 to 183.470, to provide all contested case participants with clear guidelines, and to provide for thorough and timely hearings.

(2) In an effort to provide timely hearings, these rules establish time limits which will be strictly followed.

(3) These rules apply to all contested case proceedings pending with or received by the Commission on or after the effective date.

Stat. Auth.: ORS 183.341(2) & 471.730(5) & (6)

Stats. Implemented: ORS 183.341(2)

Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0210

Model Rules of Procedure

(1) The Attorney General's "Model Rules of Procedure for Contested Cases Office of Administrative Hearings," effective May 1, 2014, are hereby adopted by reference as permanent rules of procedure for contested case hearings conducted on behalf of the Liquor Control Commission. The Attorney General's "Model Rules of Procedure for Contested Cases Office of Administrative Hearings" are set forth in OAR 137-001-0005 and OAR 137-003-0501 to 137-003-0700.

(2) The Attorney General's Model Rules for "Miscellaneous, Orders in Other Than Contested Cases," effective May 1, 2014, are hereby adopted by reference as permanent rules of procedure for miscellaneous proceedings and orders in other than contested cases. The Attorney General's Model Rules for "Miscellaneous, Orders in Other Than Contested Cases" are set forth in OAR 137-004-0010 to 137-004-0092. (The Commission declines to adopt the remaining model rules in this sequence.)

[ED. NOTE: The full text of the Attorney General's "Model Rules of Procedure for Contested Cases Office of Administrative Hearings" and "Miscellaneous, Orders in Other Than Contested Cases" is available from the Office of the Attorney General or the Oregon Liquor Control Commission.]

Stat. Auth.: ORS 183.341 (1) & (2) & 471.730(5) & (6)

Stats. Implemented: ORS 183.341(1) & (2)

Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0220

Definitions

The following definitions apply to these rules,

(1) "Administrator" means the Executive Director of the Oregon Liquor Control Commission or his or her designee.

(2) "Charging Document" means any document issued by the Commission stating that any person or entity has violated the laws over which the Commission has jurisdiction; any document proposing to act upon an application for a permit, license, or certification, or upon an existing permit, license, or certification; or any document alleging a violation of a term or condition of a retail sales agent agreement.

(3) "Commission" means the Oregon Liquor Control Commission and any employee thereof, but for purposes of these rules does not refer to the Commissioners.

(4) "Commissioners" means a quorum of duly appointed Commissioners at a meeting called for the transaction of any business, the performance of any duty, or the exercise of any power of the Oregon Liquor Control Commission.

(5) "Good cause" means, the factors set forth under OAR 137-003-0501(7). Good cause does not include failure to perform a required act due to the press of business or ignorance of the law, including ignorance of these rules.

(6) "Non-Participant" means any person who is not a participant.

(7) "Participant" means the party, the party's attorney, the expert witnesses, the agency representative, one agency officer or agency employee, and any persons authorized by statute or administrative rule to attend the contested case hearing.

(8) "Party" means any person or entity named in the charging document or granted party status by statute or administrative rule.

Stat. Auth.: ORS 183.341(2) & 471.730(5) & (6)

Stats. Implemented: ORS 183.310 & 183.341(2)

Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0270

Request for a Contested Case Hearing and Response to Charging Document

(1) Any party who wants to contest a charging document must request a contested case hearing. The request for hearing must be in writing and filed within the time limit established in the charging document. The time limit for response to a charging document is:

(a) 30 days after mailing of the charging document for violation matters, except that for violations of ORS 471.315(1)(c), the time limit shall be 20 days;

(b) 15 days after mailing of the charging document for service permit refusals based on failure to complete the alcohol server education course and examination and 30 days after mailing of the charging document for all other service permit refusals;

(c) 60 days after mailing of the charging document for license or certification refusal or non-renewal, except that for non-renewal of a license under ORS 471.313(5), the time limit shall be 20 days;

(d) Within the time period provided in the retail sales agent agreement between the Commission and the agent for agency cases, if the agreement provides for a hearing;

(e) Within the time period provided in the charging document for all other matters not listed above.

(2) In cases involving Category I or II violations, licensing actions, or retail sales agent agreements, a party must file a written Answer with the party's request for a hearing. In these types of cases, a general denial is not sufficient to constitute an Answer. The Answer must specify:

(a) An admission or denial of each factual matter alleged in the charging document; and

(b) What defense or defenses the party will rely upon.

(3) When an answer is required under section (2):

(a) Factual matters alleged in the charging document and not denied in the answer shall be presumed admitted;

(b) Failure to raise a particular defense in the answer will be considered a waiver of such defense;

(c) New matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency; and

(d) Evidence shall not be taken at the contested case hearing on any issue not raised in the charging document or answer.

(4) When an answer is required under section (2), the party or party's attorney may amend the answer, except when doing so would be unduly prejudicial.

Stat. Auth.: ORS 183.341(2), 183.745 & 471.730(5) & (6)

Stats. Implemented: ORS 183.341(2), 183.430(2), 183.435, 183.745, 471.331(1) & 471.380(2)

Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 8-1999, f. 6-9-99, cert. ef. 7-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 9-2003, f. 6-27-03, cert. ef. 7-1-03; OLCC 18-2007, f. 9-27-07, cert. ef. 10-1-07; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0331

Employee Representation at Contested Case Hearings

(1) The Commission's goal in contested case hearings is to have a full and accurate record upon which the Commissioners can make the best decision. To help ensure a full record, employees are allowed to represent the Commission in certain contested case hearings. The employee representative's role is to represent the Commission in a way that supports objective fact finding and encourages an open, fair, and efficient process.

(2) A Commission employee may represent the Commission in contested case hearings in the following classes of cases:

(a) Violations of OLCC statutes or rules described in ORS Chapters 471 and 473, statutes related to the Oregon Bottle Bill in ORS Chapter 459A, 474.115, 459.992, and OAR Chapter 845;

(b) License or service permit applications and denial, non-renewal, suspension, revocation or cancellation of licenses or service permits;

(c) Retail Sales Agent Agreement violations or disputes, except for suspensions or terminations;

(d) Privilege Tax disputes under ORS 473.060(4); and

(e) Applications for certificates of approval (ORS 471.244 and 471.251), wine self-distribution permits (471.274), direct shipper permits (471.282), and importation permits and open purchase orders (471.404(1)(e) and 471.730(8)), and suspension, revocation, or cancellation of these endorsements.

(3) The representative's responsibilities include, but are not limited to:

(a) Presenting evidence;

(b) Asking questions of all witnesses;

ADMINISTRATIVE RULES

(c) Presenting information about the facts, and advocating for staff's position surrounding the facts;

(d) Presenting information on how the facts apply to the statutes or rules directly related to the issues in the contested case;

(e) Presenting information comparing Commission actions in similar situations;

(f) Presenting information about the literal meaning of the statutes or rules that apply to the issues in the contested case; and

(g) Presenting information about the admissibility of evidence or the correctness of procedures being followed.

(4) The employee representative may not make legal arguments. "Legal arguments" include arguments on:

(a) The jurisdiction of the Liquor Control Commission to hear the contested case;

(b) The constitutionality of a statute or rule or the application of a constitutional requirement to the Liquor Control Commission; and

(c) The application of court precedent to the facts of the particular contested case proceeding.

(5) When an employee represents the Commission in a contested case hearing, the administrative law judge will advise the employee representative of the way in which objections may be made. This advice is of a procedural nature and does not change applicable law on waiver or the duty to make timely objections. If the objections involve legal argument, the administrative law judge will provide reasonable opportunity for the employee representative to consult legal counsel and permit legal counsel to file written legal argument within a reasonable time after the conclusion of the hearing.

Stat. Auth.: ORS 183.341(2), 183.452 & 471.730(5) & (6)

Stats. Implemented: ORS 183.341(2) & 183.452

Hist.: OLCC 6-2002(Temp), f. 5-6-02, cert. ef. 5-7-02 thru 11-2-02; OLCC 13-2002, f. 10-25-02 cert. ef. 11-3-02; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0345

Public Attendance and Representation of Parties

(1) Contested case hearings are closed to non-participants and may only be attended by participants.

(2) Representation of parties is governed by OAR 137-003-0550. The Commission does not allow the use of authorized representatives described in 137-003-0555 in its contested case hearings.

Stat. Auth.: ORS 183.341(2), 471.730(5) & (6)

Stats. Implemented: ORS 183.341(2)

Hist.: OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0460

Exchange of Exhibits and Witness Lists

(1) Prior to any contested case hearing, the administrative law judge may order the participants to exchange exhibits and witness lists.

(2) Each participant must file exhibits and a list of witnesses with the administrative law judge and provide a copy to the other participant(s) by the date established by the administrative law judge. If there is no order by the administrative law judge, the exhibits and witness lists must be filed and exchanged no later than 14 days before the hearing date. If a participant fails to timely file and exchange the documents, a prehearing conference will be convened upon request.

(3) Following the filing and exchange of the witness lists and exhibits and before the start of the hearing, participants shall immediately provide to the other participants and the administrative law judge any newly discovered matter, such as a document or name of a witness.

(4) The requirements in sections (1)–(3) of this rule do not apply to service permit refusal and revocation cases. In these matters, prior to any contested case hearing, the administrative law judge may issue a discovery order directing the participants to file and exchange exhibits and witness lists by a date established by the administrative law judge.

Stat. Auth.: ORS 183.341(2), 183.425(2) & 471.730(5) & (6)

Stats. Implemented: ORS 183.341(2) & 183.425(2)

Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0590

Exceptions

(1) Only parties and limited parties may file exceptions to a proposed order. Commission staff may file written comments on the proposed order.

(2) Exceptions and comments must be in writing and received by the Administrator of the Commission within 15 days of the mailing date of the proposed order to be considered by the Commissioners. If an interpreter is required to translate a proposed order for one participant, all participants

shall have an additional 10 days to file exceptions or comments to the proposed order.

(3) The Administrator may grant a participant's written request to extend the period to file exceptions or comments for good cause shown or by mutual agreement. The request must be received within 15 days of the mailing date of the proposed order.

(4) Oral argument to the Commissioners on written exceptions or comments will be taken at a regularly scheduled meeting of the Commissioners. The participants shall be notified by the Commission of the date, time, and place of the meeting where such argument will be heard.

Stat. Auth.: ORS 183.341(2) & 471.730(5) & (6)

Stats. Implemented: ORS 183.341(2) & 183.460

Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 11-2003(Temp), f. & cert. ef. 8-15-03 thru 2-10-04; OLCC 21-2003, f. 11-24-03, cert. ef. 2-10-04; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

845-003-0670

Retained Authority of Commissioners

(1) The Commissioners retain all authority not specifically delegated.

(2) The Commissioners delegate to the Administrator the authority to grant or deny late hearing requests (frequently called Requests for Relief From Default) as provided in OAR 137-003-0528.

(3) The Commissioners delegate to the Administrator the authority to grant or deny requests to participate as a party, limited party or interested agency in a contested case under OAR 137-003-0535 or 137-003-0540 and to make all decisions incidental to the request, including, but not limited to, specifying the areas of participation and procedural limitations of participation, granting or denying late petitions, shortening the time within which responses to the petition shall be filed and/or postponing the hearing until disposition is made of the petition.

(4) The Commissioners delegate to the Administrator the authority to grant or deny a petition for an order to take a deposition of a party pursuant to OAR 137-003-0572. This authority includes, but is not limited to, the ability to designate the terms of the deposition such as the location, manner of recording, time of day and persons permitted to be present during the deposition.

(5) The Commissioners delegate to the Administrator the authority to grant or deny discovery motions pursuant to OAR 137-003-0568 submitted prior to referral of the contested case to the Office of Administrative Hearings and, if applicable, after the assigned administrative law judge issues a proposed order.

(6) The Commissioners delegate to the Administrator the authority to respond to questions transmitted to the agency as set forth in OAR 137-003-0635. The scope of the issues that may be transmitted to the agency includes the agency's interpretation of its rules and applicable statutes and which rules or statutes apply to a proceeding.

(7) The Commissioners delegate to the Administrator the authority to adopt a Final Order based upon an informal disposition by settlement.

(8) The Commissioners delegate to the Administrator the authority to adopt a Final Order by Default when the default is the result of a party's failure to request a hearing or withdrawal of a hearing request; or when a party, after requesting a hearing, fails to appear at the hearing and the agency file does not constitute the sole record.

(9) The Commissioners delegate to the administrative law judge the authority to prepare and issue a Final Order by Default when the default is the result of a party's failure to appear at the time scheduled for hearing and the agency file constitutes the sole record.

(10) The Commissioners delegate to the Administrator the authority to adopt a Final Order based upon a proposed order where exceptions are not filed timely and the order is not otherwise subject to review by the Commissioners.

(11) The Commissioners delegate to the Administrator the authority to grant or deny requests for extension of time within which to file exceptions or comments to a proposed order, in conformity with the requirements of OAR 845-003-0590(3).

(12) The Commissioners delegate to the Administrator the authority to grant or deny a motion to postpone oral argument to the Commissioners on any comments or exceptions to a proposed order.

(13) The Commissioners delegate to the Administrator the authority to grant or deny requests for reconsideration or rehearing and any stay request based on these requests for reconsideration or rehearing when exceptions or a request to reopen the record has been made by the same participant in the same case.

(14) The Commissioners delegate to the Administrator the authority to grant or deny a request to stay the enforcement of a Final Order pending judicial review and in cases where judicial review has not been requested.

ADMINISTRATIVE RULES

Stat. Auth.: ORS 183.341(2) & 471.730(5) & (6)
Stats. Implemented: ORS 183.341(2)
Hist.: OLCC 9-1998, f. 10-21-98, cert. ef. 1-1-99; OLCC 1-2000(Temp), f. & cert. ef. 1-14-00 thru 7-11-00; OLCC 8-2000, f. 6-23-00, cert. ef. 7-1-00; OLCC 9-2003, f. 6-27-03, cert. ef. 7-1-03; OLCC 18-2003, f. 11-24-03, cert. ef. 12-1-03; OLCC 2-2005, f. 4-21-05, cert. ef. 5-1-05; OLCC 1-2008, f. 1-16-08, cert. ef. 2-1-08; OLCC 16-2010, f. 12-22-10, cert. ef. 1-1-11; OLCC 6-2012, f. 8-14-12, cert. ef. 9-1-12; OLCC 9-2014, f. 9-10-14, cert. ef. 10-1-14

Oregon Wine Board Chapter 619

Rule Caption: Repeal of administrative rules pertaining to the Oregon Certified Sustainable Wine Certification Program.

Adm. Order No.: OWB 1-2014

Filed with Sec. of State: 9-8-2014

Certified to be Effective: 9-8-14

Notice Publication Date: 8-1-2014

Rules Repealed: 619-005-0010, 619-005-0020, 619-005-0030, 619-005-0040, 619-005-0050, 619-005-0060

Subject: The Board is repealing the administrative rules pertaining to the Oregon Certified Sustainable Wine Certification Program. Participation in the program is voluntary and has diminished over the past two years to less than 10 participants. The Oregon Wine Board is repealing the rules so that it can focus its resources towards programs that benefit the majority of the winery and vineyard population.

Rules Coordinator: Marie Chambers—(503) 228-8336

Oregon Youth Authority Chapter 416

Rule Caption: Adopting the July 2014 Attorney General's Uniform and Model Rules of Procedure by reference.

Adm. Order No.: OYA 2-2014

Filed with Sec. of State: 9-12-2014

Certified to be Effective: 9-12-14

Notice Publication Date:

Rules Amended: 416-001-0005

Subject: OYA is updating its agency Model Rules of Procedure by adopting the current version of the Attorney General's Uniform and Model Rules of Procedure published in July 2014.

Rules Coordinator: Winifred Skinner—(503) 373-7570

416-001-0005

Model Rules of Procedure

Under the provisions of ORS 183.341, the OYA adopts the July 2014 Attorney General's Uniform and Model Rules of Procedure.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or the Oregon Youth Authority.]

Stat. Auth.: ORS 420A.025

Stats. Implemented: ORS 183.335 & 183.341

Hist.: OYA 2-1995, f. 12-19-95, cert. ef. 1-2-96; OYA 6-2000, f. & cert. ef. 8-2-00; OYA 2-2003, f. & cert. ef. 8-20-03; OYA 7-2004, f. & cert. ef. 7-8-04; OYA 1-2008, f. & cert. ef. 6-9-08; OYA 7-2012, f. & cert. ef. 9-11-12; OYA 2-2014, f. & cert. ef. 9-12-14

Public Utility Commission, Board of Maritime Pilots Chapter 856

Rule Caption: Redefines substance abuse under Grounds for Pilot Discipline

Adm. Order No.: BMP 3-2014

Filed with Sec. of State: 8-25-2014

Certified to be Effective: 8-25-14

Notice Publication Date: 8-1-2014

Rules Amended: 856-010-0045

Subject: Redefine grounds for pilot discipline with respect to alcohol and drug usage.

Rules Coordinator: Susan Johnson—(971) 673-1530

856-010-0045

Grounds for Pilot Discipline

The board may revoke or suspend a pilot's license, impose on the pilot a civil penalty of not more than \$250 for each offense, or issue the pilot a written reprimand if the board finds, after notice and hearing, that:

(1) The physical health of a pilot is such that the pilot is not physically capable of competently exercising the license privilege and performing the work involved without creating an unreasonable risk of harm to the pilot or to the person or property of others.

(2) The mental or emotional health of a pilot is such that the pilot is not competent to exercise the license privilege and is unable to perform the work involved without creating an unreasonable risk of harm to the pilot or to the person or property of others.

(3) The pilot has committed a criminal act, the facts and circumstances of which bear a demonstrable relationship to the exercise of the license privilege. Conviction of a crime is not required to discipline a pilot under this provision.

(4) No pilot may act or attempt to act as a pilot on any pilotage ground:

(a) Within 12 hours after the consumption of any alcoholic beverage;

(b) While under the influence of alcohol; or

(c) While using any drug that affects the pilot's faculties in any way contrary to safety.

(5) The pilot has used alcohol, drugs, medications or controlled substances in a manner that, as the Board determines, casts substantial doubt on the ability of the pilot to exercise the level of sound judgment expected of a pilot, or has used prescription drugs in a manner inconsistent with warnings or instructions provided by the manufacturer or prescribing physician.

(6) The pilot has failed to make a timely report to the board as required by these rules.

(7) The pilot when summoned to testify before the board has failed to appear before the board, or has failed to answer under oath any question touching on any matter connected with the pilot's service or the pilotage ground over which the pilot is licensed as a pilot.

(8) The pilot has been absent from the pilotage ground for a period of sixty (60) days without the express permission of the board.

(9) The pilot's federal license has been suspended, revoked or has lapsed.

(10) The pilot has engaged in conduct involving dishonesty or misrepresentation, the facts and circumstances of which bear a demonstrable relationship to the exercise of the license privilege.

(11) The pilot has failed to exercise the license privilege competently or diligently.

(12) The pilot has violated any provision of ORS 776.015 through 776.991 or any rule of the Board.

(13) The pilot has failed to post or maintain a surety bond or cash deposit.

(14) The pilot has failed to obey a directive issued by an officer of the United States Customs Service, the United States Coast Guard or other law enforcement agency when such a directive could have been complied with safely.

(15) The pilot or trainee has failed to comply with the provisions of an agreement in lieu of discipline, entered into pursuant to OAR 856-010-0041.

Stat. Auth.: ORS 776

Stats. Implemented: ORS 776.116 & 776.325

Hist.: MP 1-1988(Temp), f. & cert. ef. 2-5-88; MP 2-1988, f. & cert. ef. 5-4-88; MP 1-1992, f. & cert. ef. 4-29-92; MP 1-1996, f. & cert. ef. 5-9-96; BMP 2-2001, f. & cert. ef. 5-21-01; BMP 3-2011, f. 6-28-11, cert. ef. 6-29-11; BMP 3-2014, f. & cert. ef. 8-25-14

Secretary of State, Elections Division Chapter 165

Rule Caption: Designating Temporary Electronic Filing System for Specified Measure Arguments

Adm. Order No.: ELECT 10-2014(Temp)

Filed with Sec. of State: 8-18-2014

Certified to be Effective: 8-18-14 thru 8-27-14

Notice Publication Date:

Rules Adopted: 165-016-0814

Subject: This rule is proposed to allow for the Secretary of State to temporarily designate an alternative electronic filing system for use by filers submitting measure argument for inclusion in the November 4, 2014, General Election State Voters' Pamphlet. The rule allows filers of measure statements to pay the required fee by check, cash or any legal instrument redeemable as currency transmittable via physical means.

Rules Coordinator: Brenda Bayes—(503) 986-1518

ADMINISTRATIVE RULES

165-016-0814

Designating Temporary Electronic Filing System for Specified Measure Arguments

(1) The Secretary of State temporarily designates an alternative electronic filing system for use by filers submitting measure arguments for inclusion in the November 4, 2014, General Election State Voters' Pamphlet who are unable to pay by VISA or MASTERCARD because the Secretary of State has determined the regularly designated electronic filing system is unavailable for their use.

(2) Filers submitting a measure argument under section (1) of this rule must submit the measure argument in Microsoft Word document format, along with a completed SEL 405 form, electronically by email to orestar-support.sos@state.or.us.

(3) To pay the required filing fee for submission of measure arguments, filers must provide a check, cash or any legal instrument redeemable as currency to the Elections Division. The filing is not considered complete and will not be accepted unless payment is received by 5 pm, August 26, 2014.

(4) Any amendments to arguments filed under this rule must be submitted by email to orestar-support.sos@state.or.us.

(5) Any statement submitted to an email address other than orestar-support.sos@state.or.us will not be accepted.

(6) Filers submitting a measure argument under the alternative filing system of section (1) of this rule may not file the same measure argument in the regularly designated electronic filing system (ORESTAR).

Stat. Auth.: ORS 246.150

Stats. Implemented: ORS 251.014

Hist.: ELECT 10-2014(Temp), f. & cert. ef. 8-18-14 thru 8-27-14

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|--------------|------------|----------|-----------|
| 101-010-0005 | 6-9-2014 | Amend(T) | 7-1-2014 | 111-070-0030 | 7-31-2014 | Amend(T) | 9-1-2014 |
| 101-070-0001 | 12-17-2013 | Adopt(T) | 2-1-2014 | 111-070-0040 | 7-31-2014 | Amend(T) | 9-1-2014 |
| 101-070-0001 | 5-1-2014 | Adopt | 6-1-2014 | 115-010-0005 | 9-3-2014 | Amend | 10-1-2014 |
| 101-070-0001(T) | 5-1-2014 | Repeal | 6-1-2014 | 115-010-0045 | 9-3-2014 | Amend | 10-1-2014 |
| 101-070-0005 | 12-17-2013 | Adopt(T) | 2-1-2014 | 115-010-0068 | 9-3-2014 | Amend | 10-1-2014 |
| 101-070-0005 | 5-1-2014 | Adopt | 6-1-2014 | 115-010-0070 | 9-3-2014 | Amend | 10-1-2014 |
| 101-070-0005(T) | 5-1-2014 | Repeal | 6-1-2014 | 115-010-0077 | 9-3-2014 | Amend | 10-1-2014 |
| 104-020-0000 | 1-1-2014 | Amend | 2-1-2014 | 115-015-0000 | 9-3-2014 | Repeal | 10-1-2014 |
| 104-020-0010 | 1-1-2014 | Amend | 2-1-2014 | 115-015-0010 | 9-3-2014 | Repeal | 10-1-2014 |
| 104-020-0020 | 1-1-2014 | Amend | 2-1-2014 | 115-015-0020 | 9-3-2014 | Repeal | 10-1-2014 |
| 104-020-0030 | 1-1-2014 | Amend | 2-1-2014 | 115-015-0025 | 9-3-2014 | Repeal | 10-1-2014 |
| 104-020-0040 | 1-1-2014 | Amend | 2-1-2014 | 115-015-0028 | 9-3-2014 | Repeal | 10-1-2014 |
| 105-010-0018 | 1-1-2014 | Adopt(T) | 2-1-2014 | 115-015-0030 | 9-3-2014 | Repeal | 10-1-2014 |
| 111-010-0015 | 11-19-2013 | Amend(T) | 1-1-2014 | 115-015-0035 | 9-3-2014 | Repeal | 10-1-2014 |
| 111-010-0015 | 12-27-2013 | Amend | 2-1-2014 | 115-015-0040 | 9-3-2014 | Repeal | 10-1-2014 |
| 111-010-0015 | 12-27-2013 | Amend(T) | 2-1-2014 | 115-025-0005 | 3-14-2014 | Amend(T) | 4-1-2014 |
| 111-010-0015 | 3-7-2014 | Amend | 4-1-2014 | 115-025-0005 | 9-10-2014 | Amend | 10-1-2014 |
| 111-010-0015(T) | 12-27-2013 | Repeal | 2-1-2014 | 115-025-0010 | 3-14-2014 | Amend(T) | 4-1-2014 |
| 111-010-0015(T) | 3-7-2014 | Repeal | 4-1-2014 | 115-025-0010 | 9-10-2014 | Amend | 10-1-2014 |
| 111-020-0001 | 12-27-2013 | Amend | 2-1-2014 | 115-025-0030 | 3-14-2014 | Amend(T) | 4-1-2014 |
| 111-020-0001(T) | 12-27-2013 | Repeal | 2-1-2014 | 115-025-0030 | 9-10-2014 | Amend | 10-1-2014 |
| 111-020-0005 | 12-27-2013 | Amend | 2-1-2014 | 115-025-0065 | 3-14-2014 | Amend(T) | 4-1-2014 |
| 111-020-0005(T) | 12-27-2013 | Repeal | 2-1-2014 | 115-025-0065 | 9-10-2014 | Amend | 10-1-2014 |
| 111-020-0010 | 12-27-2013 | Adopt | 2-1-2014 | 115-025-0070 | 3-14-2014 | Amend(T) | 4-1-2014 |
| 111-020-0010 | 7-22-2014 | Amend | 9-1-2014 | 115-025-0070 | 9-10-2014 | Amend | 10-1-2014 |
| 111-020-0010(T) | 12-27-2013 | Repeal | 2-1-2014 | 115-025-0075 | 3-14-2014 | Amend(T) | 4-1-2014 |
| 111-030-0050 | 12-27-2013 | Amend | 2-1-2014 | 115-025-0075 | 9-10-2014 | Amend | 10-1-2014 |
| 111-030-0050(T) | 12-27-2013 | Repeal | 2-1-2014 | 115-035-0000 | 9-3-2014 | Amend | 10-1-2014 |
| 111-040-0001 | 12-27-2013 | Amend(T) | 2-1-2014 | 115-035-0007 | 9-3-2014 | Repeal | 10-1-2014 |
| 111-040-0001 | 3-7-2014 | Amend | 4-1-2014 | 115-035-0035 | 9-3-2014 | Amend | 10-1-2014 |
| 111-040-0001(T) | 3-7-2014 | Repeal | 4-1-2014 | 115-035-0040 | 9-3-2014 | Amend | 10-1-2014 |
| 111-040-0005 | 12-27-2013 | Amend(T) | 2-1-2014 | 115-035-0055 | 9-3-2014 | Amend | 10-1-2014 |
| 111-040-0005 | 3-7-2014 | Amend | 4-1-2014 | 115-035-0057 | 9-3-2014 | Amend | 10-1-2014 |
| 111-040-0005(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-006-0035 | 12-30-2013 | Amend(T) | 2-1-2014 |
| 111-040-0010 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-006-0035 | 3-3-2014 | Amend | 4-1-2014 |
| 111-040-0010 | 3-7-2014 | Amend | 4-1-2014 | 123-015-0100 | 4-1-2014 | Adopt | 5-1-2014 |
| 111-040-0010(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-015-0200 | 4-1-2014 | Adopt | 5-1-2014 |
| 111-040-0011 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-015-0300 | 4-1-2014 | Adopt | 5-1-2014 |
| 111-040-0011 | 3-7-2014 | Amend | 4-1-2014 | 123-015-0400 | 4-1-2014 | Adopt | 5-1-2014 |
| 111-040-0011(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-015-0500 | 4-1-2014 | Adopt | 5-1-2014 |
| 111-040-0015 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-019-0010 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0015 | 3-7-2014 | Amend | 4-1-2014 | 123-019-0020 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0015(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-019-0030 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0025 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-019-0040 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0025 | 3-7-2014 | Amend | 4-1-2014 | 123-019-0050 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0025(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-019-0060 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0030 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-019-0100 | 7-1-2014 | Amend | 8-1-2014 |
| 111-040-0030 | 3-7-2014 | Amend | 4-1-2014 | 123-024-0011 | 3-3-2014 | Amend | 4-1-2014 |
| 111-040-0030(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-024-0031 | 3-3-2014 | Amend | 4-1-2014 |
| 111-040-0040 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-025-0025 | 3-3-2014 | Amend | 4-1-2014 |
| 111-040-0040 | 3-7-2014 | Amend | 4-1-2014 | 123-043-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 111-040-0040(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-043-0015 | 1-1-2014 | Amend | 2-1-2014 |
| 111-040-0050 | 12-27-2013 | Amend(T) | 2-1-2014 | 123-043-0025 | 1-1-2014 | Amend | 2-1-2014 |
| 111-040-0050 | 3-7-2014 | Amend | 4-1-2014 | 123-043-0035 | 1-1-2014 | Amend | 2-1-2014 |
| 111-040-0050(T) | 3-7-2014 | Repeal | 4-1-2014 | 123-043-0041 | 1-1-2014 | Amend | 2-1-2014 |
| 111-070-0005 | 7-31-2014 | Amend(T) | 9-1-2014 | 123-043-0041 | 6-1-2014 | Amend | 7-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|--------|----------|
| 123-043-0055 | 1-1-2014 | Amend | 2-1-2014 | 123-097-3000 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-043-0075 | 1-1-2014 | Amend | 2-1-2014 | 123-097-3500 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-043-0102 | 1-1-2014 | Amend | 2-1-2014 | 123-097-3600 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-043-0115 | 1-1-2014 | Amend | 2-1-2014 | 123-097-3700 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0100 | 1-1-2014 | Adopt | 2-1-2014 | 123-097-4000 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0200 | 1-1-2014 | Adopt | 2-1-2014 | 123-097-4500 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0300 | 1-1-2014 | Adopt | 2-1-2014 | 123-097-4800 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0400 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0010 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0500 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0020 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0600 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0030 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0700 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0040 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0800 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0050 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-0900 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0060 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-1000 | 1-1-2014 | Adopt | 2-1-2014 | 123-098-0070 | 5-1-2014 | Adopt | 6-1-2014 |
| 123-051-1100 | 1-1-2014 | Adopt | 2-1-2014 | 123-630-0000 | 4-1-2014 | Amend | 5-1-2014 |
| 123-051-1200 | 1-1-2014 | Adopt | 2-1-2014 | 123-630-0000(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0010 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0010 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0020 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0010(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0030 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0020 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0040 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0020(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0050 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0030 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0060 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0030(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0070 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0040 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0080 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0040(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0090 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0050 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0100 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0050(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0110 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0060 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0120 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0060(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0130 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0070 | 4-1-2014 | Amend | 5-1-2014 |
| 123-052-0140 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0070(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-052-0150 | 4-1-2014 | Adopt(T) | 5-1-2014 | 123-630-0080 | 4-1-2014 | Amend | 5-1-2014 |
| 123-061-0010 | 5-1-2014 | Adopt | 6-1-2014 | 123-630-0080(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-061-0020 | 5-1-2014 | Adopt | 6-1-2014 | 123-630-0090 | 4-1-2014 | Amend | 5-1-2014 |
| 123-061-0030 | 5-1-2014 | Adopt | 6-1-2014 | 123-630-0090 | 7-1-2014 | Amend | 8-1-2014 |
| 123-061-0035 | 5-1-2014 | Adopt | 6-1-2014 | 123-630-0090(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-061-0040 | 5-1-2014 | Adopt | 6-1-2014 | 123-630-0100 | 4-1-2014 | Amend | 5-1-2014 |
| 123-095-0000 | 12-1-2013 | Amend | 1-1-2014 | 123-630-0100 | 7-1-2014 | Amend | 8-1-2014 |
| 123-095-0000(T) | 12-1-2013 | Repeal | 1-1-2014 | 123-630-0100(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 123-095-0010 | 12-1-2013 | Amend | 1-1-2014 | 123-630-0110 | 4-1-2014 | Adopt | 5-1-2014 |
| 123-095-0010(T) | 12-1-2013 | Repeal | 1-1-2014 | 125-015-0200 | 4-9-2014 | Adopt | 5-1-2014 |
| 123-095-0020 | 12-1-2013 | Repeal | 1-1-2014 | 125-015-0200(T) | 4-9-2014 | Repeal | 5-1-2014 |
| 123-095-0030 | 12-1-2013 | Amend | 1-1-2014 | 125-045-0235 | 1-1-2014 | Amend | 2-1-2014 |
| 123-095-0030(T) | 12-1-2013 | Repeal | 1-1-2014 | 125-055-0100 | 1-1-2014 | Amend | 2-1-2014 |
| 123-095-0035 | 12-1-2013 | Adopt | 1-1-2014 | 125-055-0105 | 1-1-2014 | Amend | 2-1-2014 |
| 123-095-0035(T) | 12-1-2013 | Repeal | 1-1-2014 | 125-055-0115 | 1-1-2014 | Amend | 2-1-2014 |
| 123-095-0040 | 12-1-2013 | Amend | 1-1-2014 | 125-055-0120 | 1-1-2014 | Amend | 2-1-2014 |
| 123-095-0040(T) | 12-1-2013 | Repeal | 1-1-2014 | 125-055-0125 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-0100 | 5-1-2014 | Adopt | 6-1-2014 | 125-055-0130 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-0200 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0100 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-0500 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0110 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-1000 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0130 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-1500 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0165 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-2000 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0170 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-2200 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0350 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-2500 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0360 | 1-1-2014 | Amend | 2-1-2014 |
| 123-097-2600 | 5-1-2014 | Adopt | 6-1-2014 | 125-246-0400 | 1-1-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|----------|----------|
| 125-246-0500 | 1-1-2014 | Amend | 2-1-2014 | 137-055-2045 | 5-22-2014 | Amend | 7-1-2014 |
| 125-246-0556 | 1-1-2014 | Amend | 2-1-2014 | 137-055-2170 | 1-13-2014 | Amend(T) | 2-1-2014 |
| 125-246-0570 | 1-1-2014 | Amend | 2-1-2014 | 137-055-2170 | 5-22-2014 | Amend | 7-1-2014 |
| 125-246-0900 | 1-1-2014 | Amend | 2-1-2014 | 137-055-2170(T) | 5-22-2014 | Repeal | 7-1-2014 |
| 125-247-0170 | 1-1-2014 | Amend | 2-1-2014 | 137-055-3300 | 4-1-2014 | Amend | 5-1-2014 |
| 125-247-0200 | 1-1-2014 | Amend | 2-1-2014 | 137-055-3360 | 4-1-2014 | Amend | 5-1-2014 |
| 125-247-0265 | 1-1-2014 | Amend | 2-1-2014 | 137-055-3420 | 1-13-2014 | Amend(T) | 2-1-2014 |
| 125-247-0270 | 1-1-2014 | Amend | 2-1-2014 | 137-055-3420 | 5-22-2014 | Amend | 7-1-2014 |
| 125-247-0805 | 1-1-2014 | Amend | 2-1-2014 | 137-055-3420(T) | 5-22-2014 | Repeal | 7-1-2014 |
| 125-248-0130 | 1-1-2014 | Amend | 2-1-2014 | 137-055-3435 | 4-1-2014 | Amend | 5-1-2014 |
| 125-700-0010 | 5-1-2014 | Amend | 6-1-2014 | 137-055-3660 | 4-1-2014 | Amend | 5-1-2014 |
| 125-700-0015 | 5-1-2014 | Amend | 6-1-2014 | 137-055-5510 | 4-1-2014 | Amend | 5-1-2014 |
| 125-700-0120 | 5-1-2014 | Repeal | 6-1-2014 | 137-055-6024 | 5-22-2014 | Amend | 7-1-2014 |
| 125-700-0125 | 5-1-2014 | Amend | 6-1-2014 | 137-055-6120 | 4-1-2014 | Amend | 5-1-2014 |
| 125-700-0130 | 5-1-2014 | Repeal | 6-1-2014 | 137-055-7180 | 4-1-2014 | Amend | 5-1-2014 |
| 125-700-0135 | 5-1-2014 | Amend | 6-1-2014 | 137-084-0500 | 4-1-2014 | Amend | 5-1-2014 |
| 125-700-0140 | 5-1-2014 | Amend | 6-1-2014 | 137-110-0001 | 1-31-2014 | Repeal | 3-1-2014 |
| 125-700-0145 | 5-1-2014 | Amend | 6-1-2014 | 137-110-0005 | 1-31-2014 | Repeal | 3-1-2014 |
| 125-700-0150 | 5-1-2014 | Amend | 6-1-2014 | 137-110-0010 | 1-31-2014 | Amend | 3-1-2014 |
| 125-700-0155 | 5-1-2014 | Amend | 6-1-2014 | 137-110-0020 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-003-0505 | 2-1-2014 | Amend(T) | 3-1-2014 | 137-110-0110 | 1-31-2014 | Amend | 3-1-2014 |
| 137-003-0505 | 4-1-2014 | Amend | 5-1-2014 | 137-110-0200 | 1-31-2014 | Amend | 3-1-2014 |
| 137-003-0505(T) | 4-1-2014 | Repeal | 5-1-2014 | 137-110-0210 | 1-31-2014 | Amend | 3-1-2014 |
| 137-003-0640 | 2-1-2014 | Amend(T) | 3-1-2014 | 137-110-0300 | 1-31-2014 | Adopt | 3-1-2014 |
| 137-003-0640 | 4-1-2014 | Amend | 5-1-2014 | 137-110-0410 | 1-31-2014 | Amend | 3-1-2014 |
| 137-003-0640(T) | 4-1-2014 | Repeal | 5-1-2014 | 137-110-0420 | 1-31-2014 | Amend | 3-1-2014 |
| 137-045-0050 | 7-11-2014 | Amend(T) | 8-1-2014 | 137-110-0430 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-046-0130 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0500 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-047-0260 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0510 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-047-0265 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0520 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-047-0270 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0600 | 1-31-2014 | Amend | 3-1-2014 |
| 137-047-0300 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0605 | 1-31-2014 | Adopt | 3-1-2014 |
| 137-047-0450 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0610 | 1-31-2014 | Amend | 3-1-2014 |
| 137-047-0560 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0620 | 1-31-2014 | Amend | 3-1-2014 |
| 137-048-0130 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0630 | 1-31-2014 | Amend | 3-1-2014 |
| 137-048-0210 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0640 | 1-31-2014 | Amend | 3-1-2014 |
| 137-048-0220 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0650 | 1-31-2014 | Amend | 3-1-2014 |
| 137-049-0100 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0660 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-049-0120 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0670 | 1-31-2014 | Amend | 3-1-2014 |
| 137-049-0130 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-110-0675 | 1-31-2014 | Adopt | 3-1-2014 |
| 137-049-0380 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-120-0010 | 1-31-2014 | Repeal | 3-1-2014 |
| 137-049-0600 | 7-1-2014 | Amend(T) | 8-1-2014 | 137-120-0020 | 1-31-2014 | Amend | 3-1-2014 |
| 137-049-0610 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-030-0015 | 2-1-2014 | Amend | 2-1-2014 |
| 137-049-0620 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-030-0025 | 2-1-2014 | Amend | 2-1-2014 |
| 137-049-0630 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-030-0036 | 2-1-2014 | Repeal | 2-1-2014 |
| 137-049-0640 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-030-0037 | 2-1-2014 | Amend | 2-1-2014 |
| 137-049-0650 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-035-0012 | 2-1-2014 | Amend | 2-1-2014 |
| 137-049-0660 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-035-0013 | 2-1-2014 | Amend | 2-1-2014 |
| 137-049-0690 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-035-0015 | 2-1-2014 | Repeal | 2-1-2014 |
| 137-049-0820 | 7-1-2014 | Amend(T) | 8-1-2014 | 141-035-0016 | 2-1-2014 | Amend | 2-1-2014 |
| 137-050-0710 | 5-22-2014 | Amend | 7-1-2014 | 141-035-0018 | 2-1-2014 | Amend | 2-1-2014 |
| 137-050-0735 | 5-22-2014 | Amend | 7-1-2014 | 141-035-0020 | 2-1-2014 | Amend | 2-1-2014 |
| 137-050-0740 | 5-22-2014 | Amend | 7-1-2014 | 141-035-0025 | 2-1-2014 | Amend | 2-1-2014 |
| 137-050-0745 | 5-22-2014 | Amend | 7-1-2014 | 141-035-0030 | 2-1-2014 | Amend | 2-1-2014 |
| 137-050-0755 | 5-22-2014 | Amend | 7-1-2014 | 141-035-0035 | 2-1-2014 | Amend | 2-1-2014 |
| 137-055-1100 | 4-1-2014 | Amend | 5-1-2014 | 141-035-0040 | 2-1-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|----------------|------------|--------|----------|--------------------|------------|------------|----------|
| 141-035-0045 | 2-1-2014 | Amend | 2-1-2014 | 150-118.010(2) | 12-26-2013 | Amend | 2-1-2014 |
| 141-035-0047 | 2-1-2014 | Amend | 2-1-2014 | 150-118.010(3) | 12-26-2013 | Amend | 2-1-2014 |
| 141-035-0048 | 2-1-2014 | Amend | 2-1-2014 | 150-118.010(4)(b) | 12-26-2013 | Amend | 2-1-2014 |
| 141-035-0050 | 2-1-2014 | Amend | 2-1-2014 | 150-118.010(7) | 12-26-2013 | Amend | 2-1-2014 |
| 141-035-0065 | 2-1-2014 | Amend | 2-1-2014 | 150-118.010(8) | 12-26-2013 | Adopt | 2-1-2014 |
| 141-035-0068 | 2-1-2014 | Amend | 2-1-2014 | 150-118.100(1) | 12-26-2013 | Amend | 2-1-2014 |
| 141-040-0020 | 2-1-2014 | Amend | 2-1-2014 | 150-118.100(6) | 12-26-2013 | Adopt | 2-1-2014 |
| 141-040-0214 | 2-1-2014 | Amend | 2-1-2014 | 150-118.140 | 12-26-2013 | Amend | 2-1-2014 |
| 141-045-0010 | 2-1-2014 | Amend | 2-1-2014 | 150-118.160 | 12-26-2013 | Adopt | 2-1-2014 |
| 141-045-0031 | 2-1-2014 | Amend | 2-1-2014 | 150-118.160-(B) | 12-26-2013 | Amend | 2-1-2014 |
| 141-045-0041 | 2-1-2014 | Amend | 2-1-2014 | 150-118.171 | 12-26-2013 | Amend | 2-1-2014 |
| 141-045-0061 | 2-1-2014 | Amend | 2-1-2014 | 150-118.225 | 12-26-2013 | Amend | 2-1-2014 |
| 141-045-0100 | 2-1-2014 | Amend | 2-1-2014 | 150-118.250(1) | 12-26-2013 | Am. & Ren. | 2-1-2014 |
| 141-085-0510 | 9-1-2014 | Amend | 9-1-2014 | 150-118.260 | 12-26-2013 | Adopt | 2-1-2014 |
| 141-085-0520 | 9-1-2014 | Amend | 9-1-2014 | 150-118.260(6) | 12-26-2013 | Amend | 2-1-2014 |
| 141-085-0530 | 9-1-2014 | Amend | 9-1-2014 | 150-118.265 | 12-26-2013 | Adopt | 2-1-2014 |
| 141-085-0534 | 9-1-2014 | Amend | 9-1-2014 | 150-118.300 | 12-26-2013 | Amend | 2-1-2014 |
| 141-085-0550 | 9-1-2014 | Amend | 9-1-2014 | 150-137.300(3) | 12-26-2013 | Am. & Ren. | 2-1-2014 |
| 141-085-0560 | 9-1-2014 | Amend | 9-1-2014 | 150-294.352(1)-(B) | 7-31-2014 | Repeal | 9-1-2014 |
| 141-085-0575 | 9-1-2014 | Amend | 9-1-2014 | 150-294.456(3) | 7-31-2014 | Amend | 9-1-2014 |
| 141-085-0680 | 9-1-2014 | Amend | 9-1-2014 | 150-305.100-(D) | 7-31-2014 | Adopt | 9-1-2014 |
| 141-085-0725 | 9-1-2014 | Amend | 9-1-2014 | 150-305.145(3) | 1-1-2014 | Amend | 2-1-2014 |
| 141-085-0735 | 9-1-2014 | Amend | 9-1-2014 | 150-305.145(5) | 7-31-2014 | Adopt | 9-1-2014 |
| 141-085-0750 | 9-1-2014 | Amend | 9-1-2014 | 150-305.230 | 1-1-2014 | Amend | 2-1-2014 |
| 141-085-0755 | 9-1-2014 | Amend | 9-1-2014 | 150-305.285 | 1-1-2014 | Amend | 2-1-2014 |
| 141-085-0760 | 9-1-2014 | Repeal | 9-1-2014 | 150-305.655 | 1-1-2014 | Repeal | 2-1-2014 |
| 141-085-0768 | 9-1-2014 | Adopt | 9-1-2014 | 150-305.810 | 12-26-2013 | Amend | 2-1-2014 |
| 141-085-0775 | 9-1-2014 | Amend | 9-1-2014 | 150-305.810 | 7-31-2014 | Amend | 9-1-2014 |
| 141-089-0640 | 1-1-2014 | Amend | 1-1-2014 | 150-306.132 | 7-31-2014 | Amend | 9-1-2014 |
| 141-089-0645 | 1-1-2014 | Amend | 1-1-2014 | 150-306.135 | 1-1-2014 | Amend | 2-1-2014 |
| 141-089-0820 | 1-1-2014 | Amend | 1-1-2014 | 150-307.166 | 7-31-2014 | Amend | 9-1-2014 |
| 141-089-0825 | 1-1-2014 | Amend | 1-1-2014 | 150-307.175 | 7-31-2014 | Amend | 9-1-2014 |
| 141-089-0830 | 1-1-2014 | Amend | 1-1-2014 | 150-307.475 | 7-31-2014 | Amend | 9-1-2014 |
| 141-089-0835 | 1-1-2014 | Amend | 1-1-2014 | 150-307.547 | 7-31-2014 | Amend | 9-1-2014 |
| 141-145-0000 | 2-1-2014 | Adopt | 2-1-2014 | 150-308.010 | 1-1-2014 | Amend | 2-1-2014 |
| 141-145-0005 | 2-1-2014 | Adopt | 2-1-2014 | 150-308.290-(A) | 7-31-2014 | Amend | 9-1-2014 |
| 141-145-0010 | 2-1-2014 | Adopt | 2-1-2014 | 150-308.515(1)(h) | 7-31-2014 | Repeal | 9-1-2014 |
| 141-145-0015 | 2-1-2014 | Adopt | 2-1-2014 | 150-308A.056(1)(g) | 7-31-2014 | Adopt | 9-1-2014 |
| 141-145-0020 | 2-1-2014 | Adopt | 2-1-2014 | 150-308A.092 | 7-31-2014 | Amend | 9-1-2014 |
| 141-145-0025 | 2-1-2014 | Adopt | 2-1-2014 | 150-308A.724 | 1-1-2014 | Repeal | 2-1-2014 |
| 141-145-0030 | 2-1-2014 | Adopt | 2-1-2014 | 150-309.100(3)-(B) | 1-1-2014 | Amend | 2-1-2014 |
| 141-145-0035 | 2-1-2014 | Adopt | 2-1-2014 | 150-309.110-(A) | 8-11-2014 | Amend | 9-1-2014 |
| 141-145-0040 | 2-1-2014 | Adopt | 2-1-2014 | 150-309.110(1)-(A) | 1-1-2014 | Amend | 2-1-2014 |
| 141-145-0045 | 2-1-2014 | Adopt | 2-1-2014 | 150-311.223(4) | 1-1-2014 | Amend | 2-1-2014 |
| 141-145-0050 | 2-1-2014 | Adopt | 2-1-2014 | 150-311.674 | 1-1-2014 | Repeal | 2-1-2014 |
| 141-145-0055 | 2-1-2014 | Adopt | 2-1-2014 | 150-311.686(2) | 7-31-2014 | Repeal | 9-1-2014 |
| 141-145-0060 | 2-1-2014 | Adopt | 2-1-2014 | 150-311.689 | 1-1-2014 | Repeal | 2-1-2014 |
| 141-145-0065 | 2-1-2014 | Adopt | 2-1-2014 | 150-311.691 | 7-31-2014 | Amend | 9-1-2014 |
| 141-145-0070 | 2-1-2014 | Adopt | 2-1-2014 | 150-314.280(3) | 1-1-2014 | Amend | 2-1-2014 |
| 141-145-0075 | 2-1-2014 | Adopt | 2-1-2014 | 150-314.360 | 7-31-2014 | Amend | 9-1-2014 |
| 141-145-0080 | 2-1-2014 | Adopt | 2-1-2014 | 150-314.380(2)-(B) | 1-1-2014 | Amend | 2-1-2014 |
| 141-145-0085 | 2-1-2014 | Adopt | 2-1-2014 | 150-314.385(4) | 12-26-2013 | Amend | 2-1-2014 |
| 141-145-0090 | 2-1-2014 | Adopt | 2-1-2014 | 150-314.410(2) | 7-31-2014 | Amend | 9-1-2014 |
| 150-118.005 | 12-26-2013 | Adopt | 2-1-2014 | 150-314.410(4) | 1-1-2014 | Amend | 2-1-2014 |
| 150-118.010 | 12-26-2013 | Adopt | 2-1-2014 | 150-314.415(7) | 12-26-2013 | Amend | 2-1-2014 |
| 150-118.010(1) | 12-26-2013 | Amend | 2-1-2014 | 150-314.665(1)-(A) | 7-31-2014 | Amend | 9-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------------|------------|------------|----------|--------------|-----------|----------|-----------|
| 150-314.775 | 1-1-2014 | Amend | 2-1-2014 | 161-025-0060 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 150-314.778 | 1-1-2014 | Amend | 2-1-2014 | 161-025-0060 | 4-22-2014 | Amend | 6-1-2014 |
| 150-314.HB2071(B) | 12-26-2013 | Renumber | 2-1-2014 | 161-025-0060 | 5-20-2014 | Amend | 7-1-2014 |
| 150-315.068 | 1-1-2014 | Amend | 2-1-2014 | 161-570-0025 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 150-315.141 | 7-31-2014 | Repeal | 9-1-2014 | 161-570-0025 | 4-22-2014 | Amend | 6-1-2014 |
| 150-315.164 | 7-31-2014 | Amend | 9-1-2014 | 161-570-0025 | 5-20-2014 | Amend | 7-1-2014 |
| 150-315.204-(A) | 1-1-2014 | Amend | 2-1-2014 | 161-570-0030 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 150-315.304(9) | 1-1-2014 | Amend | 2-1-2014 | 161-570-0030 | 4-22-2014 | Amend | 6-1-2014 |
| 150-315.514 | 12-26-2013 | Amend | 2-1-2014 | 161-570-0030 | 5-20-2014 | Amend | 7-1-2014 |
| 150-316.014 | 12-26-2013 | Am. & Ren. | 2-1-2014 | 162-010-0000 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.102 | 1-1-2014 | Amend | 2-1-2014 | 162-010-0010 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.127-(A) | 7-31-2014 | Amend | 9-1-2014 | 162-010-0020 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.127(10) | 1-1-2014 | Amend | 2-1-2014 | 162-010-0030 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.202(3) | 7-31-2014 | Amend | 9-1-2014 | 162-010-0050 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.368 | 1-1-2014 | Amend | 2-1-2014 | 162-010-0115 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.587(8)-(A) | 7-31-2014 | Amend | 9-1-2014 | 162-010-0120 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.680(1)(c)-(A) | 1-1-2014 | Repeal | 2-1-2014 | 162-010-0130 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.680(1)(c)-(B) | 1-1-2014 | Repeal | 2-1-2014 | 162-010-0140 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.693 | 1-1-2014 | Adopt | 2-1-2014 | 162-010-0160 | 2-13-2014 | Repeal | 3-1-2014 |
| 150-316.789 | 1-1-2014 | Repeal | 2-1-2014 | 162-010-0170 | 2-13-2014 | Repeal | 3-1-2014 |
| 150-316.791 | 1-1-2014 | Repeal | 2-1-2014 | 162-010-0190 | 2-13-2014 | Amend | 3-1-2014 |
| 150-316.792 | 1-1-2014 | Adopt | 2-1-2014 | 162-010-0200 | 2-13-2014 | Amend | 3-1-2014 |
| 150-317.010(4) | 1-1-2014 | Amend | 2-1-2014 | 162-010-0230 | 2-13-2014 | Amend | 3-1-2014 |
| 150-317.067 | 1-1-2014 | Amend | 2-1-2014 | 162-010-0260 | 2-13-2014 | Amend | 3-1-2014 |
| 150-317.147 | 7-31-2014 | Amend | 9-1-2014 | 165-001-0050 | 1-2-2014 | Amend | 2-1-2014 |
| 150-317.314 | 7-31-2014 | Amend | 9-1-2014 | 165-010-0005 | 1-2-2014 | Amend | 2-1-2014 |
| 150-317.715(2)-(A) | 7-31-2014 | Am. & Ren. | 9-1-2014 | 165-010-0080 | 1-2-2014 | Repeal | 2-1-2014 |
| 150-317.715(2)-(B) | 7-31-2014 | Am. & Ren. | 9-1-2014 | 165-012-0005 | 1-2-2014 | Amend | 2-1-2014 |
| 150-317.715(3)(b) | 7-31-2014 | Am. & Ren. | 9-1-2014 | 165-012-0240 | 1-2-2014 | Amend | 2-1-2014 |
| 150-317.715(5) | 7-31-2014 | Adopt | 9-1-2014 | 165-013-0010 | 1-2-2014 | Amend | 2-1-2014 |
| 150-323.105 | 7-31-2014 | Amend | 9-1-2014 | 165-014-0005 | 1-2-2014 | Amend | 2-1-2014 |
| 150-323.106 | 7-31-2014 | Adopt | 9-1-2014 | 165-014-0030 | 1-7-2014 | Amend | 2-1-2014 |
| 150-323.520 | 7-31-2014 | Amend | 9-1-2014 | 165-016-0000 | 3-11-2014 | Adopt | 4-1-2014 |
| 150-457.440(9) | 1-1-2014 | Amend | 2-1-2014 | 165-016-0040 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0700 | 1-1-2014 | Adopt | 2-1-2014 | 165-016-0045 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0700 | 1-3-2014 | Adopt | 2-1-2014 | 165-016-0050 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0701 | 1-1-2014 | Adopt | 2-1-2014 | 165-016-0055 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0701 | 1-3-2014 | Adopt | 2-1-2014 | 165-016-0060 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0710 | 1-1-2014 | Adopt | 2-1-2014 | 165-016-0070 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0710 | 1-3-2014 | Adopt | 2-1-2014 | 165-016-0080 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0720 | 1-1-2014 | Adopt | 2-1-2014 | 165-016-0100 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-010-0720 | 1-3-2014 | Adopt | 2-1-2014 | 165-016-0105 | 3-11-2014 | Repeal | 4-1-2014 |
| 160-100-0000 | 3-6-2014 | Amend | 4-1-2014 | 165-016-0814 | 8-18-2014 | Adopt(T) | 10-1-2014 |
| 161-006-0155 | 1-1-2014 | Amend(T) | 2-1-2014 | 165-016-2014 | 2-13-2014 | Adopt(T) | 3-1-2014 |
| 161-006-0155 | 4-22-2014 | Amend | 6-1-2014 | 165-020-0025 | 1-2-2014 | Repeal | 2-1-2014 |
| 161-006-0155 | 5-20-2014 | Amend | 7-1-2014 | 166-005-0010 | 2-25-2014 | Amend | 4-1-2014 |
| 161-006-0160 | 1-1-2014 | Amend(T) | 2-1-2014 | 166-150-0005 | 2-25-2014 | Amend | 4-1-2014 |
| 161-006-0160 | 4-22-2014 | Amend | 6-1-2014 | 166-150-0035 | 2-25-2014 | Amend | 4-1-2014 |
| 161-006-0160 | 5-20-2014 | Amend | 7-1-2014 | 166-150-0040 | 2-25-2014 | Amend | 4-1-2014 |
| 161-010-0010 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-150-0095 | 2-25-2014 | Amend | 4-1-2014 |
| 161-010-0025 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-150-0135 | 2-25-2014 | Amend | 4-1-2014 |
| 161-010-0035 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-150-0210 | 2-25-2014 | Amend | 4-1-2014 |
| 161-010-0045 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-200-0005 | 8-7-2014 | Repeal | 9-1-2014 |
| 161-010-0065 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-200-0010 | 8-7-2014 | Repeal | 9-1-2014 |
| 161-010-0085 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-200-0015 | 8-7-2014 | Repeal | 9-1-2014 |
| 161-015-0000 | 7-7-2014 | Amend(T) | 8-1-2014 | 166-200-0020 | 8-7-2014 | Repeal | 9-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|--------|----------|-----------------|------------|----------|----------|
| 166-200-0025 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0355 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0030 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0360 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0035 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0365 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0040 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0370 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0045 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0375 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0050 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0380 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0055 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0385 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0060 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0390 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0065 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0395 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0070 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0400 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0075 | 8-7-2014 | Repeal | 9-1-2014 | 166-200-0405 | 8-7-2014 | Adopt | 9-1-2014 |
| 166-200-0080 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0007 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0085 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0020 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0090 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0030 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0095 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0040 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0100 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0050 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0105 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0060 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0110 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0065 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0115 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0070 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0120 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0081 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0125 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0085 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0130 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0300 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0135 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0360 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0140 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0600 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0145 | 8-7-2014 | Repeal | 9-1-2014 | 167-001-0620 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0200 | 8-7-2014 | Adopt | 9-1-2014 | 167-001-0625 | 3-1-2014 | Repeal | 4-1-2014 |
| 166-200-0205 | 8-7-2014 | Adopt | 9-1-2014 | 167-001-0635 | 3-1-2014 | Amend | 4-1-2014 |
| 166-200-0210 | 8-7-2014 | Adopt | 9-1-2014 | 170-061-0015 | 8-15-2014 | Amend(T) | 9-1-2014 |
| 166-200-0215 | 8-7-2014 | Adopt | 9-1-2014 | 170-063-0000 | 1-15-2014 | Amend(T) | 2-1-2014 |
| 166-200-0220 | 8-7-2014 | Adopt | 9-1-2014 | 170-063-0000 | 4-11-2014 | Amend | 5-1-2014 |
| 166-200-0225 | 8-7-2014 | Adopt | 9-1-2014 | 172-005-0020 | 5-14-2014 | Amend | 6-1-2014 |
| 166-200-0230 | 8-7-2014 | Adopt | 9-1-2014 | 172-005-0020 | 5-28-2014 | Amend | 7-1-2014 |
| 166-200-0235 | 8-7-2014 | Adopt | 9-1-2014 | 172-005-0045 | 5-14-2014 | Adopt | 6-1-2014 |
| 166-200-0240 | 8-7-2014 | Adopt | 9-1-2014 | 172-005-0045 | 5-30-2014 | Adopt | 7-1-2014 |
| 166-200-0245 | 8-7-2014 | Adopt | 9-1-2014 | 173-006-0005 | 12-19-2013 | Amend | 2-1-2014 |
| 166-200-0250 | 8-7-2014 | Adopt | 9-1-2014 | 173-008-0005 | 12-19-2013 | Amend | 2-1-2014 |
| 166-200-0255 | 8-7-2014 | Adopt | 9-1-2014 | 177-075-0040 | 12-1-2013 | Amend | 1-1-2014 |
| 166-200-0260 | 8-7-2014 | Adopt | 9-1-2014 | 177-075-0040(T) | 12-1-2013 | Repeal | 1-1-2014 |
| 166-200-0265 | 8-7-2014 | Adopt | 9-1-2014 | 177-094-0100 | 4-6-2014 | Adopt | 5-1-2014 |
| 166-200-0270 | 8-7-2014 | Adopt | 9-1-2014 | 177-099-0095 | 1-1-2014 | Amend | 2-1-2014 |
| 166-200-0275 | 8-7-2014 | Adopt | 9-1-2014 | 177-099-0100 | 4-1-2014 | Amend | 5-1-2014 |
| 166-200-0280 | 8-7-2014 | Adopt | 9-1-2014 | 213-003-0001 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0285 | 8-7-2014 | Adopt | 9-1-2014 | 213-008-0002 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0290 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0004 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0295 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0005 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0300 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0005(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 166-200-0305 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0006 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0310 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0006(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 166-200-0315 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0008 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0320 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0008(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 166-200-0325 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0009 | 2-3-2014 | Amend | 3-1-2014 |
| 166-200-0330 | 8-7-2014 | Adopt | 9-1-2014 | 213-017-0009(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 166-200-0335 | 8-7-2014 | Adopt | 9-1-2014 | 213-018-0012 | 2-3-2014 | Adopt | 3-1-2014 |
| 166-200-0340 | 8-7-2014 | Adopt | 9-1-2014 | 213-018-0012(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 166-200-0345 | 8-7-2014 | Adopt | 9-1-2014 | 213-018-0013 | 2-3-2014 | Adopt | 3-1-2014 |
| 166-200-0350 | 8-7-2014 | Adopt | 9-1-2014 | 213-018-0013(T) | 2-3-2014 | Repeal | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|------------|----------|-----------|
| 213-018-0036 | 2-3-2014 | Adopt | 3-1-2014 | 250-026-0020 | 6-1-2014 | Adopt | 6-1-2014 |
| 213-018-0036(T) | 2-3-2014 | Repeal | 3-1-2014 | 250-026-0025 | 6-1-2014 | Adopt | 6-1-2014 |
| 213-019-0008 | 2-3-2014 | Amend | 3-1-2014 | 250-026-0030 | 6-1-2014 | Adopt | 6-1-2014 |
| 213-019-0008(T) | 2-3-2014 | Repeal | 3-1-2014 | 250-026-0035 | 6-1-2014 | Adopt | 6-1-2014 |
| 213-019-0010 | 2-3-2014 | Amend | 3-1-2014 | 250-026-0040 | 6-1-2014 | Adopt | 6-1-2014 |
| 213-019-0012 | 2-3-2014 | Amend | 3-1-2014 | 250-026-0045 | 6-1-2014 | Adopt | 6-1-2014 |
| 213-019-0015 | 2-3-2014 | Amend | 3-1-2014 | 250-026-0050 | 6-1-2014 | Adopt | 6-1-2014 |
| 230-140-0030 | 8-14-2014 | Amend(T) | 9-1-2014 | 250-026-0055 | 6-1-2014 | Adopt | 6-1-2014 |
| 250-001-0000 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0010 | 11-27-2013 | Amend | 1-1-2014 |
| 250-001-0005 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0013 | 11-27-2013 | Amend | 1-1-2014 |
| 250-001-0040 | 1-15-2014 | Adopt | 2-1-2014 | 255-030-0021 | 11-27-2013 | Amend | 1-1-2014 |
| 250-001-0050 | 1-15-2014 | Adopt | 2-1-2014 | 255-030-0023 | 11-27-2013 | Amend | 1-1-2014 |
| 250-001-0060 | 1-15-2014 | Adopt | 2-1-2014 | 255-030-0024 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0001 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0025 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0002 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0026 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0005 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0027 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0006 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0032 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0008 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0035 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0010 | 1-15-2014 | Amend | 2-1-2014 | 255-030-0040 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0011 | 1-15-2014 | Repeal | 2-1-2014 | 255-030-0046 | 11-27-2013 | Adopt | 1-1-2014 |
| 250-015-0015 | 1-15-2014 | Repeal | 2-1-2014 | 255-030-0055 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0016 | 1-15-2014 | Repeal | 2-1-2014 | 255-060-0012 | 1-17-2014 | Amend(T) | 3-1-2014 |
| 250-015-0017 | 1-15-2014 | Repeal | 2-1-2014 | 255-060-0012 | 5-15-2014 | Amend | 6-1-2014 |
| 250-015-0019 | 1-15-2014 | Repeal | 2-1-2014 | 255-062-0011 | 9-2-2014 | Amend | 10-1-2014 |
| 250-015-0020 | 1-15-2014 | Repeal | 2-1-2014 | 255-062-0016 | 11-27-2013 | Amend | 1-1-2014 |
| 250-015-0021 | 1-15-2014 | Repeal | 2-1-2014 | 255-075-0079 | 2-14-2014 | Amend(T) | 3-1-2014 |
| 250-015-0022 | 1-15-2014 | Amend | 2-1-2014 | 255-075-0079 | 6-19-2014 | Amend | 8-1-2014 |
| 250-015-0023 | 1-15-2014 | Repeal | 2-1-2014 | 255-075-0079(T) | 2-24-2014 | Suspend | 4-1-2014 |
| 250-015-0024 | 1-15-2014 | Repeal | 2-1-2014 | 255-080-0008 | 3-27-2014 | Amend(T) | 5-1-2014 |
| 250-015-0025 | 1-15-2014 | Repeal | 2-1-2014 | 255-080-0008 | 8-8-2014 | Amend | 9-1-2014 |
| 250-015-0026 | 1-15-2014 | Amend | 2-1-2014 | 255-080-0011 | 3-27-2014 | Amend(T) | 5-1-2014 |
| 250-015-0027 | 1-15-2014 | Repeal | 2-1-2014 | 255-080-0011 | 8-8-2014 | Amend | 9-1-2014 |
| 250-015-0028 | 1-15-2014 | Repeal | 2-1-2014 | 259-001-0015 | 9-11-2014 | Amend | 10-1-2014 |
| 250-015-0029 | 1-15-2014 | Repeal | 2-1-2014 | 259-003-0015 | 9-11-2014 | Amend | 10-1-2014 |
| 250-015-0031 | 1-15-2014 | Repeal | 2-1-2014 | 259-005-0015 | 9-11-2014 | Amend | 10-1-2014 |
| 250-015-0032 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0005 | 1-2-2014 | Amend | 2-1-2014 |
| 250-015-0033 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0005 | 1-29-2014 | Amend | 3-1-2014 |
| 250-015-0035 | 1-15-2014 | Adopt | 2-1-2014 | 259-008-0010 | 1-2-2014 | Amend | 2-1-2014 |
| 250-016-0080 | 1-15-2014 | Amend | 2-1-2014 | 259-008-0010 | 6-24-2014 | Amend | 8-1-2014 |
| 250-016-0090 | 1-15-2014 | Adopt | 2-1-2014 | 259-008-0011 | 6-24-2014 | Amend | 8-1-2014 |
| 250-019-0010 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0020 | 1-2-2014 | Amend | 2-1-2014 |
| 250-019-0020 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0020 | 1-29-2014 | Amend | 3-1-2014 |
| 250-019-0030 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0025 | 1-2-2014 | Amend | 2-1-2014 |
| 250-019-0040 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0025 | 1-2-2014 | Amend | 2-1-2014 |
| 250-019-0050 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0025 | 4-10-2014 | Amend | 5-1-2014 |
| 250-019-0060 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0060 | 1-2-2014 | Amend | 2-1-2014 |
| 250-019-0070 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0060 | 6-24-2014 | Amend | 8-1-2014 |
| 250-019-0080 | 1-15-2014 | Repeal | 2-1-2014 | 259-008-0067 | 1-29-2014 | Amend | 3-1-2014 |
| 250-020-0032 | 1-15-2014 | Amend | 2-1-2014 | 259-008-0067 | 7-23-2014 | Amend | 9-1-2014 |
| 250-020-0033 | 3-10-2014 | Amend(T) | 4-1-2014 | 259-008-0069 | 1-2-2014 | Amend | 2-1-2014 |
| 250-020-0033(T) | 3-13-2014 | Suspend | 4-1-2014 | 259-008-0070 | 1-2-2014 | Amend | 2-1-2014 |
| 250-020-0221 | 4-11-2014 | Amend(T) | 5-1-2014 | 259-008-0070 | 1-28-2014 | Amend | 3-1-2014 |
| 250-020-0385 | 1-15-2014 | Amend | 2-1-2014 | 259-008-0070 | 2-27-2014 | Amend(T) | 4-1-2014 |
| 250-026-0005 | 6-1-2014 | Adopt | 6-1-2014 | 259-008-0070 | 6-24-2014 | Amend | 8-1-2014 |
| 250-026-0010 | 6-1-2014 | Adopt | 6-1-2014 | 259-008-0070 | 7-30-2014 | Amend | 9-1-2014 |
| 250-026-0015 | 6-1-2014 | Adopt | 6-1-2014 | 259-008-0070 | 7-31-2014 | Amend(T) | 9-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|-----------|
| 259-008-0070(T) | 6-24-2014 | Repeal | 8-1-2014 | 291-055-0025 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 259-008-0075 | 1-2-2014 | Amend | 2-1-2014 | 291-055-0031 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 259-008-0075 | 7-23-2014 | Amend | 9-1-2014 | 291-055-0040 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 259-008-0080 | 1-2-2014 | Amend | 2-1-2014 | 291-055-0045 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 259-008-0080 | 1-29-2014 | Amend | 3-1-2014 | 291-055-0050 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 259-008-0080 | 7-23-2014 | Amend | 9-1-2014 | 291-073-0100 | 3-3-2014 | Adopt | 4-1-2014 |
| 259-008-0090 | 1-2-2014 | Amend | 2-1-2014 | 291-073-0110 | 3-3-2014 | Adopt | 4-1-2014 |
| 259-008-0090 | 1-29-2014 | Amend | 3-1-2014 | 291-077-0035 | 12-1-2013 | Amend | 1-1-2014 |
| 259-008-0100 | 1-2-2014 | Amend | 2-1-2014 | 291-077-0035 | 1-14-2014 | Amend | 2-1-2014 |
| 259-009-0005 | 2-6-2014 | Amend | 3-1-2014 | 291-078-0010 | 8-29-2014 | Amend(T) | 10-1-2014 |
| 259-009-0005 | 4-3-2014 | Amend | 5-1-2014 | 291-078-0020 | 8-29-2014 | Amend(T) | 10-1-2014 |
| 259-009-0062 | 2-6-2014 | Amend | 3-1-2014 | 291-078-0026 | 8-29-2014 | Amend(T) | 10-1-2014 |
| 259-009-0062 | 4-3-2014 | Amend | 5-1-2014 | 291-078-0031 | 8-29-2014 | Amend(T) | 10-1-2014 |
| 259-009-0070 | 1-28-2014 | Amend | 3-1-2014 | 291-097-0231 | 12-13-2013 | Adopt(T) | 1-1-2014 |
| 259-009-0070 | 7-30-2014 | Amend | 9-1-2014 | 291-097-0231 | 1-17-2014 | Adopt(T) | 3-1-2014 |
| 259-009-0070 | 7-31-2014 | Amend(T) | 9-1-2014 | 291-097-0231 | 5-5-2014 | Adopt | 6-1-2014 |
| 259-013-0000 | 1-2-2014 | Amend | 2-1-2014 | 291-097-0231(T) | 5-5-2014 | Repeal | 6-1-2014 |
| 259-013-0220 | 1-2-2014 | Amend | 2-1-2014 | 291-104-0111 | 2-12-2014 | Amend(T) | 3-1-2014 |
| 259-013-0230 | 1-2-2014 | Amend | 2-1-2014 | 291-104-0111 | 5-1-2014 | Amend | 6-1-2014 |
| 259-060-0120 | 6-24-2014 | Amend | 8-1-2014 | 291-104-0111(T) | 5-1-2014 | Repeal | 6-1-2014 |
| 259-060-0300 | 1-2-2014 | Amend | 2-1-2014 | 291-104-0116 | 2-12-2014 | Amend(T) | 3-1-2014 |
| 259-060-0300 | 1-28-2014 | Amend | 3-1-2014 | 291-104-0116 | 5-1-2014 | Amend | 6-1-2014 |
| 259-060-0300 | 3-6-2014 | Amend(T) | 4-1-2014 | 291-104-0116(T) | 5-1-2014 | Repeal | 6-1-2014 |
| 259-060-0300 | 6-24-2014 | Amend | 8-1-2014 | 291-104-0125 | 2-12-2014 | Amend(T) | 3-1-2014 |
| 259-060-0300 | 7-30-2014 | Amend | 9-1-2014 | 291-104-0125 | 5-1-2014 | Amend | 6-1-2014 |
| 259-060-0300(T) | 6-24-2014 | Repeal | 8-1-2014 | 291-104-0125(T) | 5-1-2014 | Repeal | 6-1-2014 |
| 259-061-0040 | 5-5-2014 | Amend | 6-1-2014 | 291-104-0135 | 2-12-2014 | Amend(T) | 3-1-2014 |
| 259-061-0300 | 5-5-2014 | Adopt | 6-1-2014 | 291-104-0135 | 5-1-2014 | Amend | 6-1-2014 |
| 259-061-0300 | 7-30-2014 | Amend | 9-1-2014 | 291-104-0135(T) | 5-1-2014 | Repeal | 6-1-2014 |
| 259-070-0010 | 8-11-2014 | Amend(T) | 9-1-2014 | 291-104-0140 | 2-12-2014 | Amend(T) | 3-1-2014 |
| 274-015-0010 | 1-1-2014 | Amend | 2-1-2014 | 291-104-0140 | 5-1-2014 | Amend | 6-1-2014 |
| 274-015-0010(T) | 1-1-2014 | Repeal | 2-1-2014 | 291-104-0140(T) | 5-1-2014 | Repeal | 6-1-2014 |
| 291-014-0100 | 12-13-2013 | Amend | 1-1-2014 | 291-109-0125 | 12-13-2013 | Suspend | 1-1-2014 |
| 291-014-0100 | 1-14-2014 | Amend | 2-1-2014 | 291-109-0125 | 1-17-2014 | Suspend | 3-1-2014 |
| 291-014-0110 | 12-13-2013 | Amend | 1-1-2014 | 291-109-0125 | 3-3-2014 | Repeal | 4-1-2014 |
| 291-014-0110 | 1-14-2014 | Amend | 2-1-2014 | 291-109-0125(T) | 3-3-2014 | Repeal | 4-1-2014 |
| 291-014-0120 | 12-13-2013 | Amend | 1-1-2014 | 291-109-0180 | 12-13-2013 | Amend(T) | 1-1-2014 |
| 291-014-0120 | 1-14-2014 | Amend | 2-1-2014 | 291-109-0180 | 1-17-2014 | Amend(T) | 3-1-2014 |
| 291-016-0020 | 6-6-2014 | Amend(T) | 7-1-2014 | 291-109-0180 | 3-3-2014 | Amend | 4-1-2014 |
| 291-016-0020 | 7-2-2014 | Amend(T) | 8-1-2014 | 291-109-0180(T) | 3-3-2014 | Repeal | 4-1-2014 |
| 291-016-0120 | 6-6-2014 | Adopt(T) | 7-1-2014 | 291-109-0200 | 12-13-2013 | Adopt(T) | 1-1-2014 |
| 291-016-0120 | 7-2-2014 | Adopt(T) | 8-1-2014 | 291-109-0200 | 1-17-2014 | Adopt(T) | 3-1-2014 |
| 291-041-0018 | 12-13-2013 | Adopt(T) | 1-1-2014 | 291-109-0200 | 3-3-2014 | Adopt | 4-1-2014 |
| 291-041-0018 | 1-17-2014 | Adopt(T) | 3-1-2014 | 291-109-0200(T) | 3-3-2014 | Repeal | 4-1-2014 |
| 291-041-0018 | 3-4-2014 | Adopt | 4-1-2014 | 291-130-0005 | 7-8-2014 | Amend(T) | 8-1-2014 |
| 291-041-0018(T) | 3-4-2014 | Repeal | 4-1-2014 | 291-130-0006 | 7-8-2014 | Amend(T) | 8-1-2014 |
| 291-041-0020 | 12-13-2013 | Amend(T) | 1-1-2014 | 291-130-0011 | 7-8-2014 | Amend(T) | 8-1-2014 |
| 291-041-0020 | 1-17-2014 | Amend(T) | 3-1-2014 | 291-130-0016 | 7-8-2014 | Amend(T) | 8-1-2014 |
| 291-041-0020 | 3-4-2014 | Amend | 4-1-2014 | 291-130-0017 | 7-8-2014 | Adopt(T) | 8-1-2014 |
| 291-041-0020(T) | 3-4-2014 | Repeal | 4-1-2014 | 291-130-0018 | 7-8-2014 | Adopt(T) | 8-1-2014 |
| 291-055-0005 | 7-1-2014 | Amend(T) | 8-1-2014 | 291-130-0020 | 7-8-2014 | Amend(T) | 8-1-2014 |
| 291-055-0010 | 7-1-2014 | Amend(T) | 8-1-2014 | 291-209-0010 | 5-13-2014 | Adopt(T) | 6-1-2014 |
| 291-055-0014 | 7-1-2014 | Amend(T) | 8-1-2014 | 291-209-0020 | 5-13-2014 | Adopt(T) | 6-1-2014 |
| 291-055-0019 | 4-22-2014 | Amend | 6-1-2014 | 291-209-0030 | 5-13-2014 | Adopt(T) | 6-1-2014 |
| 291-055-0019 | 7-1-2014 | Amend(T) | 8-1-2014 | 291-209-0040 | 5-13-2014 | Adopt(T) | 6-1-2014 |
| 291-055-0020 | 7-1-2014 | Amend(T) | 8-1-2014 | 291-209-0050 | 5-13-2014 | Adopt(T) | 6-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|------------|----------|----------|-----------------|-----------|----------|----------|
| 291-209-0060 | 5-13-2014 | Adopt(T) | 6-1-2014 | 309-016-0765 | 8-1-2014 | Renumber | 9-1-2014 |
| 291-209-0070 | 5-13-2014 | Adopt(T) | 6-1-2014 | 309-016-0770 | 8-1-2014 | Renumber | 9-1-2014 |
| 291-210-0010 | 6-25-2014 | Adopt(T) | 8-1-2014 | 309-016-0775 | 8-1-2014 | Renumber | 9-1-2014 |
| 291-210-0020 | 6-25-2014 | Adopt(T) | 8-1-2014 | 309-016-0780 | 8-1-2014 | Renumber | 9-1-2014 |
| 291-210-0030 | 6-25-2014 | Adopt(T) | 8-1-2014 | 309-016-0801 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-011-0070 | 1-28-2014 | Repeal | 3-1-2014 | 309-016-0806 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-011-0075 | 1-28-2014 | Repeal | 3-1-2014 | 309-016-0811 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-011-0080 | 1-28-2014 | Repeal | 3-1-2014 | 309-016-0816 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-011-0085 | 1-28-2014 | Repeal | 3-1-2014 | 309-016-0821 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-011-0090 | 1-28-2014 | Repeal | 3-1-2014 | 309-016-0825 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-011-0095 | 1-28-2014 | Repeal | 3-1-2014 | 309-016-0830 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0130 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-016-0835 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0130 | 6-19-2014 | Amend | 7-1-2014 | 309-016-0837 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0150 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-016-0840 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0150 | 6-19-2014 | Amend | 7-1-2014 | 309-016-0845 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0180 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-016-0850 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0180 | 6-19-2014 | Amend | 7-1-2014 | 309-016-0855 | 8-1-2014 | Renumber | 9-1-2014 |
| 309-012-0190 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-018-0100 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-012-0190 | 6-19-2014 | Amend | 7-1-2014 | 309-018-0100(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-012-0230 | 12-20-2013 | Adopt(T) | 2-1-2014 | 309-018-0105 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-012-0230 | 6-19-2014 | Adopt | 7-1-2014 | 309-018-0105(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0600 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0110 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0605 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0110(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0610 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0115 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0615 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0115(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0620 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0120 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0625 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0120(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0630 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0125 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0635 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0125(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0640 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0130 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0645 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0130(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0650 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0135 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0660 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0135(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0665 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0140 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0670 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0140(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0675 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0145 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0680 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0145(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0685 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0150 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0690 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0150(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0695 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0155 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0700 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0155(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0705 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0160 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0710 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0160(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0715 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0165 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0720 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0165(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0725 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0170 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0726 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0170(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0727 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0175 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0729 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0175(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0730 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0180 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0735 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0180(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0740 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0185 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0745 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0185(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0750 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0190 | 2-3-2014 | Adopt | 3-1-2014 |
| 309-016-0755 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0190(T) | 2-3-2014 | Repeal | 3-1-2014 |
| 309-016-0760 | 8-1-2014 | Renumber | 9-1-2014 | 309-018-0195 | 2-3-2014 | Adopt | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 309-022-0230 | 2-3-2014 | Adopt | 3-1-2014 | 309-042-0008 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-022-0230(T) | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0009 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1500 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0015 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1505 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0030 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1510 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0035 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1515 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0050 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1520 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0060 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1525 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0065 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1530 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0070 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1535 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0075 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1540 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0080 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1545 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0100 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1550 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0110 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1555 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0120 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1560 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0130 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-032-1565 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0140 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0400 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0150 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0410 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0160 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0420 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0170 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0430 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0180 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0440 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0190 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0450 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0200 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0460 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0210 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0470 | 2-3-2014 | Repeal | 3-1-2014 | 309-042-0220 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0480 | 2-3-2014 | Repeal | 3-1-2014 | 309-043-0230 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0490 | 2-3-2014 | Repeal | 3-1-2014 | 309-043-0240 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-034-0500 | 2-3-2014 | Repeal | 3-1-2014 | 309-043-0250 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0500 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-043-0260 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0500 | 6-19-2014 | Amend | 8-1-2014 | 309-043-0270 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0510 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-043-0280 | 7-1-2014 | Repeal | 8-1-2014 |
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| 309-039-0520 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-043-0300 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0520 | 6-19-2014 | Amend | 8-1-2014 | 309-043-0310 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0530 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-043-0320 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0530 | 6-19-2014 | Amend | 8-1-2014 | 309-043-0330 | 7-1-2014 | Repeal | 8-1-2014 |
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| 309-039-0540 | 6-19-2014 | Amend | 8-1-2014 | 309-043-0350 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0550 | 6-19-2014 | Repeal | 8-1-2014 | 309-043-0360 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0560 | 6-19-2014 | Amend | 8-1-2014 | 309-043-0370 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0570 | 12-20-2013 | Amend(T) | 2-1-2014 | 309-043-0380 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-039-0570 | 6-19-2014 | Amend | 8-1-2014 | 309-043-0390 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1190 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0400 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1200 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0410 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1210 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0420 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1220 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0430 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1230 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0440 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1240 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0450 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-041-1250 | 4-1-2014 | Repeal | 5-1-2014 | 309-043-0460 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0000 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0470 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0001 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0480 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0002 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0490 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0003 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0500 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0004 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0510 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0005 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0520 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0006 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0530 | 7-1-2014 | Repeal | 8-1-2014 |
| 309-042-0007 | 7-1-2014 | Repeal | 8-1-2014 | 309-043-0540 | 7-1-2014 | Repeal | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|------------|-----------|
| 309-043-0550 | 7-1-2014 | Repeal | 8-1-2014 | 330-110-0060 | 12-12-2013 | Adopt | 1-1-2014 |
| 309-043-0560 | 7-1-2014 | Repeal | 8-1-2014 | 330-135-0010 | 12-23-2013 | Amend | 2-1-2014 |
| 309-043-0570 | 7-1-2014 | Repeal | 8-1-2014 | 330-135-0015 | 12-23-2013 | Amend | 2-1-2014 |
| 309-043-0580 | 7-1-2014 | Repeal | 8-1-2014 | 330-135-0018 | 12-23-2013 | Amend | 2-1-2014 |
| 309-100-0000 | 1-28-2014 | Repeal | 3-1-2014 | 330-135-0020 | 12-23-2013 | Amend | 2-1-2014 |
| 309-114-0000 | 4-24-2014 | Amend | 6-1-2014 | 330-135-0025 | 12-23-2013 | Amend | 2-1-2014 |
| 309-114-0010 | 4-24-2014 | Amend | 6-1-2014 | 330-135-0030 | 12-23-2013 | Amend | 2-1-2014 |
| 309-114-0020 | 4-24-2014 | Amend | 6-1-2014 | 330-135-0035 | 12-23-2013 | Amend | 2-1-2014 |
| 325-005-0015 | 3-21-2014 | Amend | 5-1-2014 | 330-135-0040 | 12-23-2013 | Amend | 2-1-2014 |
| 325-035-0001 | 7-1-2014 | Adopt | 7-1-2014 | 330-135-0045 | 12-23-2013 | Amend | 2-1-2014 |
| 325-035-0005 | 7-1-2014 | Adopt | 7-1-2014 | 330-135-0047 | 12-23-2013 | Repeal | 2-1-2014 |
| 325-035-0010 | 7-1-2014 | Adopt | 7-1-2014 | 330-135-0048 | 12-23-2013 | Am. & Ren. | 2-1-2014 |
| 325-035-0015 | 7-1-2014 | Adopt | 7-1-2014 | 330-135-0050 | 12-23-2013 | Amend | 2-1-2014 |
| 325-035-0020 | 7-1-2014 | Adopt | 7-1-2014 | 330-135-0055 | 12-23-2013 | Amend | 2-1-2014 |
| 325-035-0025 | 7-1-2014 | Adopt | 7-1-2014 | 330-135-0060 | 12-23-2013 | Adopt | 2-1-2014 |
| 325-035-0030 | 7-1-2014 | Adopt | 7-1-2014 | 330-160-0015 | 2-10-2014 | Amend | 3-1-2014 |
| 325-035-0035 | 7-1-2014 | Adopt | 7-1-2014 | 330-160-0020 | 2-10-2014 | Amend | 3-1-2014 |
| 325-035-0040 | 7-1-2014 | Adopt | 7-1-2014 | 330-160-0025 | 2-10-2014 | Amend | 3-1-2014 |
| 325-035-0045 | 7-1-2014 | Adopt | 7-1-2014 | 330-160-0030 | 2-10-2014 | Amend | 3-1-2014 |
| 330-063-0000 | 7-1-2014 | Amend | 8-1-2014 | 330-160-0035 | 2-10-2014 | Adopt | 3-1-2014 |
| 330-063-0010 | 7-1-2014 | Amend | 8-1-2014 | 330-160-0037 | 2-10-2014 | Adopt | 3-1-2014 |
| 330-063-0015 | 7-1-2014 | Adopt | 8-1-2014 | 330-160-0038 | 2-10-2014 | Adopt | 3-1-2014 |
| 330-063-0020 | 7-1-2014 | Amend | 8-1-2014 | 330-160-0040 | 2-10-2014 | Amend | 3-1-2014 |
| 330-063-0025 | 7-1-2014 | Adopt | 8-1-2014 | 330-160-0050 | 2-10-2014 | Amend | 3-1-2014 |
| 330-063-0030 | 7-1-2014 | Amend | 8-1-2014 | 330-160-0060 | 2-10-2014 | Adopt | 3-1-2014 |
| 330-063-0040 | 7-1-2014 | Amend | 8-1-2014 | 330-160-0070 | 2-10-2014 | Adopt | 3-1-2014 |
| 330-070-0014 | 1-1-2014 | Amend | 2-1-2014 | 330-170-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 330-070-0019 | 1-1-2014 | Repeal | 2-1-2014 | 330-170-0020 | 1-1-2014 | Amend | 2-1-2014 |
| 330-070-0020 | 1-1-2014 | Amend | 2-1-2014 | 330-170-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 330-070-0021 | 1-1-2014 | Amend | 2-1-2014 | 330-170-0040 | 1-1-2014 | Amend | 2-1-2014 |
| 330-070-0022 | 1-1-2014 | Amend | 2-1-2014 | 330-170-0050 | 1-1-2014 | Amend | 2-1-2014 |
| 330-070-0025 | 1-1-2014 | Amend | 2-1-2014 | 330-170-0060 | 1-1-2014 | Amend | 2-1-2014 |
| 330-070-0026 | 1-1-2014 | Amend | 2-1-2014 | 331-010-0055 | 9-17-2014 | Adopt | 10-1-2014 |
| 330-070-0029 | 1-1-2014 | Amend | 2-1-2014 | 331-010-0060 | 4-3-2014 | Adopt(T) | 5-1-2014 |
| 330-070-0064 | 1-1-2014 | Amend | 2-1-2014 | 331-010-0060 | 9-17-2014 | Adopt | 10-1-2014 |
| 330-070-0073 | 1-1-2014 | Amend | 2-1-2014 | 331-010-0060(T) | 9-17-2014 | Repeal | 10-1-2014 |
| 330-070-0073 | 5-15-2014 | Amend(T) | 6-1-2014 | 331-010-0070 | 4-3-2014 | Adopt(T) | 5-1-2014 |
| 330-090-0133 | 4-1-2014 | Amend | 5-1-2014 | 331-010-0070 | 9-17-2014 | Adopt | 10-1-2014 |
| 330-092-0005 | 1-1-2014 | Amend | 2-1-2014 | 331-010-0070(T) | 9-17-2014 | Repeal | 10-1-2014 |
| 330-092-0010 | 1-1-2014 | Amend | 2-1-2014 | 331-410-0050 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 330-092-0015 | 1-1-2014 | Amend | 2-1-2014 | 331-420-0020 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 330-092-0020 | 1-1-2014 | Amend | 2-1-2014 | 331-440-0000 | 2-1-2014 | Amend | 2-1-2014 |
| 330-092-0025 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0050 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0030 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0060 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0035 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0070 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0040 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0080 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0045 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0090 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0050 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0100 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0055 | 1-1-2014 | Amend | 2-1-2014 | 331-710-0110 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0060 | 1-1-2014 | Repeal | 2-1-2014 | 331-720-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0065 | 1-1-2014 | Repeal | 2-1-2014 | 331-720-0015 | 1-1-2014 | Amend | 2-1-2014 |
| 330-092-0070 | 1-1-2014 | Amend | 2-1-2014 | 331-720-0020 | 1-1-2014 | Amend | 2-1-2014 |
| 330-110-0010 | 12-12-2013 | Amend | 1-1-2014 | 331-810-0055 | 1-17-2014 | Amend(T) | 3-1-2014 |
| 330-110-0012 | 3-7-2014 | Adopt | 4-1-2014 | 331-810-0055 | 6-1-2014 | Amend | 7-1-2014 |
| 330-110-0040 | 12-12-2013 | Amend | 1-1-2014 | 331-900-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 330-110-0040(T) | 12-12-2013 | Repeal | 1-1-2014 | 331-900-0015 | 1-1-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 331-900-0020 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1010 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-900-0040 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1010 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-900-0050 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1010(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-900-0077 | 1-1-2014 | Adopt | 2-1-2014 | 333-008-1020 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-900-0085 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1020 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-900-0090 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1020(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-900-0095 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1030 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-900-0097 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1030 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-900-0098 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1030(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-900-0099 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1040 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-900-0115 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1040 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-905-0020 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1040(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-905-0030 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1050 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-905-0052 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1050 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-905-0058 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1050(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-905-0095 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1060 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-910-0005 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1060 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-910-0010 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1060(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-910-0055 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1070 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-910-0060 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1070 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-915-0020 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1070(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-915-0055 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1080 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-915-0060 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1080 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-915-0065 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1080(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-915-0070 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1090 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 331-925-0050 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1090 | 7-11-2014 | Adopt | 8-1-2014 |
| 331-940-0000 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1090(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 331-950-0040 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1100 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 332-020-0010 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1100 | 7-11-2014 | Adopt | 8-1-2014 |
| 332-020-0015 | 1-1-2014 | Amend | 2-1-2014 | 333-008-1100(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0010 | 1-13-2014 | Amend | 2-1-2014 | 333-008-1110 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0010 | 1-15-2014 | Amend(T) | 2-1-2014 | 333-008-1110 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0010 | 7-11-2014 | Amend | 8-1-2014 | 333-008-1110(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0010(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1120 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0020 | 1-13-2014 | Amend | 2-1-2014 | 333-008-1120 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0020 | 1-15-2014 | Amend(T) | 2-1-2014 | 333-008-1120(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0020 | 6-5-2014 | Amend | 7-1-2014 | 333-008-1130 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0020 | 7-11-2014 | Amend | 8-1-2014 | 333-008-1130 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0020(T) | 1-13-2014 | Repeal | 2-1-2014 | 333-008-1130(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0020(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1140 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0025 | 1-15-2014 | Amend(T) | 2-1-2014 | 333-008-1140 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0025 | 7-11-2014 | Amend | 8-1-2014 | 333-008-1140(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0025(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1150 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0045 | 1-13-2014 | Amend | 2-1-2014 | 333-008-1150 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0045 | 1-15-2014 | Amend(T) | 2-1-2014 | 333-008-1150(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0045 | 7-11-2014 | Amend | 8-1-2014 | 333-008-1160 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0045(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1160 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0050 | 1-15-2014 | Amend(T) | 2-1-2014 | 333-008-1160(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0050 | 7-11-2014 | Amend | 8-1-2014 | 333-008-1170 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0050(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1170 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-0120 | 1-15-2014 | Amend(T) | 2-1-2014 | 333-008-1170(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-0120 | 7-11-2014 | Amend | 8-1-2014 | 333-008-1180 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-0120(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1180 | 7-11-2014 | Adopt | 8-1-2014 |
| 333-008-1000 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-008-1180(T) | 7-11-2014 | Repeal | 8-1-2014 |
| 333-008-1000 | 7-11-2014 | Adopt | 8-1-2014 | 333-008-1190 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 333-008-1000(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-008-1190 | 2-21-2014 | Adopt(T) | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|--------------|-----------|------------|----------|
| 333-008-1190 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0047 | 1-1-2014 | Am. & Ren. | 2-1-2014 |
| 333-008-1190(T) | 2-21-2014 | Suspend | 4-1-2014 | 333-011-0048 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1190(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0061 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1200 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0067 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1200 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0072 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1200(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0073 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1210 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0076 | 1-1-2014 | Am. & Ren. | 2-1-2014 |
| 333-008-1210 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0096 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1210(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0101 | 1-1-2014 | Am. & Ren. | 2-1-2014 |
| 333-008-1220 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0106 | 1-1-2014 | Am. & Ren. | 2-1-2014 |
| 333-008-1220 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0110 | 1-1-2014 | Am. & Ren. | 2-1-2014 |
| 333-008-1220(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0116 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1225 | 4-1-2014 | Adopt(T) | 5-1-2014 | 333-011-0155 | 1-1-2014 | Repeal | 2-1-2014 |
| 333-008-1230 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0200 | 1-1-2014 | Am. & Ren. | 2-1-2014 |
| 333-008-1230 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0205 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1230(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0210 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1240 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0215 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1240(T) | 4-1-2014 | Suspend | 5-1-2014 | 333-011-0220 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1245 | 4-1-2014 | Adopt(T) | 5-1-2014 | 333-011-0225 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1250 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0230 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1250 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0235 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1250(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0240 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1260 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0245 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1260 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0250 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1260(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0255 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1270 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0260 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1270(T) | 4-1-2014 | Suspend | 5-1-2014 | 333-011-0265 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1275 | 4-1-2014 | Adopt(T) | 5-1-2014 | 333-011-0270 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1280 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0280 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1280 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0285 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1280(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0300 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1290 | 1-15-2014 | Adopt(T) | 2-1-2014 | 333-011-0305 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1290 | 7-11-2014 | Adopt | 8-1-2014 | 333-011-0310 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1290(T) | 7-11-2014 | Repeal | 8-1-2014 | 333-011-0320 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-008-1400 | 4-1-2014 | Adopt(T) | 5-1-2014 | 333-011-0325 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-010-0105 | 4-22-2014 | Amend(T) | 6-1-2014 | 333-011-0330 | 1-1-2014 | Adopt | 2-1-2014 |
| 333-010-0155 | 4-22-2014 | Amend(T) | 6-1-2014 | 333-014-0040 | 6-20-2014 | Amend(T) | 8-1-2014 |
| 333-010-0205 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-014-0042 | 6-20-2014 | Adopt(T) | 8-1-2014 |
| 333-010-0215 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-014-0080 | 6-20-2014 | Adopt(T) | 8-1-2014 |
| 333-010-0220 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-014-0090 | 6-20-2014 | Adopt(T) | 8-1-2014 |
| 333-010-0225 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-014-0100 | 6-20-2014 | Adopt(T) | 8-1-2014 |
| 333-010-0235 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-017-0000 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0245 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0005 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0250 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0260 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0015 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0265 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0018 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0270 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0020 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0275 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0035 | 1-1-2014 | Amend | 2-1-2014 |
| 333-010-0280 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0100 | 6-9-2014 | Amend | 7-1-2014 |
| 333-010-0285 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0110 | 6-9-2014 | Amend | 7-1-2014 |
| 333-010-0290 | 4-18-2014 | Amend(T) | 6-1-2014 | 333-018-0115 | 6-9-2014 | Amend | 7-1-2014 |
| 333-011-0006 | 1-1-2014 | Repeal | 2-1-2014 | 333-018-0120 | 6-9-2014 | Amend | 7-1-2014 |
| 333-011-0011 | 1-1-2014 | Repeal | 2-1-2014 | 333-018-0125 | 6-9-2014 | Amend | 7-1-2014 |
| 333-011-0016 | 1-1-2014 | Repeal | 2-1-2014 | 333-018-0127 | 6-9-2014 | Adopt | 7-1-2014 |
| 333-011-0021 | 1-1-2014 | Repeal | 2-1-2014 | 333-018-0130 | 6-9-2014 | Amend | 7-1-2014 |
| 333-011-0043 | 1-1-2014 | Repeal | 2-1-2014 | 333-018-0135 | 6-9-2014 | Amend | 7-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|--------|----------|-----------------|-----------|----------|----------|
| 333-019-0010 | 1-1-2014 | Amend | 2-1-2014 | 333-060-0075 | 9-1-2014 | Amend | 9-1-2014 |
| 333-019-0014 | 1-1-2014 | Amend | 2-1-2014 | 333-060-0105 | 9-1-2014 | Amend | 9-1-2014 |
| 333-019-0031 | 1-1-2014 | Amend | 2-1-2014 | 333-060-0128 | 9-1-2014 | Amend | 9-1-2014 |
| 333-019-0046 | 1-1-2014 | Repeal | 2-1-2014 | 333-060-0145 | 9-1-2014 | Amend | 9-1-2014 |
| 333-019-0052 | 1-1-2014 | Adopt | 2-1-2014 | 333-060-0165 | 9-1-2014 | Amend | 9-1-2014 |
| 333-024-0205 | 5-1-2014 | Amend | 5-1-2014 | 333-060-0170 | 9-1-2014 | Amend | 9-1-2014 |
| 333-024-0210 | 5-1-2014 | Amend | 5-1-2014 | 333-060-0205 | 9-1-2014 | Amend | 9-1-2014 |
| 333-024-0215 | 5-1-2014 | Amend | 5-1-2014 | 333-060-0505 | 9-1-2014 | Amend | 9-1-2014 |
| 333-024-0220 | 5-1-2014 | Amend | 5-1-2014 | 333-060-0700 | 9-1-2014 | Adopt | 9-1-2014 |
| 333-024-0225 | 5-1-2014 | Amend | 5-1-2014 | 333-060-0705 | 9-1-2014 | Adopt | 9-1-2014 |
| 333-024-0230 | 5-1-2014 | Amend | 5-1-2014 | 333-061-0020 | 5-8-2014 | Amend | 6-1-2014 |
| 333-024-0231 | 5-1-2014 | Amend | 5-1-2014 | 333-061-0065 | 5-8-2014 | Amend | 6-1-2014 |
| 333-024-0232 | 5-1-2014 | Amend | 5-1-2014 | 333-061-0072 | 5-8-2014 | Amend | 6-1-2014 |
| 333-024-0235 | 5-1-2014 | Amend | 5-1-2014 | 333-061-0073 | 5-8-2014 | Amend | 6-1-2014 |
| 333-024-0240 | 1-30-2014 | Amend | 3-1-2014 | 333-061-0090 | 5-8-2014 | Amend | 6-1-2014 |
| 333-024-0240 | 5-1-2014 | Amend | 5-1-2014 | 333-061-0205 | 5-8-2014 | Repeal | 6-1-2014 |
| 333-024-0241 | 1-30-2014 | Repeal | 3-1-2014 | 333-061-0210 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0200 | 1-1-2014 | Adopt | 2-1-2014 | 333-061-0220 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0210 | 1-1-2014 | Adopt | 2-1-2014 | 333-061-0225 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0220 | 1-1-2014 | Adopt | 2-1-2014 | 333-061-0228 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0230 | 1-1-2014 | Adopt | 2-1-2014 | 333-061-0230 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0240 | 1-1-2014 | Adopt | 2-1-2014 | 333-061-0232 | 5-8-2014 | Adopt | 6-1-2014 |
| 333-028-0250 | 1-1-2014 | Adopt | 2-1-2014 | 333-061-0235 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0260 | 4-1-2014 | Adopt | 5-1-2014 | 333-061-0245 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0270 | 4-1-2014 | Adopt | 5-1-2014 | 333-061-0250 | 5-8-2014 | Amend | 6-1-2014 |
| 333-028-0280 | 4-1-2014 | Adopt | 5-1-2014 | 333-061-0260 | 5-8-2014 | Amend | 6-1-2014 |
| 333-050-0010 | 3-1-2014 | Amend | 3-1-2014 | 333-061-0265 | 5-8-2014 | Amend | 6-1-2014 |
| 333-050-0020 | 3-1-2014 | Amend | 3-1-2014 | 333-061-0270 | 5-8-2014 | Amend | 6-1-2014 |
| 333-050-0040 | 3-1-2014 | Amend | 3-1-2014 | 333-061-0272 | 5-8-2014 | Amend | 6-1-2014 |
| 333-050-0050 | 3-1-2014 | Amend | 3-1-2014 | 333-061-0290 | 5-8-2014 | Repeal | 6-1-2014 |
| 333-050-0060 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0070 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0070 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0080 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0080 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0103 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0100 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0120 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0110 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0145 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0120 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0150 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0130 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0170 | 9-1-2014 | Amend | 9-1-2014 |
| 333-050-0140 | 3-1-2014 | Amend | 3-1-2014 | 333-062-0250 | 9-1-2014 | Adopt | 9-1-2014 |
| 333-052-0040 | 1-30-2014 | Amend | 3-1-2014 | 333-062-0255 | 9-1-2014 | Adopt | 9-1-2014 |
| 333-052-0043 | 1-30-2014 | Amend | 3-1-2014 | 333-072-0200 | 6-2-2014 | Adopt | 7-1-2014 |
| 333-052-0044 | 1-30-2014 | Amend | 3-1-2014 | 333-072-0205 | 6-2-2014 | Adopt | 7-1-2014 |
| 333-052-0120 | 1-30-2014 | Amend | 3-1-2014 | 333-072-0210 | 6-2-2014 | Adopt | 7-1-2014 |
| 333-053-0000 | 1-30-2014 | Adopt | 3-1-2014 | 333-072-0215 | 6-2-2014 | Adopt | 7-1-2014 |
| 333-054-0052 | 1-30-2014 | Adopt | 3-1-2014 | 333-072-0215 | 7-28-2014 | Amend(T) | 9-1-2014 |
| 333-055-0100 | 11-19-2013 | Adopt | 1-1-2014 | 333-072-0215 | 8-7-2014 | Amend(T) | 9-1-2014 |
| 333-055-0100(T) | 11-19-2013 | Repeal | 1-1-2014 | 333-072-0220 | 6-2-2014 | Adopt | 7-1-2014 |
| 333-055-0105 | 11-19-2013 | Adopt | 1-1-2014 | 333-072-0225 | 6-2-2014 | Adopt | 7-1-2014 |
| 333-055-0105(T) | 11-19-2013 | Repeal | 1-1-2014 | 333-076-0670 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 333-055-0110 | 11-19-2013 | Adopt | 1-1-2014 | 333-076-0670 | 6-17-2014 | Amend | 8-1-2014 |
| 333-055-0110(T) | 11-19-2013 | Repeal | 1-1-2014 | 333-076-0670(T) | 6-17-2014 | Repeal | 8-1-2014 |
| 333-055-0115 | 11-19-2013 | Adopt | 1-1-2014 | 333-081-0000 | 2-1-2014 | Adopt | 3-1-2014 |
| 333-056-0020 | 1-1-2014 | Amend | 2-1-2014 | 333-081-0005 | 2-1-2014 | Adopt | 3-1-2014 |
| 333-056-0030 | 1-1-2014 | Amend | 2-1-2014 | 333-081-0010 | 2-1-2014 | Adopt | 3-1-2014 |
| 333-056-0040 | 1-1-2014 | Amend | 2-1-2014 | 333-081-0015 | 2-1-2014 | Adopt | 3-1-2014 |
| 333-056-0045 | 1-1-2014 | Adopt | 2-1-2014 | 333-081-0020 | 2-1-2014 | Adopt | 3-1-2014 |
| 333-056-0050 | 1-1-2014 | Amend | 2-1-2014 | 333-081-0025 | 2-1-2014 | Adopt | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|--------|----------|-----------------|-----------|----------|----------|
| 333-081-0030 | 2-1-2014 | Adopt | 3-1-2014 | 333-119-0090 | 1-1-2014 | Amend | 2-1-2014 |
| 333-081-0035 | 2-1-2014 | Adopt | 3-1-2014 | 333-119-0110 | 1-1-2014 | Amend | 2-1-2014 |
| 333-081-0040 | 2-1-2014 | Adopt | 3-1-2014 | 333-120-0710 | 8-15-2014 | Amend | 9-1-2014 |
| 333-081-0045 | 2-1-2014 | Adopt | 3-1-2014 | 333-520-0060 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 333-081-0050 | 2-1-2014 | Adopt | 3-1-2014 | 333-520-0060 | 6-17-2014 | Amend | 8-1-2014 |
| 333-081-0055 | 2-1-2014 | Adopt | 3-1-2014 | 333-520-0060(T) | 6-17-2014 | Repeal | 8-1-2014 |
| 333-081-0060 | 2-1-2014 | Adopt | 3-1-2014 | 334-010-0005 | 1-1-2014 | Amend | 1-1-2014 |
| 333-081-0065 | 2-1-2014 | Adopt | 3-1-2014 | 334-010-0006 | 1-1-2014 | Adopt | 1-1-2014 |
| 333-081-0070 | 2-1-2014 | Adopt | 3-1-2014 | 334-010-0010 | 1-1-2014 | Amend | 1-1-2014 |
| 333-081-0075 | 2-1-2014 | Adopt | 3-1-2014 | 334-010-0033 | 1-1-2014 | Amend | 1-1-2014 |
| 333-081-0080 | 2-1-2014 | Adopt | 3-1-2014 | 334-010-0050 | 1-1-2014 | Amend | 1-1-2014 |
| 333-081-0085 | 2-1-2014 | Adopt | 3-1-2014 | 334-020-0005 | 1-1-2014 | Amend | 1-1-2014 |
| 333-081-0090 | 2-1-2014 | Adopt | 3-1-2014 | 334-040-0010 | 1-1-2014 | Amend | 1-1-2014 |
| 333-100-0020 | 8-15-2014 | Amend | 9-1-2014 | 335-005-0026 | 5-19-2014 | Adopt(T) | 6-1-2014 |
| 333-101-0003 | 8-15-2014 | Amend | 9-1-2014 | 335-060-0007 | 3-7-2014 | Amend | 4-1-2014 |
| 333-101-0020 | 8-15-2014 | Amend | 9-1-2014 | 337-021-0055 | 7-1-2014 | Adopt | 7-1-2014 |
| 333-102-0300 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0005 | 1-6-2014 | Amend | 2-1-2014 |
| 333-103-0003 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0010 | 1-6-2014 | Amend | 2-1-2014 |
| 333-103-0010 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0024 | 1-6-2014 | Amend | 2-1-2014 |
| 333-103-0015 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0029 | 1-6-2014 | Amend | 2-1-2014 |
| 333-103-0030 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0046 | 1-6-2014 | Amend | 2-1-2014 |
| 333-103-0035 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0053 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0015 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0061 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0055 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0310 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0325 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0330 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0345 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0340 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0350 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0360 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0355 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0370 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0360 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0380 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0361 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0390 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0362 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0500 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0363 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0510 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0364 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0515 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0365 | 8-15-2014 | Repeal | 9-1-2014 | 340-011-0520 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0366 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0525 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0367 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0530 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0368 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0535 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0369 | 8-15-2014 | Adopt | 9-1-2014 | 340-011-0540 | 1-6-2014 | Amend | 2-1-2014 |
| 333-106-0735 | 1-1-2014 | Adopt | 2-1-2014 | 340-011-0545 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0045 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0550 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0190 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0555 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0660 | 1-1-2014 | Amend | 2-1-2014 | 340-011-0565 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0680 | 1-1-2014 | Amend | 2-1-2014 | 340-011-0570 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0680 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0573 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0683 | 1-1-2014 | Amend | 2-1-2014 | 340-011-0575 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0683 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0580 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0687 | 1-1-2014 | Amend | 2-1-2014 | 340-011-0585 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0687 | 8-15-2014 | Amend | 9-1-2014 | 340-011-0605 | 1-6-2014 | Repeal | 2-1-2014 |
| 333-116-0690 | 1-1-2014 | Amend | 2-1-2014 | 340-012-0026 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0690 | 8-15-2014 | Amend | 9-1-2014 | 340-012-0027 | 1-6-2014 | Repeal | 2-1-2014 |
| 333-116-0700 | 1-1-2014 | Amend | 2-1-2014 | 340-012-0028 | 1-6-2014 | Amend | 2-1-2014 |
| 333-116-0715 | 1-1-2014 | Amend | 2-1-2014 | 340-012-0030 | 1-6-2014 | Amend | 2-1-2014 |
| 333-118-0020 | 8-15-2014 | Amend | 9-1-2014 | 340-012-0038 | 1-6-2014 | Amend | 2-1-2014 |
| 333-118-0040 | 1-1-2014 | Amend | 2-1-2014 | 340-012-0041 | 1-6-2014 | Amend | 2-1-2014 |
| 333-118-0190 | 8-15-2014 | Amend | 9-1-2014 | 340-012-0045 | 1-6-2014 | Amend | 2-1-2014 |
| 333-119-0010 | 1-1-2014 | Amend | 2-1-2014 | 340-012-0053 | 1-6-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|------------|--------|----------|--------------|------------|----------|-----------|
| 340-012-0054 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0295 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0055 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0302 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0060 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0325 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0065 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0335 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0066 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0340 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0067 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0345 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0068 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0360 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0071 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0400 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0072 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0415 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0073 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0420 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0074 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0425 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0079 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0435 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0081 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0445 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0082 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0520 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0083 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0600 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0097 | 1-6-2014 | Amend | 2-1-2014 | 340-071-0650 | 1-2-2014 | Amend | 2-1-2014 |
| 340-012-0130 | 1-6-2014 | Amend | 2-1-2014 | 340-200-0040 | 12-19-2013 | Amend | 2-1-2014 |
| 340-012-0135 | 1-6-2014 | Amend | 2-1-2014 | 340-200-0040 | 1-6-2014 | Amend | 2-1-2014 |
| 340-012-0140 | 1-6-2014 | Amend | 2-1-2014 | 340-200-0040 | 3-31-2014 | Amend | 5-1-2014 |
| 340-012-0145 | 1-6-2014 | Amend | 2-1-2014 | 340-200-0040 | 3-31-2014 | Amend | 5-1-2014 |
| 340-012-0150 | 1-6-2014 | Amend | 2-1-2014 | 340-200-0040 | 3-31-2014 | Amend | 5-1-2014 |
| 340-012-0155 | 1-6-2014 | Amend | 2-1-2014 | 340-200-0040 | 6-26-2014 | Amend | 8-1-2014 |
| 340-012-0160 | 1-6-2014 | Amend | 2-1-2014 | 340-210-0100 | 6-26-2014 | Amend | 8-1-2014 |
| 340-012-0162 | 1-6-2014 | Amend | 2-1-2014 | 340-216-0020 | 6-26-2014 | Amend | 8-1-2014 |
| 340-012-0165 | 1-6-2014 | Amend | 2-1-2014 | 340-216-0025 | 6-26-2014 | Amend | 8-1-2014 |
| 340-012-0170 | 1-6-2014 | Amend | 2-1-2014 | 340-216-0040 | 6-26-2014 | Amend | 8-1-2014 |
| 340-018-0030 | 1-2-2014 | Amend | 2-1-2014 | 340-216-0052 | 6-26-2014 | Amend | 8-1-2014 |
| 340-040-0020 | 12-23-2013 | Amend | 2-1-2014 | 340-216-0054 | 6-26-2014 | Amend | 8-1-2014 |
| 340-040-0080 | 12-23-2013 | Amend | 2-1-2014 | 340-216-0056 | 6-26-2014 | Amend | 8-1-2014 |
| 340-041-0009 | 12-23-2013 | Amend | 2-1-2014 | 340-216-0060 | 6-26-2014 | Amend | 8-1-2014 |
| 340-041-0033 | 4-18-2014 | Amend | 2-1-2014 | 340-216-0062 | 6-26-2014 | Amend | 8-1-2014 |
| 340-054-0010 | 2-3-2014 | Amend | 3-1-2014 | 340-216-0064 | 6-26-2014 | Amend | 8-1-2014 |
| 340-054-0011 | 2-3-2014 | Amend | 3-1-2014 | 340-216-0066 | 6-26-2014 | Amend | 8-1-2014 |
| 340-054-0071 | 2-3-2014 | Adopt | 3-1-2014 | 340-216-0070 | 6-26-2014 | Amend | 8-1-2014 |
| 340-054-0072 | 2-3-2014 | Adopt | 3-1-2014 | 340-216-0090 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0100 | 1-2-2014 | Amend | 2-1-2014 | 340-216-8010 | 6-26-2014 | Adopt | 8-1-2014 |
| 340-071-0115 | 1-2-2014 | Amend | 2-1-2014 | 340-216-8020 | 6-26-2014 | Adopt | 8-1-2014 |
| 340-071-0120 | 1-2-2014 | Amend | 2-1-2014 | 340-220-0030 | 9-4-2014 | Amend | 10-1-2014 |
| 340-071-0130 | 1-2-2014 | Amend | 2-1-2014 | 340-220-0040 | 9-4-2014 | Amend | 10-1-2014 |
| 340-071-0131 | 1-2-2014 | Repeal | 2-1-2014 | 340-220-0050 | 9-4-2014 | Amend | 10-1-2014 |
| 340-071-0135 | 1-2-2014 | Amend | 2-1-2014 | 340-220-0060 | 9-4-2014 | Amend | 10-1-2014 |
| 340-071-0140 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0040 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0150 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0040 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0155 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0060 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0160 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0060 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0162 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0100 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0165 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0100 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0170 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0250 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0205 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0250 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0215 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0310 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0220 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0310 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0260 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0320 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0265 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0320 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0270 | 1-2-2014 | Repeal | 2-1-2014 | 340-253-0340 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 340-071-0275 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0340 | 6-26-2014 | Amend | 8-1-2014 |
| 340-071-0290 | 1-2-2014 | Amend | 2-1-2014 | 340-253-0400 | 1-1-2014 | Amend(T) | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|------------|----------|-----------------|------------|----------|----------|
| 340-253-0400 | 6-26-2014 | Amend | 8-1-2014 | 409-045-0115 | 7-1-2014 | Amend | 8-1-2014 |
| 340-253-0500 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-045-0120 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 340-253-0500 | 6-26-2014 | Amend | 8-1-2014 | 409-045-0120 | 7-1-2014 | Amend | 8-1-2014 |
| 340-253-0600 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-045-0125 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 340-253-0600 | 6-26-2014 | Amend | 8-1-2014 | 409-045-0125 | 7-1-2014 | Amend | 8-1-2014 |
| 340-253-0630 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-045-0130 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 340-253-0630 | 6-26-2014 | Amend | 8-1-2014 | 409-045-0130 | 7-1-2014 | Amend | 8-1-2014 |
| 340-253-0650 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-045-0135 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 340-253-0650 | 6-26-2014 | Amend | 8-1-2014 | 409-045-0135 | 7-1-2014 | Amend | 8-1-2014 |
| 340-253-3000 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-110-0000 | 2-24-2014 | Repeal | 4-1-2014 |
| 340-253-3000 | 6-26-2014 | Repeal | 8-1-2014 | 409-110-0005 | 2-24-2014 | Repeal | 4-1-2014 |
| 340-253-3010 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-110-0010 | 2-24-2014 | Repeal | 4-1-2014 |
| 340-253-3010 | 6-26-2014 | Amend | 8-1-2014 | 409-110-0015 | 2-24-2014 | Repeal | 4-1-2014 |
| 340-253-3020 | 1-1-2014 | Amend(T) | 2-1-2014 | 409-110-0020 | 2-24-2014 | Repeal | 4-1-2014 |
| 340-253-3020 | 6-26-2014 | Amend | 8-1-2014 | 410-050-0100 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0010 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0110 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0020 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0120 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0030 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0130 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0050 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0140 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0070 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0150 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0080 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0160 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0090 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0170 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0100 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0180 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0110 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0190 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-257-0120 | 12-19-2013 | Amend | 2-1-2014 | 410-050-0200 | 4-1-2014 | Repeal | 5-1-2014 |
| 340-259-0010 | 3-31-2014 | Amend | 5-1-2014 | 410-050-0210 | 4-1-2014 | Repeal | 5-1-2014 |
| 407-025-0010 | 2-14-2014 | Adopt | 3-1-2014 | 410-050-0220 | 4-1-2014 | Repeal | 5-1-2014 |
| 407-025-0050 | 2-14-2014 | Adopt | 3-1-2014 | 410-050-0230 | 4-1-2014 | Repeal | 5-1-2014 |
| 409-022-0050 | 2-24-2014 | Amend | 4-1-2014 | 410-050-0240 | 4-1-2014 | Repeal | 5-1-2014 |
| 409-023-0000 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-050-0250 | 4-1-2014 | Repeal | 5-1-2014 |
| 409-023-0005 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-050-0870 | 3-25-2014 | Amend | 5-1-2014 |
| 409-023-0010 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-050-0870(T) | 3-25-2014 | Repeal | 5-1-2014 |
| 409-023-0012 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0000 | 12-27-2013 | Amend | 2-1-2014 |
| 409-023-0013 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0000(T) | 12-27-2013 | Repeal | 2-1-2014 |
| 409-023-0015 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0003 | 1-1-2014 | Adopt | 2-1-2014 |
| 409-023-0020 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0006 | 2-1-2014 | Amend(T) | 3-1-2014 |
| 409-023-0025 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0006 | 3-31-2014 | Amend | 5-1-2014 |
| 409-023-0030 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0006 | 7-1-2014 | Amend | 8-1-2014 |
| 409-023-0035 | 1-1-2014 | Am. & Ren. | 2-1-2014 | 410-120-0006(T) | 2-1-2014 | Suspend | 3-1-2014 |
| 409-045-0000 | 7-1-2014 | Repeal | 8-1-2014 | 410-120-0006(T) | 3-31-2014 | Repeal | 5-1-2014 |
| 409-045-0025 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-0030 | 12-3-2013 | Amend | 1-1-2014 |
| 409-045-0030 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-0030 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 409-045-0035 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-0030 | 4-4-2014 | Amend | 5-1-2014 |
| 409-045-0040 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-0030(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 409-045-0045 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-0045 | 12-27-2013 | Amend | 2-1-2014 |
| 409-045-0050 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-0045(T) | 12-27-2013 | Repeal | 2-1-2014 |
| 409-045-0055 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-1140 | 7-3-2014 | Amend | 8-1-2014 |
| 409-045-0060 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-1160 | 12-27-2013 | Amend | 2-1-2014 |
| 409-045-0065 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-1160(T) | 12-27-2013 | Repeal | 2-1-2014 |
| 409-045-0070 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-1200 | 12-27-2013 | Amend | 2-1-2014 |
| 409-045-0075 | 7-1-2014 | Adopt | 8-1-2014 | 410-120-1200(T) | 12-27-2013 | Repeal | 2-1-2014 |
| 409-045-0105 | 1-1-2014 | Adopt(T) | 2-1-2014 | 410-120-1210 | 12-27-2013 | Amend | 2-1-2014 |
| 409-045-0105(T) | 7-1-2014 | Repeal | 8-1-2014 | 410-120-1210 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 409-045-0110 | 1-1-2014 | Adopt(T) | 2-1-2014 | 410-120-1210 | 4-4-2014 | Amend | 5-1-2014 |
| 409-045-0110(T) | 7-1-2014 | Repeal | 8-1-2014 | 410-120-1210(T) | 12-27-2013 | Repeal | 2-1-2014 |
| 409-045-0115 | 1-1-2014 | Adopt(T) | 2-1-2014 | 410-120-1210(T) | 4-4-2014 | Repeal | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|-----------|-----------------|-----------|----------|----------|
| 410-120-1230 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-125-0047 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-120-1230 | 4-4-2014 | Amend | 5-1-2014 | 410-125-0047 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-120-1230(T) | 4-4-2014 | Repeal | 5-1-2014 | 410-125-0080 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-120-1340 | 12-30-2013 | Amend(T) | 2-1-2014 | 410-125-0080 | 4-4-2014 | Amend | 5-1-2014 |
| 410-120-1340 | 4-4-2014 | Amend | 5-1-2014 | 410-125-0080(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 410-120-1340(T) | 4-4-2014 | Repeal | 5-1-2014 | 410-125-0085 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-120-1855 | 12-27-2013 | Amend | 2-1-2014 | 410-125-0085 | 4-4-2014 | Amend | 5-1-2014 |
| 410-120-1855(T) | 12-27-2013 | Repeal | 2-1-2014 | 410-125-0085(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 410-121-0030 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-127-0050 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-121-0030 | 1-10-2014 | Amend(T) | 2-1-2014 | 410-127-0055 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-121-0030 | 3-21-2014 | Amend(T) | 5-1-2014 | 410-129-0020 | 4-2-2014 | Amend | 5-1-2014 |
| 410-121-0030 | 5-2-2014 | Amend(T) | 6-1-2014 | 410-129-0065 | 4-2-2014 | Amend | 5-1-2014 |
| 410-121-0030 | 6-30-2014 | Amend | 8-1-2014 | 410-129-0070 | 4-2-2014 | Amend | 5-1-2014 |
| 410-121-0030 | 7-15-2014 | Amend(T) | 8-1-2014 | 410-129-0195 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-121-0030(T) | 1-10-2014 | Suspend | 2-1-2014 | 410-129-0195 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-121-0030(T) | 6-30-2014 | Repeal | 8-1-2014 | 410-130-0015 | 1-1-2014 | Adopt | 2-1-2014 |
| 410-121-0040 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-130-0163 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-121-0040 | 3-21-2014 | Amend(T) | 5-1-2014 | 410-130-0163 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-121-0040 | 5-2-2014 | Amend(T) | 6-1-2014 | 410-130-0200 | 7-8-2014 | Amend | 8-1-2014 |
| 410-121-0040 | 6-30-2014 | Amend | 8-1-2014 | 410-130-0240 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-121-0040 | 7-15-2014 | Amend(T) | 8-1-2014 | 410-130-0240 | 4-4-2014 | Amend | 5-1-2014 |
| 410-121-0040 | 8-13-2014 | Amend(T) | 9-1-2014 | 410-130-0240(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 410-121-0040(T) | 6-30-2014 | Repeal | 8-1-2014 | 410-130-0255 | 3-13-2014 | Amend | 4-1-2014 |
| 410-121-0111 | 1-28-2014 | Amend | 3-1-2014 | 410-131-0120 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-121-0149 | 8-27-2014 | Repeal | 10-1-2014 | 410-131-0120 | 4-4-2014 | Amend | 5-1-2014 |
| 410-121-4005 | 11-19-2013 | Amend | 1-1-2014 | 410-131-0120(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 410-121-4010 | 11-19-2013 | Amend | 1-1-2014 | 410-132-0055 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-121-4020 | 11-19-2013 | Amend | 1-1-2014 | 410-132-0055 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-122-0055 | 1-1-2014 | Suspend | 2-1-2014 | 410-136-3000 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-122-0055 | 4-4-2014 | Repeal | 5-1-2014 | 410-136-3000 | 5-20-2014 | Amend | 7-1-2014 |
| 410-122-0186 | 2-1-2014 | Amend(T) | 2-1-2014 | 410-136-3000(T) | 5-20-2014 | Repeal | 7-1-2014 |
| 410-122-0186 | 7-11-2014 | Amend | 8-1-2014 | 410-136-3010 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-122-0186(T) | 7-11-2014 | Repeal | 8-1-2014 | 410-136-3020 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1060 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-136-3020 | 5-20-2014 | Amend | 7-1-2014 |
| 410-123-1060 | 6-27-2014 | Amend | 8-1-2014 | 410-136-3020(T) | 5-20-2014 | Repeal | 7-1-2014 |
| 410-123-1060(T) | 6-27-2014 | Repeal | 8-1-2014 | 410-136-3060 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1200 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-136-3060 | 5-20-2014 | Amend | 7-1-2014 |
| 410-123-1200 | 4-1-2014 | Amend(T) | 5-1-2014 | 410-136-3060(T) | 5-20-2014 | Repeal | 7-1-2014 |
| 410-123-1200 | 6-27-2014 | Amend | 8-1-2014 | 410-136-3140 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1200(T) | 4-1-2014 | Suspend | 5-1-2014 | 410-136-3140 | 5-20-2014 | Amend | 7-1-2014 |
| 410-123-1200(T) | 6-27-2014 | Repeal | 8-1-2014 | 410-136-3140(T) | 5-20-2014 | Repeal | 7-1-2014 |
| 410-123-1260 | 12-23-2013 | Amend | 1-1-2014 | 410-136-3220 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1260 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-136-3220 | 5-20-2014 | Amend | 7-1-2014 |
| 410-123-1260 | 2-28-2014 | Amend(T) | 4-1-2014 | 410-136-3220(T) | 5-20-2014 | Repeal | 7-1-2014 |
| 410-123-1260 | 4-1-2014 | Amend(T) | 5-1-2014 | 410-136-3240 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1260 | 6-27-2014 | Amend | 8-1-2014 | 410-136-3240 | 5-20-2014 | Amend | 7-1-2014 |
| 410-123-1260(T) | 4-1-2014 | Suspend | 5-1-2014 | 410-136-3240(T) | 5-20-2014 | Repeal | 7-1-2014 |
| 410-123-1260(T) | 6-27-2014 | Repeal | 8-1-2014 | 410-136-3260 | 3-11-2014 | Amend | 4-1-2014 |
| 410-123-1540 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-136-3260(T) | 3-11-2014 | Repeal | 4-1-2014 |
| 410-123-1540 | 6-27-2014 | Amend | 8-1-2014 | 410-138-0000 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1540(T) | 6-27-2014 | Repeal | 8-1-2014 | 410-138-0000 | 4-4-2014 | Amend | 5-1-2014 |
| 410-123-1670 | 1-1-2014 | Suspend | 2-1-2014 | 410-138-0007 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-123-1670 | 4-4-2014 | Repeal | 5-1-2014 | 410-138-0007 | 4-4-2014 | Amend | 5-1-2014 |
| 410-125-0020 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-138-0007(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 410-125-0020 | 4-4-2014 | Amend | 5-1-2014 | 410-138-0009 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-125-0020(T) | 4-4-2014 | Repeal | 5-1-2014 | 410-138-0009 | 4-4-2014 | Amend | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 410-138-0009(T) | 4-4-2014 | Repeal | 5-1-2014 | 410-141-3145 | 8-1-2014 | Amend | 8-1-2014 |
| 410-140-0020 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3200 | 8-1-2014 | Amend | 8-1-2014 |
| 410-140-0040 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3220 | 11-29-2013 | Amend | 1-1-2014 |
| 410-140-0050 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3260 | 7-1-2014 | Amend | 7-1-2014 |
| 410-140-0060 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3268 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-140-0110 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3270 | 8-1-2014 | Amend | 8-1-2014 |
| 410-140-0120 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3420 | 11-29-2013 | Amend | 1-1-2014 |
| 410-140-0140 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3420 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 410-140-0160 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3435 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0180 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3440 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0200 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3445 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0210 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3450 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0220 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3455 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0240 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3460 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0260 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3465 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0280 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3470 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0300 | 5-8-2014 | Amend | 6-1-2014 | 410-141-3475 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0320 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3480 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0380 | 5-8-2014 | Repeal | 6-1-2014 | 410-141-3485 | 7-1-2014 | Adopt | 8-1-2014 |
| 410-140-0400 | 5-8-2014 | Amend | 6-1-2014 | 410-142-0040 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 410-141-0000 | 8-1-2014 | Amend | 8-1-2014 | 410-142-0040 | 4-4-2014 | Amend | 5-1-2014 |
| 410-141-0050 | 8-1-2014 | Amend | 8-1-2014 | 410-142-0040(T) | 4-4-2014 | Repeal | 5-1-2014 |
| 410-141-0065 | 1-31-2014 | Adopt | 3-1-2014 | 410-146-0022 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-141-0080 | 2-1-2014 | Amend(T) | 3-1-2014 | 410-146-0022 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-141-0080 | 6-1-2014 | Amend | 7-1-2014 | 410-146-0380 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-141-0080(T) | 6-1-2014 | Repeal | 7-1-2014 | 410-146-0380 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-141-0120 | 8-1-2014 | Amend | 8-1-2014 | 410-147-0125 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-141-0180 | 8-1-2014 | Amend | 8-1-2014 | 410-147-0125 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-141-0263 | 7-1-2014 | Amend | 7-1-2014 | 410-148-0090 | 1-1-2014 | Suspend | 2-1-2014 |
| 410-141-0270 | 8-1-2014 | Amend | 8-1-2014 | 410-148-0090 | 4-4-2014 | Repeal | 5-1-2014 |
| 410-141-0410 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0300 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-0420 | 7-1-2014 | Amend(T) | 8-1-2014 | 410-180-0300(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-0420 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0305 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-0480 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0305(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-0520 | 1-31-2014 | Amend | 3-1-2014 | 410-180-0310 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-0520 | 4-1-2014 | Amend(T) | 5-1-2014 | 410-180-0310(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-0520 | 7-1-2014 | Amend | 7-1-2014 | 410-180-0312 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-0520(T) | 7-1-2014 | Repeal | 7-1-2014 | 410-180-0315 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-0740 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0315(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-0860 | 1-1-2014 | Amend(T) | 2-1-2014 | 410-180-0320 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-0860 | 4-4-2014 | Amend | 5-1-2014 | 410-180-0320(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-0860(T) | 4-4-2014 | Repeal | 5-1-2014 | 410-180-0325 | 1-15-2014 | Adopt | 2-1-2014 |
| 410-141-3010 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0325(T) | 1-15-2014 | Repeal | 2-1-2014 |
| 410-141-3015 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0326 | 1-15-2014 | Adopt | 2-1-2014 |
| 410-141-3050 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0327 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-3060 | 11-29-2013 | Amend | 1-1-2014 | 410-180-0327(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-3060 | 7-1-2014 | Amend(T) | 8-1-2014 | 410-180-0340 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-3065 | 1-31-2014 | Adopt | 3-1-2014 | 410-180-0340(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-3070 | 4-1-2014 | Amend(T) | 5-1-2014 | 410-180-0345 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-3070 | 7-1-2014 | Amend | 7-1-2014 | 410-180-0345(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-3070(T) | 7-1-2014 | Repeal | 7-1-2014 | 410-180-0350 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-3080 | 11-29-2013 | Amend | 1-1-2014 | 410-180-0350(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-3080 | 2-1-2014 | Amend(T) | 3-1-2014 | 410-180-0355 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-3080 | 6-1-2014 | Amend | 7-1-2014 | 410-180-0355(T) | 12-3-2013 | Repeal | 1-1-2014 |
| 410-141-3080(T) | 6-1-2014 | Repeal | 7-1-2014 | 410-180-0360 | 12-3-2013 | Adopt | 1-1-2014 |
| 410-141-3120 | 8-1-2014 | Amend | 8-1-2014 | 410-180-0370 | 12-3-2013 | Adopt | 1-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 410-180-0370(T) | 12-3-2013 | Repeal | 1-1-2014 | 410-200-0145(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-180-0375 | 12-3-2013 | Adopt | 1-1-2014 | 410-200-0145(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-180-0375(T) | 12-3-2013 | Repeal | 1-1-2014 | 410-200-0146 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-180-0380 | 12-3-2013 | Adopt | 1-1-2014 | 410-200-0146 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-180-0380(T) | 12-3-2013 | Repeal | 1-1-2014 | 410-200-0146 | 8-15-2014 | Amend(T) | 9-1-2014 |
| 410-200-0010 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0146(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0010 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0146(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0010(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0200 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0010(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0200 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0015 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0200(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0015 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0200(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0015(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0205 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0015(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0205 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0100 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0205(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0100 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0205(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0100(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0210 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0100(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0210 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0105 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0210(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0105 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0210(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0105(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0215 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0105(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0215 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0110 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0215(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0110 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0215(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0110(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0220 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0110(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0220 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0111 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0220(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0111 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0220(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0111(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0225 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0111(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0225 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0115 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0225(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0115 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0225(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0115(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0230 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0115(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0230 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0120 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0230(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0120 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0230(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0120(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0235 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0120(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0235 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0125 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0235(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0125 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0235(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0125(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0240 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0125(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0240 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0130 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0240(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0130 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0240(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0130(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0305 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0130(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0305 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0135 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0305(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0135 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0305(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0135(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0310 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0135(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0310 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0140 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0310(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0140 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0310(T) | 3-28-2014 | Repeal | 5-1-2014 |
| 410-200-0140(T) | 1-15-2014 | Suspend | 2-1-2014 | 410-200-0315 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 410-200-0140(T) | 3-28-2014 | Repeal | 5-1-2014 | 410-200-0315 | 3-28-2014 | Adopt | 5-1-2014 |
| 410-200-0145 | 1-15-2014 | Adopt(T) | 2-1-2014 | 410-200-0315 | 4-14-2014 | Amend(T) | 5-1-2014 |
| 410-200-0145 | 3-28-2014 | Adopt | 5-1-2014 | 410-200-0315(T) | 1-15-2014 | Suspend | 2-1-2014 |
| 410-200-0145 | 8-15-2014 | Amend(T) | 9-1-2014 | 410-200-0315(T) | 3-28-2014 | Repeal | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|-----------|-----------------|------------|----------|-----------|
| 410-200-0400 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-001-0510 | 6-4-2014 | Amend | 7-1-2014 |
| 410-200-0400 | 3-28-2014 | Adopt | 5-1-2014 | 411-001-0510(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0400(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-015-0005 | 12-15-2013 | Amend | 1-1-2014 |
| 410-200-0400(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-015-0005 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0405 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-015-0005(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0405 | 3-28-2014 | Adopt | 5-1-2014 | 411-015-0006 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0405(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-015-0008 | 12-15-2013 | Amend | 1-1-2014 |
| 410-200-0405(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-015-0008(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0406(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-015-0015 | 12-15-2013 | Amend | 1-1-2014 |
| 410-200-0406(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-015-0015 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0410 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-015-0015(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0410 | 3-28-2014 | Adopt | 5-1-2014 | 411-015-0100 | 12-15-2013 | Amend | 1-1-2014 |
| 410-200-0410(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-015-0100 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0410(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-015-0100(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0415 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-027-0005 | 3-20-2014 | Amend(T) | 5-1-2014 |
| 410-200-0415 | 3-28-2014 | Adopt | 5-1-2014 | 411-027-0005 | 9-2-2014 | Amend | 10-1-2014 |
| 410-200-0415(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-027-0005(T) | 9-2-2014 | Repeal | 10-1-2014 |
| 410-200-0415(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-027-0020 | 3-20-2014 | Amend(T) | 5-1-2014 |
| 410-200-0420 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-027-0020 | 9-2-2014 | Amend | 10-1-2014 |
| 410-200-0420 | 3-28-2014 | Adopt | 5-1-2014 | 411-027-0020(T) | 9-2-2014 | Repeal | 10-1-2014 |
| 410-200-0420(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-027-0025 | 3-20-2014 | Amend(T) | 5-1-2014 |
| 410-200-0420(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-027-0025 | 9-2-2014 | Amend | 10-1-2014 |
| 410-200-0425 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-027-0025(T) | 9-2-2014 | Repeal | 10-1-2014 |
| 410-200-0425 | 3-28-2014 | Adopt | 5-1-2014 | 411-027-0050 | 9-2-2014 | Amend | 10-1-2014 |
| 410-200-0425(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-027-0075 | 9-2-2014 | Amend | 10-1-2014 |
| 410-200-0425(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-027-0150 | 9-2-2014 | Amend | 10-1-2014 |
| 410-200-0435 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-028-0000 | 12-15-2013 | Adopt | 1-1-2014 |
| 410-200-0435 | 3-28-2014 | Adopt | 5-1-2014 | 411-028-0000(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0435(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-028-0010 | 12-15-2013 | Adopt | 1-1-2014 |
| 410-200-0435(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-028-0010 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0440 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-028-0010(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0440 | 3-28-2014 | Adopt | 5-1-2014 | 411-028-0020 | 12-15-2013 | Adopt | 1-1-2014 |
| 410-200-0440(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-028-0020 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0440(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-028-0020(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0500 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-028-0030 | 12-15-2013 | Adopt | 1-1-2014 |
| 410-200-0500 | 3-28-2014 | Adopt | 5-1-2014 | 411-028-0030 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0500(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-028-0030(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0500(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-028-0040 | 12-15-2013 | Adopt | 1-1-2014 |
| 410-200-0505 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-028-0040(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0505 | 3-28-2014 | Adopt | 5-1-2014 | 411-028-0050 | 12-15-2013 | Adopt | 1-1-2014 |
| 410-200-0505(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-028-0050(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0505(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-030-0020 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0510 | 1-15-2014 | Adopt(T) | 2-1-2014 | 411-030-0040 | 4-21-2014 | Amend(T) | 6-1-2014 |
| 410-200-0510 | 3-28-2014 | Adopt | 5-1-2014 | 411-030-0070 | 12-15-2013 | Amend | 1-1-2014 |
| 410-200-0510(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-030-0070 | 5-1-2014 | Amend | 6-1-2014 |
| 410-200-0510(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-030-0070(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 410-200-0515(T) | 1-15-2014 | Suspend | 2-1-2014 | 411-030-0100 | 12-15-2013 | Amend | 1-1-2014 |
| 410-200-0515(T) | 3-28-2014 | Repeal | 5-1-2014 | 411-030-0100(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-001-0100 | 1-1-2014 | Amend | 2-1-2014 | 411-031-0020 | 12-15-2013 | Amend | 1-1-2014 |
| 411-001-0110 | 1-1-2014 | Amend | 2-1-2014 | 411-031-0020(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-001-0118 | 1-1-2014 | Amend | 2-1-2014 | 411-031-0040 | 12-15-2013 | Amend | 1-1-2014 |
| 411-001-0120 | 1-1-2014 | Amend | 2-1-2014 | 411-031-0040(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-001-0120 | 5-9-2014 | Amend(T) | 6-1-2014 | 411-031-0050 | 12-15-2013 | Amend | 1-1-2014 |
| 411-001-0120 | 9-1-2014 | Amend | 10-1-2014 | 411-032-0050 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-001-0120(T) | 9-1-2014 | Repeal | 10-1-2014 | 411-034-0000 | 12-15-2013 | Amend | 1-1-2014 |
| 411-001-0510 | 12-15-2013 | Amend | 1-1-2014 | 411-034-0000(T) | 12-15-2013 | Repeal | 1-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 411-034-0010 | 12-15-2013 | Amend | 1-1-2014 | 411-045-0050(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-034-0010 | 4-21-2014 | Amend(T) | 6-1-2014 | 411-046-0100 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0010 | 5-1-2014 | Amend(T) | 6-1-2014 | 411-046-0110 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0010(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-046-0120 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0010(T) | 5-1-2014 | Suspend | 6-1-2014 | 411-046-0130 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0020 | 12-15-2013 | Amend | 1-1-2014 | 411-046-0140 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0020(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-046-0150 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0030 | 12-15-2013 | Amend | 1-1-2014 | 411-046-0160 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0030 | 4-21-2014 | Amend(T) | 6-1-2014 | 411-046-0170 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0030(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-046-0180 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0035 | 12-15-2013 | Amend | 1-1-2014 | 411-046-0190 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0035(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-046-0200 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0040 | 12-15-2013 | Amend | 1-1-2014 | 411-046-0210 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0040(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-046-0220 | 6-23-2014 | Adopt | 8-1-2014 |
| 411-034-0050 | 12-15-2013 | Amend | 1-1-2014 | 411-048-0150 | 12-15-2013 | Amend | 1-1-2014 |
| 411-034-0050(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-048-0150(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-034-0055 | 12-15-2013 | Amend | 1-1-2014 | 411-048-0160 | 12-15-2013 | Amend | 1-1-2014 |
| 411-034-0055(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-048-0160 | 5-1-2014 | Amend(T) | 6-1-2014 |
| 411-034-0070 | 12-15-2013 | Amend | 1-1-2014 | 411-048-0160(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-034-0070(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-048-0170 | 12-15-2013 | Amend | 1-1-2014 |
| 411-034-0090 | 12-15-2013 | Amend | 1-1-2014 | 411-048-0170 | 5-1-2014 | Amend(T) | 6-1-2014 |
| 411-034-0090(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-048-0170(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-035-0000 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0602 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0010 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0610 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0015 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0625 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0020 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0630 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0025 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0640 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0030 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0640(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-035-0035 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0642 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0040 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0645 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0045 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0650 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0050 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0660 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0055 | 6-4-2014 | Adopt | 7-1-2014 | 411-050-0685 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0060 | 6-4-2014 | Adopt | 7-1-2014 | 411-065-0000 | 12-15-2013 | Amend | 1-1-2014 |
| 411-035-0065 | 6-4-2014 | Adopt | 7-1-2014 | 411-065-0000(T) | 12-15-2013 | Repeal | 1-1-2014 |
| 411-035-0070 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0000 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0075 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0000(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-035-0080 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0010 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0085 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0010(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-035-0090 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0020 | 4-1-2014 | Amend | 5-1-2014 |
| 411-035-0095 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0020(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-040-0000 | 12-15-2013 | Amend | 1-1-2014 | 411-069-0030 | 4-1-2014 | Amend | 5-1-2014 |
| 411-040-0000 | 6-4-2014 | Amend | 7-1-2014 | 411-069-0030(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-040-0000(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-069-0040 | 4-1-2014 | Amend | 5-1-2014 |
| 411-040-0010 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0040(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-040-0020 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0050 | 4-1-2014 | Amend | 5-1-2014 |
| 411-040-0030 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0050(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-040-0035 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0060 | 4-1-2014 | Amend | 5-1-2014 |
| 411-040-0036 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0060(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-040-0037 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0070 | 4-1-2014 | Amend | 5-1-2014 |
| 411-040-0040 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0070(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-040-0050 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0080 | 4-1-2014 | Amend | 5-1-2014 |
| 411-040-0060 | 6-4-2014 | Adopt | 7-1-2014 | 411-069-0080(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-045-0010 | 12-15-2013 | Amend | 1-1-2014 | 411-069-0090 | 4-1-2014 | Amend | 5-1-2014 |
| 411-045-0010(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-069-0090(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 411-045-0050 | 12-15-2013 | Amend | 1-1-2014 | 411-069-0100 | 4-1-2014 | Amend | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 411-069-0100(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0140 | 12-28-2013 | Amend | 2-1-2014 |
| 411-069-0110 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0140 | 8-20-2014 | Suspend | 10-1-2014 |
| 411-069-0110(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0140(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-069-0120 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0150 | 12-28-2013 | Amend | 2-1-2014 |
| 411-069-0120(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0150 | 8-20-2014 | Amend(T) | 10-1-2014 |
| 411-069-0130 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0150(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-069-0130(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0155 | 12-28-2013 | Amend | 2-1-2014 |
| 411-069-0140 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0155 | 8-20-2014 | Suspend | 10-1-2014 |
| 411-069-0140(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0165 | 8-20-2014 | Adopt(T) | 10-1-2014 |
| 411-069-0150 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0170 | 12-28-2013 | Amend | 2-1-2014 |
| 411-069-0150(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0170 | 8-20-2014 | Amend(T) | 10-1-2014 |
| 411-069-0160 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0190 | 12-28-2013 | Amend | 2-1-2014 |
| 411-069-0160(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0190 | 8-20-2014 | Amend(T) | 10-1-2014 |
| 411-069-0170 | 4-1-2014 | Amend | 5-1-2014 | 411-300-0200 | 12-28-2013 | Amend | 2-1-2014 |
| 411-069-0170(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-300-0200 | 8-20-2014 | Amend(T) | 10-1-2014 |
| 411-070-0005 | 4-1-2014 | Amend | 4-1-2014 | 411-300-0205 | 12-28-2013 | Amend | 2-1-2014 |
| 411-070-0005(T) | 4-1-2014 | Repeal | 4-1-2014 | 411-300-0205 | 8-20-2014 | Amend(T) | 10-1-2014 |
| 411-070-0033 | 12-15-2013 | Amend | 1-1-2014 | 411-300-0210 | 12-28-2013 | Amend | 2-1-2014 |
| 411-070-0033(T) | 12-15-2013 | Repeal | 1-1-2014 | 411-300-0210 | 8-20-2014 | Suspend | 10-1-2014 |
| 411-070-0300 | 4-1-2014 | Amend | 4-1-2014 | 411-300-0220 | 12-28-2013 | Amend | 2-1-2014 |
| 411-070-0300(T) | 4-1-2014 | Repeal | 4-1-2014 | 411-300-0220 | 8-20-2014 | Amend(T) | 10-1-2014 |
| 411-070-0437 | 4-1-2014 | Adopt | 4-1-2014 | 411-308-0010 | 12-28-2013 | Amend | 2-1-2014 |
| 411-070-0437(T) | 4-1-2014 | Repeal | 4-1-2014 | 411-308-0010(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-070-0442 | 4-1-2014 | Amend | 4-1-2014 | 411-308-0020 | 12-28-2013 | Amend | 2-1-2014 |
| 411-070-0442 | 7-1-2014 | Amend | 8-1-2014 | 411-308-0020 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-070-0442(T) | 4-1-2014 | Repeal | 4-1-2014 | 411-308-0020(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-070-0452 | 12-28-2013 | Amend | 2-1-2014 | 411-308-0030 | 12-28-2013 | Amend | 2-1-2014 |
| 411-070-0452 | 7-1-2014 | Amend | 8-1-2014 | 411-308-0030 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-070-0452(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-308-0030(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-085-0005 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0040 | 12-28-2013 | Amend | 2-1-2014 |
| 411-085-0025 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0050 | 12-28-2013 | Amend | 2-1-2014 |
| 411-085-0025(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-308-0050 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-085-0210 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0050(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-085-0210(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-308-0060 | 12-28-2013 | Amend | 2-1-2014 |
| 411-086-0100 | 3-31-2014 | Amend | 5-1-2014 | 411-308-0060 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-086-0100(T) | 3-31-2014 | Repeal | 5-1-2014 | 411-308-0060(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-088-0020 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0070 | 12-28-2013 | Amend | 2-1-2014 |
| 411-088-0070 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0070 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-088-0070(T) | 4-1-2014 | Repeal | 5-1-2014 | 411-308-0070(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-088-0080 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0080 | 12-28-2013 | Amend | 2-1-2014 |
| 411-089-0030 | 4-1-2014 | Amend | 5-1-2014 | 411-308-0080 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-200-0010 | 2-1-2014 | Amend | 3-1-2014 | 411-308-0080(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-200-0020 | 2-1-2014 | Amend | 3-1-2014 | 411-308-0090 | 12-28-2013 | Amend | 2-1-2014 |
| 411-200-0030 | 2-1-2014 | Amend | 3-1-2014 | 411-308-0100 | 12-28-2013 | Amend | 2-1-2014 |
| 411-200-0035 | 2-1-2014 | Amend | 3-1-2014 | 411-308-0100 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-200-0040 | 2-1-2014 | Amend | 3-1-2014 | 411-308-0100(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-300-0100 | 12-28-2013 | Amend | 2-1-2014 | 411-308-0110 | 12-28-2013 | Amend | 2-1-2014 |
| 411-300-0110 | 12-28-2013 | Amend | 2-1-2014 | 411-308-0120 | 12-28-2013 | Amend | 2-1-2014 |
| 411-300-0110 | 8-20-2014 | Amend(T) | 10-1-2014 | 411-308-0120 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-300-0110(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-308-0120(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-300-0120 | 12-28-2013 | Amend | 2-1-2014 | 411-308-0130 | 12-28-2013 | Amend | 2-1-2014 |
| 411-300-0120 | 8-20-2014 | Amend(T) | 10-1-2014 | 411-308-0130 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-300-0120(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-308-0135 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-300-0130 | 12-28-2013 | Amend | 2-1-2014 | 411-308-0140 | 12-28-2013 | Amend | 2-1-2014 |
| 411-300-0130 | 8-20-2014 | Amend(T) | 10-1-2014 | 411-308-0150 | 12-28-2013 | Amend | 2-1-2014 |
| 411-300-0130(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-317-0000 | 7-1-2014 | Adopt(T) | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 411-318-0000 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-323-0070 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-318-0005 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-325-0010 | 12-28-2013 | Amend | 2-1-2014 |
| 411-318-0010 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-325-0020 | 12-28-2013 | Amend | 2-1-2014 |
| 411-318-0015 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-325-0020 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-318-0020 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-325-0020(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-318-0025 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-325-0030 | 12-28-2013 | Amend | 2-1-2014 |
| 411-318-0030 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-325-0040 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0010 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0050 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0020 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0060 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0020 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0060 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-320-0020(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0070 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0030 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0090 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0030(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0110 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0040 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0110 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-320-0040 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0120 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0040(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0120 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-320-0045 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0130 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0050 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0140 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0060 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0150 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0060 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0170 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0060(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0180 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0070 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0185 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0070(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0190 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0080 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0200 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0080 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0220 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0090 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0230 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0090 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0240 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0090(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0250 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0100 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0260 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0100 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0270 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0100(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0280 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0110 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0290 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0110 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0300 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0110(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0300 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-320-0120 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0320 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0120 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0320 | 7-1-2014 | Suspend | 8-1-2014 |
| 411-320-0120(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0330 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0130 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0330 | 7-1-2014 | Suspend | 8-1-2014 |
| 411-320-0130 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0340 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0130(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-325-0350 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0140 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0360 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0150 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0370 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0160 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0380 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0170 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0390 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0170 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0390 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-320-0175 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0390(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-320-0175 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0400 | 12-28-2013 | Amend | 2-1-2014 |
| 411-320-0180 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0400 | 7-1-2014 | Suspend | 8-1-2014 |
| 411-320-0190 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0400(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-320-0200 | 12-28-2013 | Amend | 2-1-2014 | 411-325-0410 | 12-28-2013 | Amend | 2-1-2014 |
| 411-323-0010 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0420 | 12-28-2013 | Amend | 2-1-2014 |
| 411-323-0020 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0430 | 12-28-2013 | Amend | 2-1-2014 |
| 411-323-0030 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0430 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-323-0035 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0440 | 12-28-2013 | Amend | 2-1-2014 |
| 411-323-0050 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0440(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-323-0060 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-325-0460 | 12-28-2013 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 411-325-0460 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-330-0080 | 12-28-2013 | Amend | 2-1-2014 |
| 411-325-0470 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0080 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-325-0480 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0080(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-328-0550 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0090 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0560 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0090 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-328-0560 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-330-0090(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-328-0560(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-330-0100 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0570 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0100 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-328-0620 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0110 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0630 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0110 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-328-0640 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0110(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-328-0650 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0120 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0660 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0130 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0680 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0130 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-328-0690 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0140 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0700 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0150 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0700 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-330-0160 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0710 | 12-28-2013 | Amend | 2-1-2014 | 411-330-0170 | 12-28-2013 | Amend | 2-1-2014 |
| 411-328-0715 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0010 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0720 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0010 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0720 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0020 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0740 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0020 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0740 | 7-1-2014 | Suspend | 8-1-2014 | 411-335-0030 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0750 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0030 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0750 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0040 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0760 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0040 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0760 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0060 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0770 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0060 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0770 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0120 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0780 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0120 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0790 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0130 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0790 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0130 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0790(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0150 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0800 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0150 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-328-0800 | 7-1-2014 | Suspend | 8-1-2014 | 411-335-0160 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-328-0800(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0160 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0010 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0170 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0020 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0170 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0020 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0180 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0020(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0180 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0030 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0190 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0030 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0190 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0030(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0200 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0040 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0200 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0040 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0210 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0040(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0210 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0050 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0220 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0050 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0220 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0050(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0230 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0060 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0230 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0060 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0240 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0060(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0240 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0065 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0250 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0070 | 12-28-2013 | Amend | 2-1-2014 | 411-335-0250 | 4-1-2014 | Repeal | 5-1-2014 |
| 411-330-0070 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-335-0260 | 1-1-2014 | Suspend | 2-1-2014 |
| 411-330-0070(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-335-0260 | 4-1-2014 | Repeal | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 411-335-0270 | 1-1-2014 | Suspend | 2-1-2014 | 411-341-1320 | 7-1-2014 | Repeal | 8-1-2014 |
| 411-335-0270 | 4-1-2014 | Repeal | 5-1-2014 | 411-341-1330 | 7-1-2014 | Repeal | 8-1-2014 |
| 411-335-0280 | 1-1-2014 | Suspend | 2-1-2014 | 411-341-1340 | 7-1-2014 | Repeal | 8-1-2014 |
| 411-335-0280 | 4-1-2014 | Repeal | 5-1-2014 | 411-341-1350 | 7-1-2014 | Repeal | 8-1-2014 |
| 411-335-0290 | 1-1-2014 | Suspend | 2-1-2014 | 411-341-1360 | 7-1-2014 | Repeal | 8-1-2014 |
| 411-335-0290 | 4-1-2014 | Repeal | 5-1-2014 | 411-341-1370 | 7-1-2014 | Repeal | 8-1-2014 |
| 411-335-0310 | 1-1-2014 | Suspend | 2-1-2014 | 411-345-0010 | 12-28-2013 | Amend | 2-1-2014 |
| 411-335-0310 | 4-1-2014 | Repeal | 5-1-2014 | 411-345-0010 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-335-0320 | 1-1-2014 | Suspend | 2-1-2014 | 411-345-0020 | 12-28-2013 | Amend | 2-1-2014 |
| 411-335-0320 | 4-1-2014 | Repeal | 5-1-2014 | 411-345-0020 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-335-0330 | 1-1-2014 | Suspend | 2-1-2014 | 411-345-0020(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-335-0330 | 4-1-2014 | Repeal | 5-1-2014 | 411-345-0025 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-335-0340 | 1-1-2014 | Suspend | 2-1-2014 | 411-345-0027 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-335-0340 | 4-1-2014 | Repeal | 5-1-2014 | 411-345-0030 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-335-0350 | 1-1-2014 | Suspend | 2-1-2014 | 411-345-0050 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-335-0350 | 4-1-2014 | Repeal | 5-1-2014 | 411-345-0085 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-335-0360 | 1-1-2014 | Suspend | 2-1-2014 | 411-345-0090 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-335-0360 | 4-1-2014 | Repeal | 5-1-2014 | 411-345-0095 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0010 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0095 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0020 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0100 | 7-1-2014 | Suspend | 8-1-2014 |
| 411-340-0020 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-345-0110 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0020(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-345-0110 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0030 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0130 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0040 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0130 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0050 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0140 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0060 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0140 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0060 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-345-0140(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-340-0070 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0160 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0080 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0160 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0090 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0170 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0100 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0170 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0100 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-345-0180 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0100(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-345-0180 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0110 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0190 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0110 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-345-0190 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0110(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-345-0200 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0120 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0200 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0120 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-345-0230 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0120(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-345-0230 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0125 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0240 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0125(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-345-0240 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0130 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0250 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0130 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-345-0250 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0130(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-345-0260 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0135 | 7-1-2014 | Adopt(T) | 8-1-2014 | 411-345-0260 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0140 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0270 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0150 | 12-28-2013 | Amend | 2-1-2014 | 411-345-0270 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0150 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-346-0100 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0150(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-346-0110 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0160 | 12-28-2013 | Amend | 2-1-2014 | 411-346-0110 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-340-0160 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-346-0110(T) | 12-28-2013 | Repeal | 2-1-2014 |
| 411-340-0170 | 12-28-2013 | Amend | 2-1-2014 | 411-346-0120 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0170 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-346-0130 | 12-28-2013 | Amend | 2-1-2014 |
| 411-340-0180 | 12-28-2013 | Amend | 2-1-2014 | 411-346-0140 | 12-28-2013 | Amend | 2-1-2014 |
| 411-341-1300 | 7-1-2014 | Repeal | 8-1-2014 | 411-346-0150 | 12-28-2013 | Amend | 2-1-2014 |
| 411-341-1310 | 7-1-2014 | Repeal | 8-1-2014 | 411-346-0150 | 7-1-2014 | Amend(T) | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|-----------|--------------|-----------|----------|----------|
| 411-346-0160 | 12-28-2013 | Amend | 2-1-2014 | 411-360-0140 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-346-0165 | 12-28-2013 | Amend | 2-1-2014 | 411-360-0170 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-346-0170 | 12-28-2013 | Amend | 2-1-2014 | 411-360-0190 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-346-0180 | 12-28-2013 | Amend | 2-1-2014 | 411-360-0250 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-346-0180 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-360-0275 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-346-0180(T) | 12-28-2013 | Repeal | 2-1-2014 | 411-375-0000 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-346-0190 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0010 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-346-0190 | 7-1-2014 | Amend(T) | 8-1-2014 | 411-375-0020 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-346-0200 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0030 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-346-0210 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0040 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-346-0220 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0050 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-346-0230 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0060 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-350-0010 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0070 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-350-0020 | 12-28-2013 | Amend | 2-1-2014 | 411-375-0080 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 411-350-0020 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0000 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0020(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-010-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0030 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0030 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0035 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0030(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-010-0045 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0040 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0055 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0040 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0065 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0040(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-010-0068 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0050 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0075 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0050 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0170 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0050(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-010-0175 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0075 | 8-20-2014 | Adopt(T) | 10-1-2014 | 413-010-0180 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0080 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0185 | 1-1-2014 | Adopt | 2-1-2014 |
| 411-350-0080 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0300 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0100 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0310 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0100 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0310 | 6-3-2014 | Amend | 7-1-2014 |
| 411-350-0110 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0310 | 8-4-2014 | Amend(T) | 9-1-2014 |
| 411-350-0110 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0320 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0115 | 12-28-2013 | Amend | 2-1-2014 | 413-010-0330 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0115 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-010-0340 | 1-1-2014 | Amend | 2-1-2014 |
| 411-350-0118 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0100 | 5-27-2014 | Amend | 7-1-2014 |
| 411-350-0118 | 8-20-2014 | Suspend | 10-1-2014 | 413-015-0105 | 5-27-2014 | Amend | 7-1-2014 |
| 411-350-0120 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0110 | 5-27-2014 | Repeal | 7-1-2014 |
| 411-350-0120 | 8-20-2014 | Amend(T) | 10-1-2014 | 413-015-0115 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0000 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0115 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-355-0010 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0125 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0010(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-015-0205 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0020 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0210 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0020(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-015-0211 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0030 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0212 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0030(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-015-0213 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0040 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0215 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0040(T) | 12-28-2013 | Repeal | 2-1-2014 | 413-015-0220 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0050 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0225 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0060 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0400 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0070 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0403 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0080 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0404 | 5-27-2014 | Adopt | 7-1-2014 |
| 411-355-0090 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0405 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0100 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0409 | 5-27-2014 | Amend | 7-1-2014 |
| 411-355-0110 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0409 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 411-355-0120 | 12-28-2013 | Amend | 2-1-2014 | 413-015-0415 | 5-27-2014 | Amend | 7-1-2014 |
| 411-360-0020 | 7-1-2014 | Amend(T) | 8-1-2014 | 413-015-0415 | 7-1-2014 | Amend(T) | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|----------|----------|-----------------|-----------|----------|----------|
| 413-015-0420 | 5-27-2014 | Amend | 7-1-2014 | 413-070-0905 | 6-3-2014 | Amend | 7-1-2014 |
| 413-015-0420 | 7-1-2014 | Amend(T) | 8-1-2014 | 413-070-0905 | 8-4-2014 | Amend(T) | 9-1-2014 |
| 413-015-0422 | 5-27-2014 | Adopt | 7-1-2014 | 413-070-0909 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0425 | 5-27-2014 | Amend | 7-1-2014 | 413-070-0917 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0428 | 5-27-2014 | Adopt | 7-1-2014 | 413-070-0919 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0430 | 5-27-2014 | Repeal | 7-1-2014 | 413-070-0925 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0432 | 5-27-2014 | Adopt | 7-1-2014 | 413-070-0934 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0432 | 7-1-2014 | Amend(T) | 8-1-2014 | 413-070-0939 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0435 | 5-27-2014 | Amend | 7-1-2014 | 413-070-0949 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0437 | 5-27-2014 | Adopt | 7-1-2014 | 413-070-0959 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0440 | 5-27-2014 | Amend | 7-1-2014 | 413-070-0964 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0445 | 5-27-2014 | Amend | 7-1-2014 | 413-070-0969 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0450 | 5-27-2014 | Amend | 7-1-2014 | 413-070-0974 | 2-1-2014 | Amend | 3-1-2014 |
| 413-015-0455 | 5-27-2014 | Amend | 7-1-2014 | 413-080-0050 | 5-27-2014 | Amend | 7-1-2014 |
| 413-015-0470 | 5-27-2014 | Amend | 7-1-2014 | 413-080-0052 | 5-27-2014 | Amend | 7-1-2014 |
| 413-015-0475 | 5-27-2014 | Amend | 7-1-2014 | 413-080-0054 | 5-27-2014 | Amend | 7-1-2014 |
| 413-015-0520 | 5-27-2014 | Amend | 7-1-2014 | 413-080-0055 | 5-27-2014 | Amend | 7-1-2014 |
| 413-015-0525 | 5-27-2014 | Amend | 7-1-2014 | 413-080-0059 | 5-27-2014 | Amend | 7-1-2014 |
| 413-015-0535 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0400 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-015-0540 | 7-1-2014 | Amend(T) | 8-1-2014 | 413-100-0400 | 6-12-2014 | Amend | 7-1-2014 |
| 413-015-0550 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0400(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-015-0560 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0410 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-015-0565 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0410 | 6-12-2014 | Amend | 7-1-2014 |
| 413-015-1105 | 7-1-2014 | Amend(T) | 8-1-2014 | 413-100-0410(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-015-1110 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0420 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-015-1125 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0420 | 6-12-2014 | Amend | 7-1-2014 |
| 413-015-1210 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0420(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-015-1220 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0430 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-015-1230 | 5-27-2014 | Amend | 7-1-2014 | 413-100-0430 | 6-12-2014 | Amend | 7-1-2014 |
| 413-015-9000 | 5-27-2014 | Adopt | 7-1-2014 | 413-100-0430(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-015-9010 | 5-27-2014 | Adopt | 7-1-2014 | 413-100-0432 | 6-12-2014 | Adopt | 7-1-2014 |
| 413-015-9020 | 5-27-2014 | Adopt | 7-1-2014 | 413-100-0435 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 413-015-9030 | 5-27-2014 | Adopt | 7-1-2014 | 413-100-0435 | 6-12-2014 | Adopt | 7-1-2014 |
| 413-015-9040 | 5-27-2014 | Adopt | 7-1-2014 | 413-100-0435(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-015-9040 | 7-1-2014 | Amend(T) | 8-1-2014 | 413-100-0440 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-040-0370 | 4-1-2014 | Repeal | 5-1-2014 | 413-100-0440 | 6-12-2014 | Repeal | 7-1-2014 |
| 413-040-0380 | 4-1-2014 | Repeal | 5-1-2014 | 413-100-0445 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-040-0390 | 4-1-2014 | Repeal | 5-1-2014 | 413-100-0445 | 6-12-2014 | Amend | 7-1-2014 |
| 413-070-0063 | 6-3-2014 | Amend | 7-1-2014 | 413-100-0445(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0063 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-100-0450 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-070-0505 | 6-3-2014 | Amend | 7-1-2014 | 413-100-0450 | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0505 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-100-0451 | 6-12-2014 | Adopt | 7-1-2014 |
| 413-070-0620 | 6-3-2014 | Amend | 7-1-2014 | 413-100-0455 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-070-0620 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-100-0455 | 6-12-2014 | Amend | 7-1-2014 |
| 413-070-0655 | 6-3-2014 | Amend | 7-1-2014 | 413-100-0455(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0655 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-100-0457 | 2-4-2014 | Adopt(T) | 3-1-2014 |
| 413-070-0800 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0457 | 6-12-2014 | Adopt | 7-1-2014 |
| 413-070-0810 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0457(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0830 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0460 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 413-070-0840 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0460 | 6-12-2014 | Amend | 7-1-2014 |
| 413-070-0855 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0460(T) | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0860 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0470 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-070-0870 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0470 | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0880 | 1-1-2014 | Amend | 2-1-2014 | 413-100-0480 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-070-0900 | 2-1-2014 | Amend | 3-1-2014 | 413-100-0480 | 6-12-2014 | Repeal | 7-1-2014 |
| 413-070-0905 | 2-1-2014 | Amend | 3-1-2014 | 413-100-0490 | 1-1-2014 | Suspend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|--------------|-----------|----------|----------|
| 413-100-0490 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0000 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0500 | 1-1-2014 | Suspend | 2-1-2014 | 413-140-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0500 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0026 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0510 | 1-1-2014 | Suspend | 2-1-2014 | 413-140-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0510 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0031 | 1-1-2014 | Adopt | 2-1-2014 |
| 413-100-0520 | 1-1-2014 | Suspend | 2-1-2014 | 413-140-0032 | 1-1-2014 | Adopt | 2-1-2014 |
| 413-100-0520 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0033 | 1-1-2014 | Adopt | 2-1-2014 |
| 413-100-0530 | 1-1-2014 | Amend(T) | 2-1-2014 | 413-140-0035 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0530 | 6-12-2014 | Amend | 7-1-2014 | 413-140-0040 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0530(T) | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0045 | 1-1-2014 | Repeal | 2-1-2014 |
| 413-100-0540 | 1-1-2014 | Suspend | 2-1-2014 | 413-140-0047 | 1-1-2014 | Adopt | 2-1-2014 |
| 413-100-0540 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0055 | 1-1-2014 | Repeal | 2-1-2014 |
| 413-100-0550 | 1-1-2014 | Suspend | 2-1-2014 | 413-140-0065 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0550 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0080 | 1-1-2014 | Repeal | 2-1-2014 |
| 413-100-0560 | 1-1-2014 | Suspend | 2-1-2014 | 413-140-0110 | 1-1-2014 | Amend | 2-1-2014 |
| 413-100-0560 | 6-12-2014 | Repeal | 7-1-2014 | 413-140-0120 | 1-1-2014 | Repeal | 2-1-2014 |
| 413-100-0580 | 12-31-2013 | Repeal | 2-1-2014 | 413-200-0409 | 5-27-2014 | Amend | 7-1-2014 |
| 413-100-0590 | 12-31-2013 | Repeal | 2-1-2014 | 413-200-0414 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 413-100-0600 | 1-1-2014 | Suspend | 2-1-2014 | 413-215-0918 | 2-1-2014 | Amend | 3-1-2014 |
| 413-100-0600 | 6-12-2014 | Repeal | 7-1-2014 | 413-310-0000 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-100-0610 | 1-1-2014 | Suspend | 2-1-2014 | 413-310-0010 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-100-0610 | 6-12-2014 | Repeal | 7-1-2014 | 413-310-0020 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0010 | 6-3-2014 | Amend | 7-1-2014 | 413-310-0030 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0010 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-310-0040 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0195 | 6-3-2014 | Amend | 7-1-2014 | 413-310-0050 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0195 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-310-0060 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0510 | 6-3-2014 | Amend | 7-1-2014 | 413-310-0070 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0510 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-310-0080 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0710 | 6-3-2014 | Amend | 7-1-2014 | 413-310-0090 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0710 | 8-4-2014 | Amend(T) | 9-1-2014 | 413-310-0095 | 4-1-2014 | Repeal | 5-1-2014 |
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| 413-120-0905 | 5-1-2014 | Amend | 6-1-2014 | 413-310-0110 | 4-1-2014 | Repeal | 5-1-2014 |
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| 413-120-0920 | 5-1-2014 | Amend | 6-1-2014 | 413-310-0130 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0925 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0000 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-120-0930 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0000 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0940 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0010 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-120-0945 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0010 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0950 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0020 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-120-0960 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0020 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-120-0970 | 5-1-2014 | Amend | 6-1-2014 | 413-330-0030 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-130-0000 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0030 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0010 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0040 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-130-0015 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0040 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0020 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0050 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-130-0040 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0050 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0050 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0060 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-130-0055 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0060 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0070 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0080 | 1-1-2014 | Suspend | 2-1-2014 |
| 413-130-0075 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0080 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0077 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0085 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0077 | 8-1-2014 | Amend | 9-1-2014 | 413-330-0087 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0080 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0090 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0110 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0095 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0125 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0097 | 4-1-2014 | Repeal | 5-1-2014 |
| 413-130-0130 | 2-1-2014 | Amend | 3-1-2014 | 413-330-0098 | 4-1-2014 | Repeal | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|----------|----------|--------------|------------|----------|-----------|
| 413-330-0100 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0010 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0200 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0015 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0210 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0015 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0220 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0020 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0230 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0020 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0240 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0025 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0250 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0025 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0260 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0030 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0270 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0030 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0280 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0105 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0290 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0105 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0300 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0110 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0310 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0110 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0320 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0115 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0330 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0115 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0340 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0120 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0350 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0120 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0360 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0125 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0500 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0125 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0510 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0130 | 1-15-2014 | Adopt(T) | 2-1-2014 |
| 413-330-0520 | 4-1-2014 | Repeal | 5-1-2014 | 414-800-0130 | 7-7-2014 | Adopt | 8-1-2014 |
| 413-330-0530 | 4-1-2014 | Repeal | 5-1-2014 | 414-900-0005 | 1-15-2014 | Adopt | 2-1-2014 |
| 413-330-0540 | 4-1-2014 | Repeal | 5-1-2014 | 414-900-0010 | 1-15-2014 | Adopt | 2-1-2014 |
| 413-330-0600 | 4-1-2014 | Repeal | 5-1-2014 | 414-900-0015 | 1-15-2014 | Adopt | 2-1-2014 |
| 413-330-0610 | 4-1-2014 | Repeal | 5-1-2014 | 414-900-0020 | 1-15-2014 | Adopt | 2-1-2014 |
| 413-330-0700 | 4-1-2014 | Repeal | 5-1-2014 | 415-012-0000 | 1-28-2014 | Amend(T) | 3-1-2014 |
| 413-330-0800 | 4-1-2014 | Repeal | 5-1-2014 | 415-012-0000 | 6-19-2014 | Amend | 7-1-2014 |
| 413-330-0810 | 4-1-2014 | Repeal | 5-1-2014 | 415-012-0057 | 12-20-2013 | Adopt(T) | 2-1-2014 |
| 413-330-0820 | 4-1-2014 | Repeal | 5-1-2014 | 415-012-0057 | 6-19-2014 | Adopt | 7-1-2014 |
| 413-330-0830 | 4-1-2014 | Repeal | 5-1-2014 | 415-012-0058 | 12-20-2013 | Adopt(T) | 2-1-2014 |
| 413-350-0000 | 8-1-2014 | Repeal | 9-1-2014 | 415-012-0058 | 6-19-2014 | Adopt | 7-1-2014 |
| 413-350-0010 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0005 | 4-24-2014 | Amend | 6-1-2014 |
| 413-350-0020 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0010 | 4-24-2014 | Amend | 6-1-2014 |
| 413-350-0030 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0015 | 4-24-2014 | Repeal | 6-1-2014 |
| 413-350-0040 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0025 | 4-24-2014 | Repeal | 6-1-2014 |
| 413-350-0050 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0030 | 4-24-2014 | Amend | 6-1-2014 |
| 413-350-0060 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0035 | 4-24-2014 | Amend | 6-1-2014 |
| 413-350-0070 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0040 | 4-24-2014 | Amend | 6-1-2014 |
| 413-350-0080 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0045 | 4-24-2014 | Amend | 6-1-2014 |
| 413-350-0090 | 8-1-2014 | Repeal | 9-1-2014 | 415-065-0050 | 4-24-2014 | Amend | 6-1-2014 |
| 414-002-0005 | 1-15-2014 | Adopt | 2-1-2014 | 415-065-0055 | 4-24-2014 | Amend | 6-1-2014 |
| 414-002-0010 | 1-15-2014 | Adopt | 2-1-2014 | 415-065-0060 | 4-24-2014 | Amend | 6-1-2014 |
| 414-061-0050 | 8-7-2014 | Amend(T) | 9-1-2014 | 415-065-0065 | 4-24-2014 | Repeal | 6-1-2014 |
| 414-205-0010 | 8-7-2014 | Amend(T) | 9-1-2014 | 415-065-0070 | 4-24-2014 | Amend | 6-1-2014 |
| 414-205-0035 | 8-7-2014 | Amend(T) | 9-1-2014 | 415-065-0075 | 4-24-2014 | Amend | 6-1-2014 |
| 414-205-0040 | 8-7-2014 | Amend(T) | 9-1-2014 | 415-065-0080 | 4-24-2014 | Adopt | 6-1-2014 |
| 414-205-0100 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-001-0005 | 9-12-2014 | Amend | 10-1-2014 |
| 414-300-0005 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-530-0000 | 1-15-2014 | Amend | 2-1-2014 |
| 414-300-0015 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-530-0010 | 1-15-2014 | Amend | 2-1-2014 |
| 414-300-0070 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-530-0020 | 1-15-2014 | Amend | 2-1-2014 |
| 414-350-0010 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-530-0030 | 1-15-2014 | Amend | 2-1-2014 |
| 414-350-0030 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-530-0035 | 1-15-2014 | Amend | 2-1-2014 |
| 414-350-0090 | 8-7-2014 | Amend(T) | 9-1-2014 | 416-530-0040 | 1-15-2014 | Amend | 2-1-2014 |
| 414-800-0005 | 1-15-2014 | Adopt(T) | 2-1-2014 | 416-530-0050 | 1-15-2014 | Amend | 2-1-2014 |
| 414-800-0005 | 7-7-2014 | Adopt | 8-1-2014 | 416-530-0060 | 1-15-2014 | Amend | 2-1-2014 |
| 414-800-0010 | 1-15-2014 | Adopt(T) | 2-1-2014 | 416-530-0070 | 1-15-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|----------|----------|
| 416-530-0080 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0140 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0090 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0145 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0100 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0155 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0110 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0160 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0125 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0165 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0130 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0170 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0140 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0175 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0150 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0177 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0160 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0180 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0170 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0185 | 4-1-2014 | Repeal | 4-1-2014 |
| 416-530-0200 | 1-15-2014 | Amend | 2-1-2014 | 436-009-0200 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-001-0030 | 3-28-2014 | Amend | 4-1-2014 | 436-009-0205 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0001 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0206 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0004 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0207 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0005 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0210 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0010 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0215 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0015 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0220 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0020 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0225 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0025 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0230 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0030 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0235 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-008-0040 | 1-1-2015 | Adopt | 8-1-2014 | 436-009-0240 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0001 | 4-1-2014 | Amend | 4-1-2014 | 436-009-0245 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0002 | 4-1-2014 | Repeal | 4-1-2014 | 436-009-0255 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0003 | 4-1-2014 | Repeal | 4-1-2014 | 436-009-0260 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0004 | 4-1-2014 | Amend | 4-1-2014 | 436-009-0265 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0005 | 4-1-2014 | Amend | 4-1-2014 | 436-009-0270 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0006 | 4-1-2014 | Repeal | 4-1-2014 | 436-009-0275 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0008 | 4-1-2014 | Amend | 4-1-2014 | 436-009-0285 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0010 | 4-1-2014 | Amend | 4-1-2014 | 436-009-0290 | 4-1-2014 | Repeal | 4-1-2014 |
| 436-009-0010 | 4-15-2014 | Amend(T) | 5-1-2014 | 436-009-0998 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0010 | 7-1-2014 | Amend | 7-1-2014 | 436-010-0005 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0010(T) | 7-1-2014 | Repeal | 7-1-2014 | 436-010-0230 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0015 | 4-1-2014 | Repeal | 4-1-2014 | 436-010-0240 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0018 | 4-1-2014 | Amend | 4-1-2014 | 436-010-0270 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0020 | 4-1-2014 | Amend | 4-1-2014 | 436-010-0280 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0020 | 4-15-2014 | Amend(T) | 5-1-2014 | 436-010-0290 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0020 | 7-1-2014 | Amend | 7-1-2014 | 436-010-0330 | 4-1-2014 | Amend | 4-1-2014 |
| 436-009-0020(T) | 7-1-2014 | Repeal | 7-1-2014 | 436-050-0003 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0023 | 4-1-2014 | Adopt | 4-1-2014 | 436-050-0165 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0025 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0170 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0030 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0175 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0035 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0180 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0040 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0185 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0050 | 4-1-2014 | Repeal | 4-1-2014 | 436-050-0190 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0060 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0200 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0070 | 4-1-2014 | Repeal | 4-1-2014 | 436-050-0260 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0080 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0270 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0090 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0280 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0095 | 4-1-2014 | Repeal | 4-1-2014 | 436-050-0290 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0110 | 4-1-2014 | Amend | 4-1-2014 | 436-050-0300 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0114 | 4-1-2014 | Repeal | 4-1-2014 | 436-050-0340 | 9-15-2014 | Amend | 9-1-2014 |
| 436-009-0115 | 4-1-2014 | Repeal | 4-1-2014 | 436-160-0001 | 7-1-2014 | Amend(T) | 7-1-2014 |
| 436-009-0120 | 4-1-2014 | Repeal | 4-1-2014 | 436-160-0001 | 10-1-2014 | Amend | 8-1-2014 |
| 436-009-0125 | 4-1-2014 | Repeal | 4-1-2014 | 436-160-0001(T) | 10-1-2014 | Repeal | 8-1-2014 |
| 436-009-0130 | 4-1-2014 | Repeal | 4-1-2014 | 436-160-0004 | 7-1-2014 | Amend(T) | 7-1-2014 |
| 436-009-0135 | 4-1-2014 | Repeal | 4-1-2014 | 436-160-0004 | 10-1-2014 | Amend | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|--------------|-----------|----------|-----------|
| 436-160-0004(T) | 10-1-2014 | Repeal | 8-1-2014 | 437-004-1450 | 8-8-2014 | Amend | 9-1-2014 |
| 436-160-0005 | 7-1-2014 | Amend(T) | 7-1-2014 | 437-004-1460 | 8-8-2014 | Amend | 9-1-2014 |
| 436-160-0005(T) | 10-1-2014 | Suspend | 8-1-2014 | 437-004-1470 | 8-8-2014 | Amend | 9-1-2014 |
| 436-160-0011 | 7-1-2014 | Adopt(T) | 7-1-2014 | 437-004-1680 | 8-8-2014 | Amend | 9-1-2014 |
| 436-160-0011(T) | 10-1-2014 | Suspend | 8-1-2014 | 437-004-9800 | 8-8-2014 | Amend | 9-1-2014 |
| 436-160-0012 | 7-1-2014 | Adopt(T) | 7-1-2014 | 437-004-9850 | 8-8-2014 | Amend | 9-1-2014 |
| 436-160-0012(T) | 10-1-2014 | Suspend | 8-1-2014 | 437-007-0780 | 5-29-2014 | Amend | 7-1-2014 |
| 436-160-0013 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-005-0035 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0013(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-005-0046 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0014 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-005-0046 | 9-1-2014 | Amend | 8-1-2014 |
| 436-160-0014(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-006-0020 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0015 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-006-0031 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0015(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-006-0036 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0016 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-006-0045 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0016(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-006-0062 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0017 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-006-0075 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0017(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-006-0105 | 4-1-2014 | Repeal | 1-1-2014 |
| 436-160-0018 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-007-0005 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0018(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-007-0018 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0019 | 7-1-2014 | Adopt(T) | 7-1-2014 | 438-007-0020 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0019(T) | 10-1-2014 | Suspend | 8-1-2014 | 438-009-0020 | 4-1-2014 | Amend | 1-1-2014 |
| 436-160-0040 | 7-1-2014 | Amend(T) | 7-1-2014 | 438-011-0055 | 4-1-2014 | Adopt | 1-1-2014 |
| 436-160-0040(T) | 10-1-2014 | Suspend | 8-1-2014 | 441-505-2000 | 2-12-2014 | Adopt | 3-1-2014 |
| 436-160-0060 | 7-1-2014 | Amend(T) | 7-1-2014 | 441-730-0010 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 436-160-0060(T) | 10-1-2014 | Suspend | 8-1-2014 | 441-730-0010 | 8-25-2014 | Amend | 10-1-2014 |
| 436-160-0405 | 7-1-2014 | Amend(T) | 7-1-2014 | 441-730-0025 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 436-160-0405(T) | 10-1-2014 | Suspend | 8-1-2014 | 441-730-0025 | 8-27-2014 | Amend | 10-1-2014 |
| 436-160-0410 | 7-1-2014 | Amend | 3-1-2014 | 441-730-0030 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 436-160-0410 | 7-1-2014 | Amend(T) | 7-1-2014 | 441-730-0030 | 8-25-2014 | Amend | 10-1-2014 |
| 436-160-0410 | 10-1-2014 | Amend | 8-1-2014 | 441-910-0096 | 4-8-2014 | Adopt | 5-1-2014 |
| 436-160-0410(T) | 10-1-2014 | Repeal | 8-1-2014 | 442-001-0000 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0415 | 7-1-2014 | Amend(T) | 7-1-2014 | 442-001-0005 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0415 | 10-1-2014 | Amend | 8-1-2014 | 442-001-0050 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0415(T) | 10-1-2014 | Repeal | 8-1-2014 | 442-001-0060 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0420 | 7-1-2014 | Amend(T) | 7-1-2014 | 442-001-0070 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0420 | 10-1-2014 | Amend | 8-1-2014 | 442-001-0080 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0420(T) | 10-1-2014 | Repeal | 8-1-2014 | 442-001-0090 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0430 | 7-1-2014 | Amend(T) | 7-1-2014 | 442-001-0100 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0430(T) | 10-1-2014 | Suspend | 8-1-2014 | 442-001-0110 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0440 | 7-1-2014 | Amend(T) | 7-1-2014 | 442-001-0120 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0440(T) | 10-1-2014 | Suspend | 8-1-2014 | 442-001-0130 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0445 | 7-1-2014 | Amend(T) | 7-1-2014 | 442-001-0140 | 1-2-2014 | Repeal | 2-1-2014 |
| 436-160-0445(T) | 10-1-2014 | Suspend | 8-1-2014 | 442-001-0150 | 1-2-2014 | Repeal | 2-1-2014 |
| 437-002-0005 | 12-12-2013 | Amend | 1-1-2014 | 442-001-0160 | 1-2-2014 | Repeal | 2-1-2014 |
| 437-002-0080 | 12-12-2013 | Amend | 1-1-2014 | 442-005-0000 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-002-0140 | 12-12-2013 | Amend | 1-1-2014 | 442-005-0010 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-002-0240 | 5-14-2014 | Amend | 6-1-2014 | 442-005-0020 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-002-0312 | 12-12-2013 | Amend | 1-1-2014 | 442-005-0030 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-003-0001 | 12-12-2013 | Amend | 1-1-2014 | 442-005-0040 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-0100 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0050 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-0150 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0060 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-0720 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0070 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-0725 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0080 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-0950 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0090 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-1430 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0100 | 2-1-2014 | Repeal | 3-1-2014 |
| 437-004-1440 | 8-8-2014 | Amend | 9-1-2014 | 442-005-0110 | 2-1-2014 | Repeal | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|--------|----------|--------------|------------|----------|----------|
| 442-005-0120 | 2-1-2014 | Repeal | 3-1-2014 | 442-010-0260 | 2-1-2014 | Repeal | 3-1-2014 |
| 442-005-0130 | 2-1-2014 | Repeal | 3-1-2014 | 442-010-0270 | 2-1-2014 | Repeal | 3-1-2014 |
| 442-005-0140 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0005 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0150 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0010 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0160 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0015 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0170 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0015 | 2-26-2014 | Adopt(T) | 4-1-2014 |
| 442-005-0180 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0020 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0190 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0020 | 2-26-2014 | Adopt(T) | 4-1-2014 |
| 442-005-0200 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0025 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0210 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0025 | 2-26-2014 | Adopt(T) | 4-1-2014 |
| 442-005-0220 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0030 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0230 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0035 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0235 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0035 | 2-26-2014 | Adopt(T) | 4-1-2014 |
| 442-005-0240 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0040 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0250 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0045 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0260 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0050 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0270 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0055 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0275 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0060 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0280 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0065 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0290 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0070 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0300 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0070 | 2-26-2014 | Adopt(T) | 4-1-2014 |
| 442-005-0310 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0075 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0320 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0080 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0330 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0085 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-005-0340 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0090 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-006-0000 | 1-2-2014 | Repeal | 2-1-2014 | 443-003-0095 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-006-0010 | 1-2-2014 | Repeal | 2-1-2014 | 443-003-0100 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-006-0020 | 1-2-2014 | Repeal | 2-1-2014 | 443-003-0105 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-006-0030 | 1-2-2014 | Repeal | 2-1-2014 | 443-003-0110 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-006-0040 | 1-2-2014 | Repeal | 2-1-2014 | 443-003-0115 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-010-0010 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0120 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-010-0020 | 2-1-2014 | Repeal | 3-1-2014 | 443-003-0125 | 1-1-2014 | Adopt(T) | 2-1-2014 |
| 442-010-0030 | 2-1-2014 | Repeal | 3-1-2014 | 459-001-0005 | 3-31-2014 | Amend | 5-1-2014 |
| 442-010-0040 | 2-1-2014 | Repeal | 3-1-2014 | 459-001-0030 | 1-31-2014 | Amend | 3-1-2014 |
| 442-010-0050 | 2-1-2014 | Repeal | 3-1-2014 | 459-005-0220 | 3-31-2014 | Amend | 5-1-2014 |
| 442-010-0055 | 2-1-2014 | Repeal | 3-1-2014 | 459-005-0510 | 3-31-2014 | Adopt | 5-1-2014 |
| 442-010-0060 | 2-1-2014 | Repeal | 3-1-2014 | 459-005-0520 | 3-31-2014 | Adopt | 5-1-2014 |
| 442-010-0070 | 2-1-2014 | Repeal | 3-1-2014 | 459-005-0525 | 1-31-2014 | Amend | 3-1-2014 |
| 442-010-0075 | 2-1-2014 | Repeal | 3-1-2014 | 459-005-0545 | 1-31-2014 | Amend | 3-1-2014 |
| 442-010-0080 | 2-1-2014 | Repeal | 3-1-2014 | 459-005-0610 | 11-22-2013 | Amend | 1-1-2014 |
| 442-010-0085 | 2-1-2014 | Repeal | 3-1-2014 | 459-007-0009 | 7-25-2014 | Adopt | 9-1-2014 |
| 442-010-0090 | 2-1-2014 | Repeal | 3-1-2014 | 459-015-0010 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0100 | 2-1-2014 | Repeal | 3-1-2014 | 459-015-0055 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0120 | 2-1-2014 | Repeal | 3-1-2014 | 459-017-0060 | 1-31-2014 | Amend | 3-1-2014 |
| 442-010-0130 | 2-1-2014 | Repeal | 3-1-2014 | 459-035-0001 | 3-31-2014 | Amend | 5-1-2014 |
| 442-010-0140 | 2-1-2014 | Repeal | 3-1-2014 | 459-035-0050 | 3-31-2014 | Amend | 5-1-2014 |
| 442-010-0150 | 2-1-2014 | Repeal | 3-1-2014 | 459-040-0060 | 11-22-2013 | Amend | 1-1-2014 |
| 442-010-0160 | 2-1-2014 | Repeal | 3-1-2014 | 459-040-0070 | 11-22-2013 | Amend | 1-1-2014 |
| 442-010-0170 | 2-1-2014 | Repeal | 3-1-2014 | 459-045-0010 | 11-22-2013 | Amend | 1-1-2014 |
| 442-010-0180 | 2-1-2014 | Repeal | 3-1-2014 | 459-050-0025 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0190 | 2-1-2014 | Repeal | 3-1-2014 | 459-050-0037 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0210 | 2-1-2014 | Repeal | 3-1-2014 | 459-050-0075 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0215 | 2-1-2014 | Repeal | 3-1-2014 | 459-050-0077 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0220 | 2-1-2014 | Repeal | 3-1-2014 | 459-070-0100 | 1-31-2014 | Amend | 3-1-2014 |
| 442-010-0230 | 2-1-2014 | Repeal | 3-1-2014 | 459-076-0010 | 7-25-2014 | Amend | 9-1-2014 |
| 442-010-0240 | 2-1-2014 | Repeal | 3-1-2014 | 459-080-0250 | 7-25-2014 | Amend | 9-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|----------|-----------|
| 459-080-0500 | 1-31-2014 | Amend | 3-1-2014 | 461-115-0430 | 7-1-2014 | Amend | 8-1-2014 |
| 461-001-0000 | 1-1-2014 | Amend | 2-1-2014 | 461-115-0430(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-001-0000 | 1-1-2014 | Amend(T) | 2-1-2014 | 461-115-0530 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-001-0000 | 4-1-2014 | Amend | 5-1-2014 | 461-115-0705 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-001-0000 | 6-26-2014 | Amend(T) | 8-1-2014 | 461-120-0010 | 7-1-2014 | Amend | 8-1-2014 |
| 461-001-0000 | 7-1-2014 | Amend | 8-1-2014 | 461-120-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 461-001-0000 | 7-1-2014 | Amend(T) | 8-1-2014 | 461-120-0030 | 7-1-2014 | Amend | 8-1-2014 |
| 461-001-0000(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-120-0030(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-001-0000(T) | 4-1-2014 | Repeal | 5-1-2014 | 461-120-0050 | 1-1-2014 | Amend | 2-1-2014 |
| 461-001-0000(T) | 7-1-2014 | Repeal | 8-1-2014 | 461-120-0050 | 7-1-2014 | Amend | 8-1-2014 |
| 461-001-0030 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0050(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-025-0301 | 7-1-2014 | Amend | 8-1-2014 | 461-120-0125 | 1-1-2014 | Amend | 2-1-2014 |
| 461-025-0310 | 4-1-2014 | Amend | 5-1-2014 | 461-120-0125 | 7-1-2014 | Amend | 8-1-2014 |
| 461-025-0315 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0125(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-025-0316 | 4-1-2014 | Amend | 5-1-2014 | 461-120-0210 | 1-1-2014 | Amend | 2-1-2014 |
| 461-025-0375 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0210 | 7-1-2014 | Amend | 8-1-2014 |
| 461-101-0010 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0210(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-101-0010 | 6-26-2014 | Amend(T) | 8-1-2014 | 461-120-0310 | 1-1-2014 | Amend | 2-1-2014 |
| 461-101-0010 | 7-1-2014 | Amend | 8-1-2014 | 461-120-0310(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-101-0010 | 7-1-2014 | Amend(T) | 8-1-2014 | 461-120-0315 | 1-1-2014 | Amend | 2-1-2014 |
| 461-101-0010(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-120-0315 | 7-1-2014 | Amend | 8-1-2014 |
| 461-101-0010(T) | 7-1-2014 | Repeal | 8-1-2014 | 461-120-0315(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-105-0100 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0330 | 1-1-2014 | Amend | 2-1-2014 |
| 461-105-0130 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0345 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0210 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0345(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-110-0210 | 7-1-2014 | Amend | 8-1-2014 | 461-120-0350 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0210(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-120-0350(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-110-0330 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0510 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0330(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-120-0510 | 7-1-2014 | Amend | 8-1-2014 |
| 461-110-0340 | 1-1-2014 | Amend | 2-1-2014 | 461-120-0510(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-110-0340 | 7-1-2014 | Repeal | 8-1-2014 | 461-120-0630 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0340(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-120-0630(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-110-0350 | 1-8-2014 | Amend(T) | 2-1-2014 | 461-125-0150 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0350 | 7-1-2014 | Amend | 8-1-2014 | 461-125-0150(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-110-0350(T) | 7-1-2014 | Repeal | 8-1-2014 | 461-125-0370 | 8-1-2014 | Amend(T) | 9-1-2014 |
| 461-110-0400(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-125-0370 | 9-1-2014 | Amend(T) | 10-1-2014 |
| 461-110-0410 | 7-1-2014 | Amend | 8-1-2014 | 461-125-0370(T) | 9-1-2014 | Suspend | 10-1-2014 |
| 461-110-0530 | 1-1-2014 | Amend | 2-1-2014 | 461-130-0328 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0530 | 7-1-2014 | Amend | 8-1-2014 | 461-130-0328(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-110-0530(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-135-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 461-110-0630 | 1-1-2014 | Amend | 2-1-2014 | 461-135-0010 | 7-1-2014 | Amend | 8-1-2014 |
| 461-110-0630(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-135-0010(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-115-0016 | 1-1-2014 | Amend(T) | 2-1-2014 | 461-135-0070 | 1-1-2014 | Amend | 2-1-2014 |
| 461-115-0016 | 7-1-2014 | Amend | 8-1-2014 | 461-135-0070(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-115-0030 | 1-1-2014 | Amend | 2-1-2014 | 461-135-0080 | 1-1-2014 | Amend | 2-1-2014 |
| 461-115-0030 | 7-1-2014 | Amend | 8-1-2014 | 461-135-0080(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-115-0030(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-135-0095 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-115-0050 | 1-1-2014 | Amend | 2-1-2014 | 461-135-0096 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-115-0050 | 7-1-2014 | Amend | 8-1-2014 | 461-135-0150 | 7-1-2014 | Repeal | 8-1-2014 |
| 461-115-0050(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-135-0170 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-115-0071 | 1-1-2014 | Amend | 2-1-2014 | 461-135-0405 | 4-10-2014 | Amend(T) | 5-1-2014 |
| 461-115-0071 | 7-16-2014 | Amend(T) | 9-1-2014 | 461-135-0407 | 5-1-2014 | Amend(T) | 6-1-2014 |
| 461-115-0071(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-135-0505 | 1-1-2014 | Amend | 2-1-2014 |
| 461-115-0150 | 1-1-2014 | Amend | 2-1-2014 | 461-135-0505 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 461-115-0230 | 7-1-2014 | Amend | 8-1-2014 | 461-135-0505 | 4-1-2014 | Amend | 5-1-2014 |
| 461-115-0430 | 1-1-2014 | Amend | 2-1-2014 | 461-135-0505(T) | 4-1-2014 | Repeal | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|----------|----------|
| 461-135-0750 | 4-1-2014 | Amend | 5-1-2014 | 461-145-0130(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0780 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0150 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0832 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0150(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0832 | 7-1-2014 | Amend | 8-1-2014 | 461-145-0220 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0835 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0220(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0835 | 7-1-2014 | Amend | 8-1-2014 | 461-145-0230 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0841 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0230(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0845 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0250 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0875 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0250(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0875 | 7-1-2014 | Amend | 8-1-2014 | 461-145-0280 | 1-1-2014 | Amend(T) | 2-1-2014 |
| 461-135-0875(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0280 | 4-1-2014 | Amend | 5-1-2014 |
| 461-135-0900 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0280(T) | 4-1-2014 | Repeal | 5-1-2014 |
| 461-135-0900(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0300 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0930 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0300(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0930(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0330 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0950 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0330(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-0950 | 4-1-2014 | Amend | 5-1-2014 | 461-145-0340 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-0950(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0340 | 7-1-2014 | Amend | 8-1-2014 |
| 461-135-0990 | 7-1-2014 | Amend | 8-1-2014 | 461-145-0340(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-1060 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0360 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-1070 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0360(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-1070(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0365 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-1100 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0365(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-1101 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0380 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-1102 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0380 | 7-1-2014 | Amend | 8-1-2014 |
| 461-135-1120 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0380(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-1125 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0410 | 1-1-2014 | Amend | 2-1-2014 |
| 461-135-1149 | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0410(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-135-1260 | 6-26-2014 | Amend(T) | 8-1-2014 | 461-145-0420 | 1-1-2014 | Amend | 2-1-2014 |
| 461-140-0020 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0420(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-140-0020 | 7-1-2014 | Amend | 8-1-2014 | 461-145-0430 | 1-1-2014 | Amend | 2-1-2014 |
| 461-140-0040 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0430(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-140-0040 | 7-1-2014 | Amend | 8-1-2014 | 461-145-0433 | 1-1-2014 | Amend | 2-1-2014 |
| 461-140-0040(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0433(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-140-0120 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0440 | 1-1-2014 | Amend | 2-1-2014 |
| 461-140-0120(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0440(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-140-0210 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0455 | 1-1-2014 | Amend | 2-1-2014 |
| 461-140-0210(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0455(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-140-0270 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0460 | 1-1-2014 | Amend | 2-1-2014 |
| 461-140-0270(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0460(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-140-0300 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0470 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0040 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0470(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0040(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0505 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0050 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0505(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0050(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0510 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0080 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0510(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0080(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0540 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0086 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0540(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0086(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0580 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0090 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0580(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0090(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0590 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0110 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0590(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0110(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0600 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0120 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0600(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0120(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-145-0820 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0130 | 1-1-2014 | Amend | 2-1-2014 | 461-145-0820(T) | 1-1-2014 | Repeal | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|----------|----------|
| 461-145-0830 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0100(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0830(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0120 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0860 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0125 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0860(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0160 | 1-1-2014 | Amend | 2-1-2014 |
| 461-145-0870 | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0160(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0910 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0190 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0910(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0200 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-145-0920 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0420 | 5-20-2014 | Amend(T) | 7-1-2014 |
| 461-145-0920(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0550 | 7-1-2014 | Amend | 8-1-2014 |
| 461-145-0930 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0551 | 7-1-2014 | Amend | 8-1-2014 |
| 461-145-0930(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0580 | 1-1-2014 | Amend | 2-1-2014 |
| 461-150-0020 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0620 | 1-1-2014 | Amend | 2-1-2014 |
| 461-150-0020(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0620 | 2-1-2014 | Amend | 3-1-2014 |
| 461-150-0055 | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0620 | 7-1-2014 | Amend | 8-1-2014 |
| 461-150-0060 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0620 | 7-1-2014 | Amend(T) | 8-1-2014 |
| 461-150-0060(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0630 | 1-1-2014 | Amend | 2-1-2014 |
| 461-150-0070 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0630(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-150-0070(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-160-0700 | 1-1-2014 | Repeal | 2-1-2014 |
| 461-150-0080 | 1-1-2014 | Amend | 2-1-2014 | 461-160-0780 | 1-1-2014 | Amend | 2-1-2014 |
| 461-150-0080(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-165-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 461-150-0090 | 1-1-2014 | Amend | 2-1-2014 | 461-165-0030(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-150-0090(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-165-0070 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0030 | 1-1-2014 | Amend | 2-1-2014 | 461-165-0120 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0030(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-165-0120(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0150 | 3-31-2014 | Amend | 5-1-2014 | 461-165-0180 | 3-1-2014 | Amend(T) | 3-1-2014 |
| 461-155-0180 | 1-1-2014 | Amend | 2-1-2014 | 461-165-0180 | 4-1-2014 | Amend(T) | 5-1-2014 |
| 461-155-0180 | 2-1-2014 | Amend | 3-1-2014 | 461-165-0180 | 7-1-2014 | Amend | 8-1-2014 |
| 461-155-0180(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-165-0180 | 8-13-2014 | Amend(T) | 9-1-2014 |
| 461-155-0225 | 1-1-2014 | Amend | 2-1-2014 | 461-165-0180(T) | 4-1-2014 | Suspend | 5-1-2014 |
| 461-155-0225(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-165-0180(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 461-155-0235 | 1-1-2014 | Repeal | 2-1-2014 | 461-170-0010 | 7-1-2014 | Amend | 8-1-2014 |
| 461-155-0250 | 1-1-2014 | Amend | 2-1-2014 | 461-170-0011 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0250 | 7-1-2014 | Amend(T) | 8-1-2014 | 461-170-0011 | 6-26-2014 | Amend(T) | 8-1-2014 |
| 461-155-0270 | 1-1-2014 | Amend | 2-1-2014 | 461-170-0011(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0290 | 3-1-2014 | Amend(T) | 3-1-2014 | 461-170-0130 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0290 | 3-7-2014 | Amend | 4-1-2014 | 461-170-0130(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0290(T) | 3-7-2014 | Repeal | 4-1-2014 | 461-170-0200 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0291 | 3-1-2014 | Amend(T) | 3-1-2014 | 461-170-0200(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0291 | 3-7-2014 | Amend | 4-1-2014 | 461-175-0200 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0291(T) | 3-7-2014 | Repeal | 4-1-2014 | 461-175-0200(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0295 | 3-1-2014 | Amend(T) | 3-1-2014 | 461-175-0203(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0295 | 3-7-2014 | Amend | 4-1-2014 | 461-175-0206 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0295(T) | 3-7-2014 | Repeal | 4-1-2014 | 461-175-0210 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0300 | 1-1-2014 | Amend | 2-1-2014 | 461-175-0210(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0350 | 1-1-2014 | Amend | 2-1-2014 | 461-175-0230 | 4-1-2014 | Amend | 5-1-2014 |
| 461-155-0350(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-175-0270 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0360 | 7-1-2014 | Amend | 8-1-2014 | 461-175-0270(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-155-0670 | 1-1-2014 | Amend | 2-1-2014 | 461-175-0305 | 1-1-2014 | Amend | 2-1-2014 |
| 461-155-0670(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-175-0305(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-160-0015 | 1-1-2014 | Amend | 2-1-2014 | 461-180-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 461-160-0015(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-180-0010(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-160-0040 | 1-1-2014 | Amend | 2-1-2014 | 461-180-0020 | 1-1-2014 | Amend | 2-1-2014 |
| 461-160-0040(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-180-0020(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-160-0060 | 1-1-2014 | Amend | 2-1-2014 | 461-180-0050 | 1-1-2014 | Amend | 2-1-2014 |
| 461-160-0060(T) | 1-1-2014 | Repeal | 2-1-2014 | 461-180-0050(T) | 1-1-2014 | Repeal | 2-1-2014 |
| 461-160-0100 | 1-1-2014 | Amend | 2-1-2014 | 461-180-0065 | 1-1-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|-----------|----------|----------|
| 461-180-0065(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-030-0058 | 2-23-2014 | Adopt | 2-1-2014 |
| 461-180-0085 | 1-1-2014 | Amend | 2-1-2014 | 471-030-0058(T) | 2-23-2014 | Repeal | 2-1-2014 |
| 461-180-0085(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-030-0058(T) | 2-23-2014 | Repeal | 2-1-2014 |
| 461-180-0090 | 1-1-2014 | Amend | 2-1-2014 | 471-030-0078 | 2-23-2014 | Repeal | 2-1-2014 |
| 461-180-0090 | 7-1-2014 | Amend | 8-1-2014 | 471-030-0078 | 2-23-2014 | Repeal | 2-1-2014 |
| 461-180-0090(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-030-0081 | 5-19-2014 | Amend(T) | 7-1-2014 |
| 461-180-0097(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-030-0082 | 5-19-2014 | Amend(T) | 7-1-2014 |
| 461-180-0100 | 1-1-2014 | Amend | 2-1-2014 | 471-030-0083 | 2-23-2014 | Adopt | 2-1-2014 |
| 461-180-0100(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-030-0083 | 2-23-2014 | Adopt | 2-1-2014 |
| 461-180-0105 | 1-1-2014 | Amend | 2-1-2014 | 471-030-0210 | 2-23-2014 | Amend | 2-1-2014 |
| 461-180-0105(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-030-0210 | 2-23-2014 | Amend | 2-1-2014 |
| 461-180-0120 | 1-1-2014 | Amend | 2-1-2014 | 471-031-0151 | 2-23-2014 | Amend | 2-1-2014 |
| 461-180-0120(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-031-0151 | 2-23-2014 | Amend | 2-1-2014 |
| 461-180-0140 | 1-1-2014 | Amend | 2-1-2014 | 471-040-0020 | 2-23-2014 | Amend | 2-1-2014 |
| 461-180-0140(T) | 1-1-2014 | Repeal | 2-1-2014 | 471-040-0020 | 2-23-2014 | Amend | 2-1-2014 |
| 461-185-0050 | 1-1-2014 | Amend | 2-1-2014 | 571-001-0000 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-190-0211 | 3-5-2014 | Amend(T) | 4-1-2014 | 571-001-0005 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-190-0211 | 7-1-2014 | Amend | 8-1-2014 | 571-001-0010 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-190-0211(T) | 7-1-2014 | Repeal | 8-1-2014 | 571-001-0015 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0301 | 1-1-2014 | Amend | 2-1-2014 | 571-001-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0310 | 1-1-2014 | Amend | 2-1-2014 | 571-001-0025 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0501 | 4-1-2014 | Amend | 5-1-2014 | 571-001-0030 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0501(T) | 4-1-2014 | Repeal | 5-1-2014 | 571-001-0035 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0521 | 4-1-2014 | Amend | 5-1-2014 | 571-001-0040 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0521(T) | 4-1-2014 | Repeal | 5-1-2014 | 571-001-0045 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0541 | 4-1-2014 | Amend | 5-1-2014 | 571-001-0050 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0541(T) | 4-1-2014 | Repeal | 5-1-2014 | 571-002-0000 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0551 | 1-1-2014 | Amend | 2-1-2014 | 571-002-0005 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0561 | 4-1-2014 | Amend | 5-1-2014 | 571-002-0010 | 6-30-2014 | Repeal | 8-1-2014 |
| 461-195-0561(T) | 4-1-2014 | Repeal | 5-1-2014 | 571-002-0015 | 6-30-2014 | Repeal | 8-1-2014 |
| 462-120-0050 | 6-30-2014 | Amend(T) | 8-1-2014 | 571-002-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 462-120-0060 | 2-13-2014 | Amend | 3-1-2014 | 571-002-0022 | 6-30-2014 | Repeal | 8-1-2014 |
| 462-200-0635 | 2-13-2014 | Adopt | 3-1-2014 | 571-002-0025 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-020-0010 | 2-28-2014 | Amend | 4-1-2014 | 571-002-0030 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-020-0010(T) | 2-28-2014 | Repeal | 4-1-2014 | 571-002-0035 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-020-0035 | 2-28-2014 | Amend | 4-1-2014 | 571-002-0040 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-020-0035(T) | 2-28-2014 | Repeal | 4-1-2014 | 571-002-0045 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0036 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0000 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0036 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0001 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0040 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0003 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0040 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0004 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0040(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0005 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0040(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0006 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0045 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0007 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0045 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0015 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0045(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0016 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0045(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0017 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0052 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0052 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0025 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0052(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0100 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0052(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0105 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0053 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0110 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0053 | 2-23-2014 | Amend | 2-1-2014 | 571-003-0115 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0053(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0120 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0053(T) | 2-23-2014 | Repeal | 2-1-2014 | 571-003-0125 | 6-30-2014 | Repeal | 8-1-2014 |
| 471-030-0058 | 2-23-2014 | Adopt | 2-1-2014 | 571-004-0005 | 6-30-2014 | Repeal | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 571-050-0035 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0010 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-051-0005 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-051-0010 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0040 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-060-0005 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0050 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-060-0010 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0060 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-060-0015 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0070 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-060-0020 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0080 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-060-0025 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0090 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-060-0040 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0100 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0000 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0110 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0010 | 6-30-2014 | Repeal | 8-1-2014 | 576-003-0120 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0020 | 6-30-2014 | Repeal | 8-1-2014 | 576-004-0000 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0030 | 6-30-2014 | Repeal | 8-1-2014 | 576-004-0005 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0040 | 6-30-2014 | Repeal | 8-1-2014 | 576-004-0015 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0050 | 6-30-2014 | Repeal | 8-1-2014 | 576-004-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0060 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0005 | 2-11-2014 | Amend(T) | 3-1-2014 |
| 571-100-0070 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0005 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0080 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0010 | 2-11-2014 | Amend(T) | 3-1-2014 |
| 571-100-0090 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0010 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0100 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0015 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0110 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0020 | 2-11-2014 | Amend(T) | 3-1-2014 |
| 571-100-0120 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0130 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0025 | 2-11-2014 | Amend(T) | 3-1-2014 |
| 571-100-0140 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0025 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0150 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0030 | 6-30-2014 | Repeal | 8-1-2014 |
| 571-100-0160 | 6-30-2014 | Repeal | 8-1-2014 | 576-005-0032 | 2-11-2014 | Amend(T) | 3-1-2014 |
| 573-040-0005 | 5-12-2014 | Amend | 6-1-2014 | 576-005-0032 | 6-30-2014 | Repeal | 8-1-2014 |
| 573-050-0025 | 7-2-2014 | Amend | 8-1-2014 | 576-005-0041 | 2-11-2014 | Amend(T) | 3-1-2014 |
| 573-076-0050 | 6-4-2014 | Amend | 7-1-2014 | 576-005-0041 | 6-30-2014 | Repeal | 8-1-2014 |
| 573-076-0060 | 6-4-2014 | Amend | 7-1-2014 | 576-010-0000 | 12-18-2013 | Amend | 2-1-2014 |
| 573-076-0070 | 6-4-2014 | Amend | 7-1-2014 | 576-010-0000 | 4-9-2014 | Amend(T) | 4-1-2014 |
| 573-076-0080 | 6-4-2014 | Amend | 7-1-2014 | 576-010-0000 | 6-30-2014 | Repeal | 8-1-2014 |
| 573-076-0110 | 6-4-2014 | Amend | 7-1-2014 | 576-010-0006 | 6-30-2014 | Repeal | 8-1-2014 |
| 573-076-0120 | 6-4-2014 | Amend | 7-1-2014 | 576-010-0011 | 6-30-2014 | Repeal | 8-1-2014 |
| 573-076-0130 | 6-4-2014 | Amend | 7-1-2014 | 576-010-0021 | 6-30-2014 | Repeal | 8-1-2014 |
| 574-050-0005 | 1-28-2014 | Amend | 3-1-2014 | 576-010-0031 | 6-30-2014 | Repeal | 8-1-2014 |
| 574-050-0005 | 8-5-2014 | Amend | 9-1-2014 | 576-010-0036 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0005 | 6-30-2014 | Repeal | 8-1-2014 | 576-010-0041 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0010 | 6-30-2014 | Repeal | 8-1-2014 | 576-012-0000 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0015 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0005 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0020 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0010 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0030 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0020 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0040 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0021 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0045 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0025 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0050 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0030 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0055 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0035 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-001-0060 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0040 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-002-0000 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0043 | 3-6-2014 | Amend(T) | 4-1-2014 |
| 576-002-0015 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0043 | 4-16-2014 | Amend(T) | 5-1-2014 |
| 576-002-0017 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0043 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-002-0030 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0045 | 3-6-2014 | Amend(T) | 4-1-2014 |
| 576-002-0035 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0045 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-002-0060 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0050 | 3-6-2014 | Amend(T) | 4-1-2014 |
| 576-002-0070 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0050 | 4-16-2014 | Amend(T) | 5-1-2014 |
| 576-003-0000 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0050 | 6-30-2014 | Repeal | 8-1-2014 |
| 576-003-0005 | 6-30-2014 | Repeal | 8-1-2014 | 576-015-0052 | 3-6-2014 | Adopt(T) | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|------------|----------|----------|--------------|------------|----------|-----------|
| 576-060-0010 | 6-30-2014 | Repeal | 8-1-2014 | 580-021-0030 | 3-21-2014 | Amend | 5-1-2014 |
| 576-060-0015 | 6-30-2014 | Repeal | 8-1-2014 | 580-040-0040 | 6-13-2014 | Amend | 7-1-2014 |
| 576-060-0020 | 6-30-2014 | Repeal | 8-1-2014 | 581-002-0200 | 6-27-2014 | Adopt | 8-1-2014 |
| 576-060-0025 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2000 | 12-18-2013 | Amend | 2-1-2014 |
| 576-060-0031 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2000 | 9-8-2014 | Amend(T) | 10-1-2014 |
| 576-060-0035 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2005 | 9-3-2014 | Amend(T) | 10-1-2014 |
| 576-060-0037 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2010 | 9-3-2014 | Amend(T) | 10-1-2014 |
| 576-060-0038 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2040 | 9-3-2014 | Amend(T) | 10-1-2014 |
| 576-060-0039 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2080 | 9-3-2014 | Amend(T) | 10-1-2014 |
| 576-060-0040 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2245 | 12-18-2013 | Amend | 2-1-2014 |
| 576-065-0000 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2245 | 9-8-2014 | Amend(T) | 10-1-2014 |
| 576-065-0010 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2540 | 12-18-2013 | Amend | 2-1-2014 |
| 576-065-0020 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2550 | 12-18-2013 | Amend | 2-1-2014 |
| 576-080-0005 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2555 | 12-18-2013 | Amend | 2-1-2014 |
| 576-080-0010 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2565 | 9-3-2014 | Amend(T) | 10-1-2014 |
| 576-080-0015 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2571 | 6-27-2014 | Amend | 8-1-2014 |
| 576-080-0020 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2572 | 6-3-2014 | Amend | 7-1-2014 |
| 576-080-0025 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2574 | 6-27-2014 | Amend | 8-1-2014 |
| 576-080-0030 | 6-30-2014 | Repeal | 8-1-2014 | 581-015-2930 | 12-18-2013 | Adopt | 2-1-2014 |
| 576-080-0035 | 6-30-2014 | Repeal | 8-1-2014 | 581-017-0005 | 12-18-2013 | Adopt | 2-1-2014 |
| 576-080-0040 | 6-30-2014 | Repeal | 8-1-2014 | 581-017-0010 | 12-18-2013 | Adopt | 2-1-2014 |
| 576-080-0045 | 6-30-2014 | Repeal | 8-1-2014 | 581-017-0020 | 12-18-2013 | Adopt | 2-1-2014 |
| 577-050-0005 | 6-23-2014 | Amend | 8-1-2014 | 581-017-0100 | 12-18-2013 | Adopt | 2-1-2014 |
| 577-050-0010 | 6-23-2014 | Amend | 8-1-2014 | 581-017-0105 | 12-18-2013 | Adopt | 2-1-2014 |
| 577-050-0030 | 6-23-2014 | Adopt | 8-1-2014 | 581-017-0110 | 12-18-2013 | Adopt | 2-1-2014 |
| 577-050-0040 | 6-23-2014 | Adopt | 8-1-2014 | 581-017-0115 | 12-18-2013 | Adopt | 2-1-2014 |
| 577-050-0050 | 6-23-2014 | Adopt | 8-1-2014 | 581-017-0200 | 2-19-2014 | Adopt | 4-1-2014 |
| 577-050-0060 | 6-23-2014 | Adopt | 8-1-2014 | 581-017-0205 | 2-19-2014 | Adopt | 4-1-2014 |
| 577-050-0070 | 6-23-2014 | Adopt | 8-1-2014 | 581-017-0210 | 2-19-2014 | Adopt | 4-1-2014 |
| 577-060-0020 | 6-23-2014 | Amend | 8-1-2014 | 581-017-0215 | 2-19-2014 | Adopt | 4-1-2014 |
| 578-041-0030 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0220 | 2-19-2014 | Adopt | 4-1-2014 |
| 578-041-0040 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0300 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 578-072-0020 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0301 | 6-24-2014 | Adopt | 8-1-2014 |
| 578-072-0030 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0305 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 578-072-0040 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0306 | 6-24-2014 | Adopt | 8-1-2014 |
| 578-072-0050 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0308 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 578-072-0060 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0309 | 6-24-2014 | Adopt | 8-1-2014 |
| 578-072-0070 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0311 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 578-072-0080 | 9-15-2014 | Amend | 8-1-2014 | 581-017-0312 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-020-0006 | 5-8-2014 | Amend | 6-1-2014 | 581-017-0314 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-040-0005 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0315 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-040-0007 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0317 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-040-0010 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0318 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-040-0013 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0320 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-040-0015 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0321 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-040-0020 | 12-6-2013 | Repeal | 1-1-2014 | 581-017-0323 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-040-0030 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0324 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-040-0035 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0326 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-040-0045 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0327 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-070-0010 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0329 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-070-0030 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0330 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-070-0035 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0332 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 579-070-0041 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0333 | 6-24-2014 | Adopt | 8-1-2014 |
| 579-070-0042 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0335 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 579-070-0045 | 12-6-2013 | Amend | 1-1-2014 | 581-017-0335 | 6-24-2014 | Adopt | 8-1-2014 |
| 580-021-0030 | 11-20-2013 | Amend(T) | 1-1-2014 | 581-017-0338 | 2-19-2014 | Adopt(T) | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 581-017-0338 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0390 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0341 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0391 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0341 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0394 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0344 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0395 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0344 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0396 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0347 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0397 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0347 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0398 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0350 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0399 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0350 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0400 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0353 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0401 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0353 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0405 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0356 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0406 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0356 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0410 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0359 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0411 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0359 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0415 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-017-0362 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0416 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-017-0362 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0420 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-018-0005 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0421 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0010 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0424 | 11-22-2013 | Adopt(T) | 1-1-2014 |
| 581-018-0020 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0425 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0100 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0430 | 12-18-2013 | Adopt(T) | 2-1-2014 |
| 581-018-0105 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0431 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0110 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0433 | 12-18-2013 | Adopt(T) | 2-1-2014 |
| 581-018-0115 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0434 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0120 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0436 | 12-18-2013 | Adopt(T) | 2-1-2014 |
| 581-018-0125 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0437 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0200 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0439 | 12-18-2013 | Adopt(T) | 2-1-2014 |
| 581-018-0205 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0440 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0210 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0442 | 12-18-2013 | Adopt(T) | 2-1-2014 |
| 581-018-0215 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0443 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0220 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0500 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0225 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0500 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0250 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0503 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0255 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0503 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0260 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0506 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0265 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0506 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0270 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0509 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0275 | 12-18-2013 | Adopt | 2-1-2014 | 581-018-0509 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0300 | 2-19-2014 | Adopt | 4-1-2014 | 581-018-0512 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0305 | 2-19-2014 | Adopt | 4-1-2014 | 581-018-0512 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0310 | 2-19-2014 | Adopt | 4-1-2014 | 581-018-0515 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0315 | 2-19-2014 | Adopt | 4-1-2014 | 581-018-0515 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0320 | 2-19-2014 | Adopt | 4-1-2014 | 581-018-0520 | 3-28-2014 | Adopt(T) | 5-1-2014 |
| 581-018-0325 | 2-19-2014 | Adopt | 4-1-2014 | 581-018-0520 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0327 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0523 | 3-28-2014 | Adopt(T) | 5-1-2014 |
| 581-018-0327 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0523 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0330 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0526 | 3-28-2014 | Adopt(T) | 5-1-2014 |
| 581-018-0330 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0526 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0333 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0529 | 3-28-2014 | Adopt(T) | 5-1-2014 |
| 581-018-0333 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0529 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0336 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-018-0532 | 3-28-2014 | Adopt(T) | 5-1-2014 |
| 581-018-0336 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0532 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0380 | 11-22-2013 | Adopt(T) | 1-1-2014 | 581-018-0535 | 3-28-2014 | Adopt(T) | 5-1-2014 |
| 581-018-0381 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0535 | 6-24-2014 | Adopt | 8-1-2014 |
| 581-018-0385 | 11-22-2013 | Adopt(T) | 1-1-2014 | 581-018-0540 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 581-018-0386 | 6-24-2014 | Adopt | 8-1-2014 | 581-018-0540 | 3-4-2014 | Adopt(T) | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|------------|------------|----------|--------------|------------|------------|-----------|
| 581-018-0540 | 6-24-2014 | Adopt | 8-1-2014 | 581-021-0553 | 2-19-2014 | Amend | 4-1-2014 |
| 581-018-0543 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-021-0553 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0543 | 3-4-2014 | Adopt(T) | 4-1-2014 | 581-021-0556 | 2-19-2014 | Amend | 4-1-2014 |
| 581-018-0543 | 6-24-2014 | Adopt | 8-1-2014 | 581-021-0556 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0546 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-021-0559 | 2-19-2014 | Amend | 4-1-2014 |
| 581-018-0546 | 3-4-2014 | Adopt(T) | 4-1-2014 | 581-021-0559 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0546 | 6-24-2014 | Adopt | 8-1-2014 | 581-021-0563 | 2-19-2014 | Amend | 4-1-2014 |
| 581-018-0549 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-021-0563 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0549 | 3-4-2014 | Adopt(T) | 4-1-2014 | 581-021-0566 | 2-19-2014 | Amend | 4-1-2014 |
| 581-018-0549 | 6-24-2014 | Adopt | 8-1-2014 | 581-021-0566 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0552 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-021-0568 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0552 | 3-4-2014 | Adopt(T) | 4-1-2014 | 581-021-0568 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0552 | 6-24-2014 | Adopt | 8-1-2014 | 581-021-0569 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0553 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-021-0569 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0553 | 3-4-2014 | Adopt(T) | 4-1-2014 | 581-021-0570 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0553 | 6-24-2014 | Adopt | 8-1-2014 | 581-021-0570 | 3-4-2014 | Amend | 4-1-2014 |
| 581-018-0556 | 2-19-2014 | Adopt(T) | 4-1-2014 | 581-022-0606 | 12-18-2013 | Amend | 2-1-2014 |
| 581-018-0556 | 3-4-2014 | Adopt(T) | 4-1-2014 | 581-022-0610 | 6-24-2014 | Amend | 8-1-2014 |
| 581-018-0556 | 6-24-2014 | Adopt | 8-1-2014 | 581-023-0015 | 12-18-2013 | Amend | 2-1-2014 |
| 581-018-0575 | 3-28-2014 | Adopt(T) | 5-1-2014 | 581-023-0040 | 9-3-2014 | Amend | 10-1-2014 |
| 581-018-0575 | 6-24-2014 | Adopt | 8-1-2014 | 581-023-0102 | 7-1-2014 | Adopt | 4-1-2014 |
| 581-018-0578 | 3-28-2014 | Adopt(T) | 5-1-2014 | 581-026-0005 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0578 | 6-24-2014 | Adopt | 8-1-2014 | 581-026-0055 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0581 | 3-28-2014 | Adopt(T) | 5-1-2014 | 581-026-0060 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0581 | 6-24-2014 | Adopt | 8-1-2014 | 581-026-0110 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0584 | 3-28-2014 | Adopt(T) | 5-1-2014 | 581-026-0125 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0584 | 6-24-2014 | Adopt | 8-1-2014 | 581-026-0130 | 2-19-2014 | Adopt | 4-1-2014 |
| 581-018-0587 | 3-28-2014 | Adopt(T) | 5-1-2014 | 581-045-0001 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-018-0587 | 6-24-2014 | Adopt | 8-1-2014 | 581-045-0003 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-018-0590 | 3-28-2014 | Adopt(T) | 5-1-2014 | 581-045-0006 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-018-0590 | 6-24-2014 | Adopt | 8-1-2014 | 581-045-0007 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0301 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0008 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0311 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0009 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0321 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0012 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0331 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0013 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0334 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0014 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0336 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0018 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0338 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0019 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0341 | 2-19-2014 | Repeal | 4-1-2014 | 581-045-0022 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0342 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0023 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0343 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0029 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0345 | 2-19-2014 | Repeal | 4-1-2014 | 581-045-0032 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0359 | 12-18-2013 | Amend | 2-1-2014 | 581-045-0033 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0359 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0034 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0361 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0036 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0380 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0037 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0385 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0038 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0390 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0039 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-020-0395 | 2-19-2014 | Am. & Ren. | 4-1-2014 | 581-045-0060 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0019 | 7-1-2014 | Amend | 8-1-2014 | 581-045-0061 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0031 | 3-12-2014 | Adopt(T) | 4-1-2014 | 581-045-0062 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0031 | 6-3-2014 | Adopt | 7-1-2014 | 581-045-0063 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0037 | 6-3-2014 | Amend | 7-1-2014 | 581-045-0064 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0500 | 2-19-2014 | Amend | 4-1-2014 | 581-045-0065 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0550 | 2-19-2014 | Amend | 4-1-2014 | 581-045-0066 | 4-23-2014 | Am. & Ren. | 6-1-2014 |
| 581-021-0550 | 3-4-2014 | Amend | 4-1-2014 | 581-045-0067 | 4-23-2014 | Am. & Ren. | 6-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|------------|-----------|--------------|-----------|----------|----------|
| 581-045-0068 | 4-23-2014 | Am. & Ren. | 6-1-2014 | 583-050-0036 | 7-16-2014 | Amend(T) | 9-1-2014 |
| 581-045-0190 | 4-23-2014 | Am. & Ren. | 6-1-2014 | 583-050-0040 | 7-16-2014 | Amend(T) | 9-1-2014 |
| 581-045-0200 | 4-23-2014 | Am. & Ren. | 6-1-2014 | 583-070-0002 | 7-16-2014 | Amend(T) | 9-1-2014 |
| 581-045-0210 | 4-23-2014 | Am. & Ren. | 6-1-2014 | 583-070-0011 | 7-16-2014 | Amend(T) | 9-1-2014 |
| 581-045-0586 | 2-19-2014 | Amend | 4-1-2014 | 583-070-0015 | 7-16-2014 | Amend(T) | 9-1-2014 |
| 581-053-0003 | 9-3-2014 | Amend | 10-1-2014 | 583-070-0020 | 7-16-2014 | Amend(T) | 9-1-2014 |
| 581-053-0004 | 9-3-2014 | Amend | 10-1-2014 | 584-001-0015 | 8-5-2014 | Repeal | 9-1-2014 |
| 581-053-0040 | 9-3-2014 | Amend | 10-1-2014 | 584-001-0016 | 8-5-2014 | Adopt | 9-1-2014 |
| 581-053-0050 | 9-3-2014 | Amend | 10-1-2014 | 584-017-1025 | 8-5-2014 | Amend | 9-1-2014 |
| 581-053-0060 | 9-3-2014 | Amend | 10-1-2014 | 584-018-0011 | 8-5-2014 | Adopt | 9-1-2014 |
| 581-053-0130 | 9-3-2014 | Amend | 10-1-2014 | 584-018-0125 | 3-15-2014 | Amend | 4-1-2014 |
| 581-053-0140 | 9-3-2014 | Amend | 10-1-2014 | 584-018-0305 | 8-5-2014 | Amend | 9-1-2014 |
| 581-053-0220 | 9-3-2014 | Amend | 10-1-2014 | 584-020-0040 | 3-15-2014 | Amend | 4-1-2014 |
| 581-053-0225 | 9-3-2014 | Amend | 10-1-2014 | 584-023-0005 | 3-15-2014 | Amend(T) | 4-1-2014 |
| 581-053-0230 | 9-3-2014 | Amend | 10-1-2014 | 584-023-0005 | 8-5-2014 | Amend | 9-1-2014 |
| 581-053-0240 | 9-3-2014 | Amend | 10-1-2014 | 584-023-0030 | 3-15-2014 | Adopt(T) | 4-1-2014 |
| 581-053-0250 | 9-3-2014 | Amend | 10-1-2014 | 584-023-0030 | 8-5-2014 | Adopt | 9-1-2014 |
| 581-053-0440 | 9-3-2014 | Amend | 10-1-2014 | 584-036-0067 | 8-5-2014 | Repeal | 9-1-2014 |
| 581-053-0540 | 9-3-2014 | Amend | 10-1-2014 | 584-036-0070 | 3-15-2014 | Amend | 4-1-2014 |
| 581-053-0630 | 9-3-2014 | Amend | 10-1-2014 | 584-036-0080 | 8-5-2014 | Amend | 9-1-2014 |
| 581-053-0640 | 9-3-2014 | Amend | 10-1-2014 | 584-050-0020 | 8-5-2014 | Amend | 9-1-2014 |
| 581-054-0007 | 2-19-2014 | Repeal | 4-1-2014 | 584-050-0030 | 3-15-2014 | Amend | 4-1-2014 |
| 583-001-0000 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-050-0040 | 8-5-2014 | Amend | 9-1-2014 |
| 583-001-0005 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-050-0060 | 3-15-2014 | Amend | 4-1-2014 |
| 583-001-0010 | 7-16-2014 | Adopt(T) | 9-1-2014 | 584-050-0066 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0005 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0001 | 8-5-2014 | Repeal | 9-1-2014 |
| 583-030-0009 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0012 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0010 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0012 | 8-6-2014 | Amend(T) | 9-1-2014 |
| 583-030-0011 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0013 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0015 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0014 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0016 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0022 | 8-5-2014 | Repeal | 9-1-2014 |
| 583-030-0020 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0051 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0025 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0052 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0030 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0062 | 8-5-2014 | Amend | 9-1-2014 |
| 583-030-0032 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0182 | 8-6-2014 | Amend(T) | 9-1-2014 |
| 583-030-0035 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0200 | 3-15-2014 | Amend | 4-1-2014 |
| 583-030-0036 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0220 | 8-5-2014 | Amend(T) | 9-1-2014 |
| 583-030-0038 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0250 | 8-5-2014 | Amend | 9-1-2014 |
| 583-030-0039 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0250 | 8-6-2014 | Amend(T) | 9-1-2014 |
| 583-030-0041 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0501 | 8-5-2014 | Adopt | 9-1-2014 |
| 583-030-0042 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0525 | 3-15-2014 | Adopt(T) | 4-1-2014 |
| 583-030-0043 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0525 | 8-5-2014 | Adopt | 9-1-2014 |
| 583-030-0044 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0530 | 3-15-2014 | Adopt(T) | 4-1-2014 |
| 583-030-0045 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-060-0530 | 8-5-2014 | Adopt | 9-1-2014 |
| 583-030-0046 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-066-0015 | 3-15-2014 | Adopt | 4-1-2014 |
| 583-030-0049 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-066-0020 | 4-8-2014 | Adopt(T) | 5-1-2014 |
| 583-040-0005 | 7-16-2014 | Suspend | 9-1-2014 | 584-066-0020 | 8-5-2014 | Adopt | 9-1-2014 |
| 583-040-0010 | 7-16-2014 | Suspend | 9-1-2014 | 584-070-0012 | 3-15-2014 | Amend(T) | 4-1-2014 |
| 583-040-0025 | 7-16-2014 | Suspend | 9-1-2014 | 584-070-0012 | 8-5-2014 | Amend | 9-1-2014 |
| 583-050-0006 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-070-0211 | 3-15-2014 | Amend | 4-1-2014 |
| 583-050-0011 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-070-0271 | 3-15-2014 | Amend | 4-1-2014 |
| 583-050-0014 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-070-0271 | 8-5-2014 | Amend | 9-1-2014 |
| 583-050-0016 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-080-0008 | 3-15-2014 | Amend(T) | 4-1-2014 |
| 583-050-0026 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-080-0008 | 8-5-2014 | Amend | 9-1-2014 |
| 583-050-0027 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-080-0012 | 3-15-2014 | Amend | 4-1-2014 |
| 583-050-0028 | 7-16-2014 | Amend(T) | 9-1-2014 | 584-080-0012 | 8-5-2014 | Amend | 9-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 584-080-0022 | 3-15-2014 | Amend | 4-1-2014 | 603-054-0030 | 5-1-2014 | Amend | 6-1-2014 |
| 584-100-0061 | 3-15-2014 | Amend(T) | 4-1-2014 | 603-056-0095 | 7-28-2014 | Amend | 9-1-2014 |
| 584-100-0061 | 8-5-2014 | Amend | 9-1-2014 | 603-057-0387 | 6-26-2014 | Adopt(T) | 8-1-2014 |
| 584-100-0066 | 3-15-2014 | Amend(T) | 4-1-2014 | 603-057-0387 | 7-8-2014 | Adopt(T) | 8-1-2014 |
| 584-100-0066 | 8-5-2014 | Amend | 9-1-2014 | 603-100-0010 | 2-24-2014 | Amend | 4-1-2014 |
| 584-100-0071 | 3-15-2014 | Amend(T) | 4-1-2014 | 619-005-0010 | 9-8-2014 | Repeal | 10-1-2014 |
| 584-100-0071 | 8-5-2014 | Amend | 9-1-2014 | 619-005-0020 | 9-8-2014 | Repeal | 10-1-2014 |
| 589-002-0120 | 12-16-2013 | Amend(T) | 2-1-2014 | 619-005-0030 | 9-8-2014 | Repeal | 10-1-2014 |
| 589-002-0120 | 3-20-2014 | Amend | 5-1-2014 | 619-005-0040 | 9-8-2014 | Repeal | 10-1-2014 |
| 589-006-0050 | 3-14-2014 | Amend(T) | 4-1-2014 | 619-005-0050 | 9-8-2014 | Repeal | 10-1-2014 |
| 589-006-0050 | 7-22-2014 | Amend | 9-1-2014 | 619-005-0060 | 9-8-2014 | Repeal | 10-1-2014 |
| 589-006-0100 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-028-0002 | 7-1-2014 | Adopt | 7-1-2014 |
| 589-006-0100 | 7-22-2014 | Amend | 9-1-2014 | 629-028-0003 | 7-1-2014 | Adopt | 7-1-2014 |
| 589-006-0150 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-028-0004 | 7-1-2014 | Adopt | 7-1-2014 |
| 589-006-0150 | 7-22-2014 | Amend | 9-1-2014 | 629-028-0005 | 7-1-2014 | Am. & Ren. | 7-1-2014 |
| 589-006-0200 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-028-0010 | 7-1-2014 | Amend | 7-1-2014 |
| 589-006-0200 | 7-22-2014 | Amend | 9-1-2014 | 629-028-0015 | 7-1-2014 | Amend | 7-1-2014 |
| 589-006-0300 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-028-0020 | 7-1-2014 | Amend | 7-1-2014 |
| 589-006-0300 | 7-22-2014 | Amend | 9-1-2014 | 629-028-0025 | 7-1-2014 | Amend | 7-1-2014 |
| 589-006-0350 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-048-0001 | 7-11-2014 | Amend | 8-1-2014 |
| 589-006-0350 | 7-22-2014 | Amend | 9-1-2014 | 629-048-0005 | 7-11-2014 | Amend | 8-1-2014 |
| 589-006-0400 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-048-0130 | 7-11-2014 | Amend | 8-1-2014 |
| 589-006-0400 | 7-22-2014 | Amend | 9-1-2014 | 629-048-0200 | 7-11-2014 | Amend | 8-1-2014 |
| 589-007-0400 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-048-0210 | 7-11-2014 | Amend | 8-1-2014 |
| 589-007-0400 | 7-22-2014 | Amend | 9-1-2014 | 629-048-0230 | 7-11-2014 | Amend | 8-1-2014 |
| 589-007-0500 | 3-14-2014 | Amend(T) | 4-1-2014 | 629-048-0310 | 7-11-2014 | Amend | 8-1-2014 |
| 589-007-0500 | 7-22-2014 | Amend | 9-1-2014 | 629-048-0450 | 7-11-2014 | Amend | 8-1-2014 |
| 589-008-0100 | 4-24-2014 | Amend(T) | 6-1-2014 | 629-048-0500 | 7-11-2014 | Amend | 8-1-2014 |
| 589-008-0100 | 7-22-2014 | Amend | 9-1-2014 | 629-060-0000 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0051 | 7-29-2014 | Amend | 9-1-2014 | 629-060-0005 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0075 | 4-29-2014 | Amend | 6-1-2014 | 629-061-0000 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0120 | 4-29-2014 | Amend | 6-1-2014 | 629-061-0005 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0126 | 2-14-2014 | Amend | 3-1-2014 | 629-061-0015 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0127 | 2-14-2014 | Amend | 3-1-2014 | 629-061-0020 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0129 | 2-14-2014 | Amend | 3-1-2014 | 629-061-0025 | 1-1-2014 | Repeal | 1-1-2014 |
| 603-052-0150 | 2-14-2014 | Amend | 3-1-2014 | 629-061-0035 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-0385 | 8-20-2014 | Amend | 10-1-2014 | 629-061-0040 | 1-1-2014 | Repeal | 1-1-2014 |
| 603-052-0825 | 4-29-2014 | Amend | 6-1-2014 | 629-061-0045 | 1-1-2014 | Repeal | 1-1-2014 |
| 603-052-0882 | 7-7-2014 | Amend(T) | 8-1-2014 | 629-061-0050 | 1-1-2014 | Repeal | 1-1-2014 |
| 603-052-1025 | 2-20-2014 | Amend | 4-1-2014 | 629-061-0060 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-1200 | 2-20-2014 | Amend | 4-1-2014 | 629-061-0065 | 1-1-2014 | Am. & Ren. | 1-1-2014 |
| 603-052-1205 | 5-1-2014 | Amend | 6-1-2014 | 629-061-0075 | 1-1-2014 | Repeal | 1-1-2014 |
| 603-052-1211 | 2-20-2014 | Amend | 4-1-2014 | 629-165-0005 | 1-1-2014 | Adopt | 1-1-2014 |
| 603-052-1221 | 2-14-2014 | Amend | 3-1-2014 | 629-165-0010 | 1-1-2014 | Adopt | 1-1-2014 |
| 603-052-1221 | 7-29-2014 | Amend | 9-1-2014 | 629-165-0200 | 1-1-2014 | Adopt | 1-1-2014 |
| 603-052-1230 | 4-29-2014 | Amend | 6-1-2014 | 629-165-0210 | 1-1-2014 | Adopt | 1-1-2014 |
| 603-052-1230 | 8-22-2014 | Amend | 10-1-2014 | 632-030-0025 | 9-10-2014 | Amend(T) | 10-1-2014 |
| 603-052-1241 | 1-15-2014 | Adopt | 2-1-2014 | 632-035-0005 | 4-2-2014 | Amend | 5-1-2014 |
| 603-052-1245 | 4-29-2014 | Amend | 6-1-2014 | 632-035-0010 | 4-2-2014 | Amend | 5-1-2014 |
| 603-052-1250 | 4-29-2014 | Amend | 6-1-2014 | 632-035-0015 | 4-2-2014 | Amend | 5-1-2014 |
| 603-052-1250 | 8-22-2014 | Repeal | 10-1-2014 | 632-035-0016 | 4-2-2014 | Amend | 5-1-2014 |
| 603-052-1320 | 2-14-2014 | Amend | 3-1-2014 | 632-035-0017 | 4-2-2014 | Amend | 5-1-2014 |
| 603-054-0016 | 5-1-2014 | Amend | 6-1-2014 | 632-035-0020 | 4-2-2014 | Amend | 5-1-2014 |
| 603-054-0017 | 5-1-2014 | Amend | 6-1-2014 | 632-035-0025 | 4-2-2014 | Amend | 5-1-2014 |
| 603-054-0018 | 5-1-2014 | Amend | 6-1-2014 | 632-035-0030 | 4-2-2014 | Amend | 5-1-2014 |
| 603-054-0024 | 5-1-2014 | Amend | 6-1-2014 | 632-035-0035 | 4-2-2014 | Amend | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 632-035-0040 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0350 | 1-1-2014 | Amend | 2-1-2014 |
| 632-035-0045 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0355 | 8-1-2014 | Amend(T) | 9-1-2014 |
| 632-035-0050 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0360 | 1-1-2014 | Amend | 2-1-2014 |
| 632-035-0055 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375 | 6-25-2014 | Amend(T) | 8-1-2014 |
| 632-035-0060 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375 | 7-22-2014 | Amend(T) | 9-1-2014 |
| 632-037-0005 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375 | 8-1-2014 | Amend(T) | 9-1-2014 |
| 632-037-0010 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375 | 8-5-2014 | Amend | 9-1-2014 |
| 632-037-0015 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375(T) | 7-22-2014 | Suspend | 9-1-2014 |
| 632-037-0020 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375(T) | 8-1-2014 | Suspend | 9-1-2014 |
| 632-037-0025 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0375(T) | 9-15-2014 | Suspend | 10-1-2014 |
| 632-037-0030 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0505 | 1-1-2014 | Amend(T) | 1-1-2014 |
| 632-037-0035 | 4-2-2014 | Amend | 5-1-2014 | 635-004-0585 | 5-1-2014 | Amend | 6-1-2014 |
| 632-037-0040 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0355 | 6-13-2014 | Amend(T) | 7-1-2014 |
| 632-037-0045 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0420 | 8-15-2014 | Amend | 9-1-2014 |
| 632-037-0050 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0440 | 8-15-2014 | Amend | 9-1-2014 |
| 632-037-0055 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0465 | 12-1-2013 | Amend(T) | 1-1-2014 |
| 632-037-0060 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0465 | 8-15-2014 | Amend | 9-1-2014 |
| 632-037-0075 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0480 | 8-15-2014 | Amend | 9-1-2014 |
| 632-037-0077 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0485 | 8-15-2014 | Amend | 9-1-2014 |
| 632-037-0080 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0491 | 8-15-2014 | Adopt | 9-1-2014 |
| 632-037-0085 | 4-2-2014 | Amend | 5-1-2014 | 635-005-0705 | 12-9-2013 | Amend(T) | 1-1-2014 |
| 632-037-0095 | 4-2-2014 | Amend | 5-1-2014 | 635-006-0210 | 1-1-2014 | Amend | 2-1-2014 |
| 632-037-0100 | 4-2-2014 | Amend | 5-1-2014 | 635-006-0212 | 8-1-2014 | Amend(T) | 9-1-2014 |
| 632-037-0105 | 4-2-2014 | Amend | 5-1-2014 | 635-006-0213 | 1-1-2014 | Amend | 2-1-2014 |
| 632-037-0110 | 4-2-2014 | Amend | 5-1-2014 | 635-006-0215 | 8-1-2014 | Amend(T) | 9-1-2014 |
| 632-037-0115 | 4-2-2014 | Amend | 5-1-2014 | 635-006-0225 | 8-1-2014 | Amend(T) | 9-1-2014 |
| 632-037-0117 | 4-2-2014 | Repeal | 5-1-2014 | 635-006-0232 | 1-13-2014 | Amend | 2-1-2014 |
| 632-037-0118 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0050 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0120 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0055 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0125 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0060 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0130 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0067 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0135 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0070 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0140 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0075 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0145 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0080 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0150 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0085 | 8-7-2014 | Amend | 9-1-2014 |
| 632-037-0155 | 4-2-2014 | Amend | 5-1-2014 | 635-008-0090 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0003 | 5-8-2014 | Amend(T) | 6-1-2014 | 635-008-0095 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0003 | 6-10-2014 | Amend | 7-1-2014 | 635-008-0103 | 8-7-2014 | Adopt | 9-1-2014 |
| 635-003-0003 | 6-24-2014 | Amend | 8-1-2014 | 635-008-0105 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0003(T) | 6-10-2014 | Repeal | 7-1-2014 | 635-008-0110 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0003(T) | 6-24-2014 | Repeal | 8-1-2014 | 635-008-0115 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0077 | 6-10-2014 | Amend | 7-1-2014 | 635-008-0117 | 8-7-2014 | Adopt | 9-1-2014 |
| 635-003-0077 | 6-24-2014 | Amend | 8-1-2014 | 635-008-0120 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0078 | 6-10-2014 | Amend | 7-1-2014 | 635-008-0121 | 8-7-2014 | Adopt | 9-1-2014 |
| 635-003-0078 | 6-24-2014 | Amend | 8-1-2014 | 635-008-0122 | 8-7-2014 | Adopt | 9-1-2014 |
| 635-003-0085 | 6-10-2014 | Amend | 7-1-2014 | 635-008-0123 | 8-7-2014 | Amend | 9-1-2014 |
| 635-003-0085 | 6-24-2014 | Amend | 8-1-2014 | 635-008-0124 | 8-7-2014 | Adopt | 9-1-2014 |
| 635-004-0215 | 1-1-2014 | Amend | 2-1-2014 | 635-008-0126 | 8-7-2014 | Adopt | 9-1-2014 |
| 635-004-0275 | 12-9-2013 | Amend(T) | 1-1-2014 | 635-008-0127 | 8-7-2014 | Amend | 9-1-2014 |
| 635-004-0275 | 1-1-2014 | Amend | 2-1-2014 | 635-008-0130 | 8-7-2014 | Amend | 9-1-2014 |
| 635-004-0275 | 4-23-2014 | Amend(T) | 6-1-2014 | 635-008-0135 | 8-7-2014 | Amend | 9-1-2014 |
| 635-004-0275 | 8-4-2014 | Amend(T) | 9-1-2014 | 635-008-0140 | 8-7-2014 | Amend | 9-1-2014 |
| 635-004-0275(T) | 12-9-2013 | Suspend | 1-1-2014 | 635-008-0145 | 8-7-2014 | Amend | 9-1-2014 |
| 635-004-0275(T) | 4-23-2014 | Suspend | 6-1-2014 | 635-008-0147 | 8-7-2014 | Amend | 9-1-2014 |
| 635-004-0275(T) | 8-4-2014 | Suspend | 9-1-2014 | 635-008-0148 | 8-7-2014 | Renumber | 9-1-2014 |
| 635-004-0320 | 1-1-2014 | Amend | 2-1-2014 | 635-008-0149 | 8-7-2014 | Am. & Ren. | 9-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|------------|----------|-----------------|-----------|----------|----------|
| 635-008-0151 | 7-4-2014 | Amend | 7-1-2014 | 635-019-0090 | 6-18-2014 | Amend(T) | 8-1-2014 |
| 635-008-0151 | 8-7-2014 | Am. & Ren. | 9-1-2014 | 635-019-0090 | 6-19-2014 | Amend(T) | 8-1-2014 |
| 635-008-0153 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090 | 6-21-2014 | Amend(T) | 7-1-2014 |
| 635-008-0154 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090 | 6-27-2014 | Amend(T) | 8-1-2014 |
| 635-008-0155 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090 | 7-5-2014 | Amend(T) | 8-1-2014 |
| 635-008-0160 | 8-7-2014 | Repeal | 9-1-2014 | 635-019-0090 | 7-5-2014 | Amend(T) | 8-1-2014 |
| 635-008-0163 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090 | 7-21-2014 | Amend(T) | 9-1-2014 |
| 635-008-0164 | 8-7-2014 | Adopt | 9-1-2014 | 635-019-0090(T) | 5-31-2014 | Suspend | 7-1-2014 |
| 635-008-0165 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 6-1-2014 | Suspend | 7-1-2014 |
| 635-008-0170 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 6-18-2014 | Suspend | 8-1-2014 |
| 635-008-0175 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 6-19-2014 | Suspend | 8-1-2014 |
| 635-008-0180 | 8-7-2014 | Repeal | 9-1-2014 | 635-019-0090(T) | 6-21-2014 | Suspend | 7-1-2014 |
| 635-008-0185 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 6-27-2014 | Suspend | 8-1-2014 |
| 635-008-0190 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 7-5-2014 | Suspend | 8-1-2014 |
| 635-008-0197 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 7-5-2014 | Suspend | 8-1-2014 |
| 635-008-0200 | 8-7-2014 | Amend | 9-1-2014 | 635-019-0090(T) | 7-21-2014 | Suspend | 9-1-2014 |
| 635-011-0100 | 12-10-2013 | Amend(T) | 1-1-2014 | 635-021-0080 | 1-1-2014 | Amend | 2-1-2014 |
| 635-011-0100 | 1-1-2014 | Amend | 2-1-2014 | 635-021-0090 | 1-1-2014 | Amend | 2-1-2014 |
| 635-011-0104 | 12-1-2013 | Amend(T) | 1-1-2014 | 635-021-0090 | 6-11-2014 | Amend(T) | 7-1-2014 |
| 635-011-0104 | 12-9-2013 | Amend | 1-1-2014 | 635-021-0090 | 7-11-2014 | Amend(T) | 8-1-2014 |
| 635-011-0104 | 6-1-2014 | Amend(T) | 7-1-2014 | 635-021-0090 | 8-9-2014 | Amend(T) | 9-1-2014 |
| 635-011-0104(T) | 12-9-2013 | Repeal | 1-1-2014 | 635-021-0090(T) | 7-11-2014 | Suspend | 8-1-2014 |
| 635-013-0003 | 5-8-2014 | Amend(T) | 6-1-2014 | 635-021-0090(T) | 8-9-2014 | Suspend | 9-1-2014 |
| 635-013-0003 | 6-10-2014 | Amend | 7-1-2014 | 635-023-0080 | 1-1-2014 | Amend | 2-1-2014 |
| 635-013-0003 | 6-24-2014 | Amend | 8-1-2014 | 635-023-0090 | 1-1-2014 | Amend | 2-1-2014 |
| 635-013-0003(T) | 6-10-2014 | Repeal | 7-1-2014 | 635-023-0090 | 3-1-2014 | Amend(T) | 3-1-2014 |
| 635-013-0003(T) | 6-24-2014 | Repeal | 8-1-2014 | 635-023-0095 | 1-1-2014 | Amend | 2-1-2014 |
| 635-013-0004 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095 | 1-1-2014 | Amend(T) | 1-1-2014 |
| 635-013-0007 | 6-10-2014 | Amend | 7-1-2014 | 635-023-0095 | 2-1-2014 | Amend(T) | 3-1-2014 |
| 635-013-0007 | 6-24-2014 | Amend | 8-1-2014 | 635-023-0095 | 2-24-2014 | Amend(T) | 4-1-2014 |
| 635-014-0080 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095 | 5-1-2014 | Amend(T) | 5-1-2014 |
| 635-014-0090 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095 | 6-13-2014 | Amend(T) | 7-1-2014 |
| 635-014-0090 | 6-30-2014 | Amend(T) | 8-1-2014 | 635-023-0095 | 7-11-2014 | Amend(T) | 8-1-2014 |
| 635-014-0090 | 8-4-2014 | Amend | 9-1-2014 | 635-023-0095 | 7-14-2014 | Amend(T) | 8-1-2014 |
| 635-014-0090 | 8-4-2014 | Amend(T) | 9-1-2014 | 635-023-0095(T) | 1-1-2014 | Suspend | 1-1-2014 |
| 635-014-0090(T) | 8-4-2014 | Suspend | 9-1-2014 | 635-023-0095(T) | 2-1-2014 | Suspend | 3-1-2014 |
| 635-016-0080 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095(T) | 2-24-2014 | Suspend | 4-1-2014 |
| 635-016-0090 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095(T) | 5-1-2014 | Suspend | 5-1-2014 |
| 635-016-0090 | 8-4-2014 | Amend | 9-1-2014 | 635-023-0095(T) | 6-13-2014 | Suspend | 7-1-2014 |
| 635-017-0080 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095(T) | 7-11-2014 | Suspend | 8-1-2014 |
| 635-017-0090 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0095(T) | 7-14-2014 | Suspend | 8-1-2014 |
| 635-017-0090 | 6-10-2014 | Amend(T) | 7-1-2014 | 635-023-0125 | 1-1-2014 | Amend | 2-1-2014 |
| 635-017-0090 | 6-13-2014 | Amend(T) | 7-1-2014 | 635-023-0125 | 3-1-2014 | Amend(T) | 3-1-2014 |
| 635-017-0090 | 6-23-2014 | Amend(T) | 8-1-2014 | 635-023-0125 | 4-4-2014 | Amend(T) | 5-1-2014 |
| 635-017-0090(T) | 6-13-2014 | Suspend | 7-1-2014 | 635-023-0125 | 4-19-2014 | Amend(T) | 6-1-2014 |
| 635-017-0090(T) | 6-23-2014 | Suspend | 8-1-2014 | 635-023-0125 | 5-9-2014 | Amend(T) | 6-1-2014 |
| 635-017-0095 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0125 | 5-15-2014 | Amend(T) | 6-1-2014 |
| 635-018-0080 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0125 | 5-31-2014 | Amend(T) | 7-1-2014 |
| 635-018-0090 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0125(T) | 4-4-2014 | Suspend | 5-1-2014 |
| 635-018-0090 | 4-15-2014 | Amend(T) | 4-1-2014 | 635-023-0125(T) | 4-19-2014 | Suspend | 6-1-2014 |
| 635-018-0090 | 8-1-2014 | Amend(T) | 8-1-2014 | 635-023-0125(T) | 5-9-2014 | Suspend | 6-1-2014 |
| 635-019-0080 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0125(T) | 5-15-2014 | Suspend | 6-1-2014 |
| 635-019-0090 | 1-1-2014 | Amend | 2-1-2014 | 635-023-0125(T) | 5-31-2014 | Suspend | 7-1-2014 |
| 635-019-0090 | 5-17-2014 | Amend(T) | 6-1-2014 | 635-023-0128 | 1-1-2014 | Amend | 2-1-2014 |
| 635-019-0090 | 5-31-2014 | Amend(T) | 7-1-2014 | 635-023-0128 | 6-16-2014 | Amend(T) | 7-1-2014 |
| 635-019-0090 | 6-1-2014 | Amend(T) | 7-1-2014 | 635-023-0128 | 7-3-2014 | Amend(T) | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|-----------|-----------------|-----------|----------|-----------|
| 635-023-0128 | 7-11-2014 | Amend(T) | 8-1-2014 | 635-041-0076 | 6-16-2014 | Amend(T) | 7-1-2014 |
| 635-023-0128(T) | 7-3-2014 | Suspend | 8-1-2014 | 635-041-0076 | 6-30-2014 | Amend(T) | 8-1-2014 |
| 635-023-0128(T) | 7-11-2014 | Suspend | 8-1-2014 | 635-041-0076 | 7-14-2014 | Amend(T) | 8-1-2014 |
| 635-023-0130 | 1-1-2014 | Amend | 2-1-2014 | 635-041-0076 | 7-21-2014 | Amend(T) | 9-1-2014 |
| 635-023-0130 | 8-1-2014 | Amend(T) | 9-1-2014 | 635-041-0076 | 7-28-2014 | Amend(T) | 9-1-2014 |
| 635-023-0130 | 8-1-2014 | Amend(T) | 9-1-2014 | 635-041-0076(T) | 6-30-2014 | Suspend | 8-1-2014 |
| 635-023-0130 | 9-6-2014 | Amend(T) | 10-1-2014 | 635-041-0076(T) | 7-14-2014 | Suspend | 8-1-2014 |
| 635-023-0130(T) | 8-1-2014 | Suspend | 9-1-2014 | 635-041-0076(T) | 7-21-2014 | Suspend | 9-1-2014 |
| 635-023-0130(T) | 9-6-2014 | Suspend | 10-1-2014 | 635-041-0076(T) | 7-28-2014 | Suspend | 9-1-2014 |
| 635-023-0134 | 1-1-2014 | Amend | 2-1-2014 | 635-042-0010 | 8-13-2014 | Amend(T) | 9-1-2014 |
| 635-023-0134 | 4-26-2014 | Amend(T) | 6-1-2014 | 635-042-0022 | 4-1-2014 | Amend(T) | 5-1-2014 |
| 635-023-0134 | 7-21-2014 | Amend(T) | 9-1-2014 | 635-042-0022 | 5-7-2014 | Amend(T) | 6-1-2014 |
| 635-023-0134 | 9-1-2014 | Amend(T) | 9-1-2014 | 635-042-0022 | 5-20-2014 | Amend(T) | 6-1-2014 |
| 635-023-0134(T) | 7-21-2014 | Suspend | 9-1-2014 | 635-042-0022 | 5-28-2014 | Amend(T) | 7-1-2014 |
| 635-023-0134(T) | 9-1-2014 | Suspend | 9-1-2014 | 635-042-0022 | 6-4-2014 | Amend(T) | 7-1-2014 |
| 635-023-0140 | 2-1-2014 | Adopt(T) | 3-1-2014 | 635-042-0022(T) | 5-7-2014 | Suspend | 6-1-2014 |
| 635-023-0140 | 2-10-2014 | Adopt | 3-1-2014 | 635-042-0022(T) | 5-20-2014 | Suspend | 6-1-2014 |
| 635-023-0140(T) | 2-10-2014 | Repeal | 3-1-2014 | 635-042-0022(T) | 5-28-2014 | Suspend | 7-1-2014 |
| 635-039-0080 | 1-1-2014 | Amend | 2-1-2014 | 635-042-0022(T) | 6-4-2014 | Suspend | 7-1-2014 |
| 635-039-0080 | 5-1-2014 | Amend | 6-1-2014 | 635-042-0022(T) | 6-16-2014 | Suspend | 7-1-2014 |
| 635-039-0085 | 5-1-2014 | Amend | 6-1-2014 | 635-042-0027 | 6-16-2014 | Amend(T) | 7-1-2014 |
| 635-039-0085 | 6-27-2014 | Amend(T) | 8-1-2014 | 635-042-0027 | 7-7-2014 | Amend(T) | 8-1-2014 |
| 635-039-0085 | 8-21-2014 | Amend(T) | 10-1-2014 | 635-042-0027 | 7-14-2014 | Amend(T) | 8-1-2014 |
| 635-039-0085(T) | 8-21-2014 | Suspend | 10-1-2014 | 635-042-0027 | 7-28-2014 | Amend(T) | 9-1-2014 |
| 635-039-0090 | 1-1-2014 | Amend | 2-1-2014 | 635-042-0027(T) | 7-7-2014 | Suspend | 8-1-2014 |
| 635-041-0045 | 3-12-2014 | Amend(T) | 4-1-2014 | 635-042-0027(T) | 7-14-2014 | Suspend | 8-1-2014 |
| 635-041-0045 | 5-6-2014 | Amend(T) | 6-1-2014 | 635-042-0027(T) | 7-28-2014 | Suspend | 9-1-2014 |
| 635-041-0045 | 8-1-2014 | Amend(T) | 9-1-2014 | 635-042-0031 | 8-3-2014 | Amend(T) | 9-1-2014 |
| 635-041-0045(T) | 5-6-2014 | Suspend | 6-1-2014 | 635-042-0031 | 8-13-2014 | Amend(T) | 9-1-2014 |
| 635-041-0061 | 2-1-2014 | Amend(T) | 3-1-2014 | 635-042-0031 | 8-26-2014 | Amend(T) | 10-1-2014 |
| 635-041-0061 | 3-1-2014 | Amend(T) | 4-1-2014 | 635-042-0031 | 9-12-2014 | Amend(T) | 10-1-2014 |
| 635-041-0061 | 3-12-2014 | Amend(T) | 4-1-2014 | 635-042-0031(T) | 8-13-2014 | Suspend | 9-1-2014 |
| 635-041-0061(T) | 3-1-2014 | Suspend | 4-1-2014 | 635-042-0031(T) | 8-26-2014 | Suspend | 10-1-2014 |
| 635-041-0061(T) | 3-12-2014 | Suspend | 4-1-2014 | 635-042-0031(T) | 9-12-2014 | Suspend | 10-1-2014 |
| 635-041-0061(T) | 7-14-2014 | Suspend | 8-1-2014 | 635-042-0130 | 2-10-2014 | Amend(T) | 3-1-2014 |
| 635-041-0065 | 2-1-2014 | Amend(T) | 3-1-2014 | 635-042-0145 | 2-10-2014 | Amend(T) | 3-1-2014 |
| 635-041-0065 | 2-26-2014 | Amend(T) | 4-1-2014 | 635-042-0145 | 3-10-2014 | Amend(T) | 4-1-2014 |
| 635-041-0065 | 3-1-2014 | Amend(T) | 4-1-2014 | 635-042-0145 | 3-17-2014 | Amend(T) | 4-1-2014 |
| 635-041-0065 | 3-12-2014 | Amend(T) | 4-1-2014 | 635-042-0145 | 4-22-2014 | Amend(T) | 6-1-2014 |
| 635-041-0065 | 5-6-2014 | Amend(T) | 6-1-2014 | 635-042-0145 | 4-24-2014 | Amend(T) | 6-1-2014 |
| 635-041-0065 | 5-20-2014 | Amend(T) | 7-1-2014 | 635-042-0145 | 5-8-2014 | Amend(T) | 6-1-2014 |
| 635-041-0065 | 5-28-2014 | Amend(T) | 7-1-2014 | 635-042-0145 | 5-20-2014 | Amend(T) | 6-1-2014 |
| 635-041-0065 | 6-3-2014 | Amend(T) | 7-1-2014 | 635-042-0145 | 5-28-2014 | Amend(T) | 7-1-2014 |
| 635-041-0065 | 6-10-2014 | Amend(T) | 7-1-2014 | 635-042-0145 | 6-4-2014 | Amend(T) | 7-1-2014 |
| 635-041-0065(T) | 2-26-2014 | Suspend | 4-1-2014 | 635-042-0145 | 8-5-2014 | Amend(T) | 9-1-2014 |
| 635-041-0065(T) | 3-1-2014 | Suspend | 4-1-2014 | 635-042-0145(T) | 3-10-2014 | Suspend | 4-1-2014 |
| 635-041-0065(T) | 3-12-2014 | Suspend | 4-1-2014 | 635-042-0145(T) | 3-17-2014 | Suspend | 4-1-2014 |
| 635-041-0065(T) | 5-6-2014 | Suspend | 6-1-2014 | 635-042-0145(T) | 4-22-2014 | Suspend | 6-1-2014 |
| 635-041-0065(T) | 5-20-2014 | Suspend | 7-1-2014 | 635-042-0145(T) | 4-24-2014 | Suspend | 6-1-2014 |
| 635-041-0065(T) | 5-28-2014 | Suspend | 7-1-2014 | 635-042-0145(T) | 5-8-2014 | Suspend | 6-1-2014 |
| 635-041-0065(T) | 6-3-2014 | Suspend | 7-1-2014 | 635-042-0145(T) | 5-20-2014 | Suspend | 6-1-2014 |
| 635-041-0065(T) | 6-10-2014 | Suspend | 7-1-2014 | 635-042-0145(T) | 5-28-2014 | Suspend | 7-1-2014 |
| 635-041-0065(T) | 6-16-2014 | Suspend | 7-1-2014 | 635-042-0145(T) | 6-4-2014 | Suspend | 7-1-2014 |
| 635-041-0075 | 8-1-2014 | Amend(T) | 9-1-2014 | 635-042-0160 | 2-10-2014 | Amend(T) | 3-1-2014 |
| 635-041-0075 | 8-18-2014 | Amend(T) | 9-1-2014 | 635-042-0160 | 4-24-2014 | Amend(T) | 6-1-2014 |
| 635-041-0075(T) | 8-18-2014 | Suspend | 9-1-2014 | 635-042-0160 | 5-8-2014 | Amend(T) | 6-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|-----------|-----------------|------------|----------|-----------|
| 635-042-0160 | 8-18-2014 | Amend(T) | 9-1-2014 | 635-056-0140 | 9-11-2014 | Amend | 10-1-2014 |
| 635-042-0160(T) | 4-24-2014 | Suspend | 6-1-2014 | 635-056-0150 | 3-11-2014 | Amend | 4-1-2014 |
| 635-042-0160(T) | 5-8-2014 | Suspend | 6-1-2014 | 635-060-0000 | 8-4-2014 | Amend | 9-1-2014 |
| 635-042-0170 | 2-10-2014 | Amend(T) | 3-1-2014 | 635-065-0001 | 12-20-2013 | Amend | 2-1-2014 |
| 635-042-0170 | 4-24-2014 | Amend(T) | 6-1-2014 | 635-065-0011 | 12-20-2013 | Amend | 2-1-2014 |
| 635-042-0170 | 5-8-2014 | Amend(T) | 6-1-2014 | 635-065-0015 | 12-20-2013 | Amend | 2-1-2014 |
| 635-042-0170 | 8-18-2014 | Amend(T) | 9-1-2014 | 635-065-0015 | 6-10-2014 | Amend | 7-1-2014 |
| 635-042-0170(T) | 4-24-2014 | Suspend | 6-1-2014 | 635-065-0090 | 12-20-2013 | Amend | 2-1-2014 |
| 635-042-0170(T) | 5-8-2014 | Suspend | 6-1-2014 | 635-065-0401 | 12-20-2013 | Amend | 2-1-2014 |
| 635-042-0180 | 2-10-2014 | Amend(T) | 3-1-2014 | 635-065-0501 | 12-20-2013 | Amend | 2-1-2014 |
| 635-042-0180 | 8-18-2014 | Amend(T) | 9-1-2014 | 635-065-0625 | 8-7-2014 | Amend | 9-1-2014 |
| 635-043-0130 | 9-11-2014 | Adopt | 10-1-2014 | 635-065-0705 | 12-20-2013 | Amend | 2-1-2014 |
| 635-043-0151 | 8-29-2014 | Adopt(T) | 10-1-2014 | 635-065-0705 | 8-26-2014 | Amend(T) | 10-1-2014 |
| 635-045-0000 | 6-10-2014 | Amend | 7-1-2014 | 635-065-0740 | 12-20-2013 | Amend | 2-1-2014 |
| 635-045-0000 | 8-4-2014 | Amend | 9-1-2014 | 635-065-0760 | 12-20-2013 | Amend | 2-1-2014 |
| 635-045-0002 | 6-10-2014 | Amend | 7-1-2014 | 635-065-0765 | 12-20-2013 | Amend | 2-1-2014 |
| 635-050-0070 | 6-11-2014 | Amend | 7-1-2014 | 635-065-0772 | 3-13-2014 | Amend(T) | 4-1-2014 |
| 635-050-0080 | 6-11-2014 | Amend | 7-1-2014 | 635-065-0772 | 6-10-2014 | Amend | 7-1-2014 |
| 635-050-0090 | 6-11-2014 | Amend | 7-1-2014 | 635-065-0772(T) | 6-10-2014 | Repeal | 7-1-2014 |
| 635-050-0100 | 6-11-2014 | Amend | 7-1-2014 | 635-066-0000 | 12-20-2013 | Amend | 2-1-2014 |
| 635-050-0110 | 6-11-2014 | Amend | 7-1-2014 | 635-066-0010 | 12-20-2013 | Amend | 2-1-2014 |
| 635-050-0120 | 6-11-2014 | Amend | 7-1-2014 | 635-067-0000 | 12-20-2013 | Amend | 2-1-2014 |
| 635-050-0130 | 6-11-2014 | Amend | 7-1-2014 | 635-067-0000 | 6-10-2014 | Amend | 7-1-2014 |
| 635-050-0140 | 6-11-2014 | Amend | 7-1-2014 | 635-067-0030 | 8-28-2014 | Amend(T) | 9-1-2014 |
| 635-050-0150 | 6-11-2014 | Amend | 7-1-2014 | 635-067-0041 | 12-20-2013 | Amend | 2-1-2014 |
| 635-050-0170 | 6-11-2014 | Amend | 7-1-2014 | 635-068-0000 | 2-27-2014 | Amend | 4-1-2014 |
| 635-050-0180 | 6-11-2014 | Amend | 7-1-2014 | 635-068-0000 | 6-10-2014 | Amend | 7-1-2014 |
| 635-050-0183 | 6-11-2014 | Amend | 7-1-2014 | 635-069-0000 | 1-22-2014 | Amend | 3-1-2014 |
| 635-050-0189 | 6-11-2014 | Amend | 7-1-2014 | 635-069-0000 | 6-10-2014 | Amend | 7-1-2014 |
| 635-051-0000 | 8-4-2014 | Amend | 9-1-2014 | 635-070-0000 | 3-11-2014 | Amend | 4-1-2014 |
| 635-051-0048 | 8-4-2014 | Amend | 9-1-2014 | 635-070-0000 | 6-10-2014 | Amend | 7-1-2014 |
| 635-052-0000 | 8-4-2014 | Amend | 9-1-2014 | 635-070-0020 | 2-12-2014 | Amend(T) | 3-1-2014 |
| 635-053-0000 | 8-4-2014 | Amend | 9-1-2014 | 635-070-0020 | 3-11-2014 | Amend | 4-1-2014 |
| 635-054-0000 | 8-4-2014 | Amend | 9-1-2014 | 635-070-0020 | 6-10-2014 | Amend | 7-1-2014 |
| 635-054-0045 | 6-30-2014 | Adopt(T) | 8-1-2014 | 635-070-0020(T) | 2-12-2014 | Suspend | 3-1-2014 |
| 635-054-0050 | 6-30-2014 | Adopt(T) | 8-1-2014 | 635-071-0000 | 3-11-2014 | Amend | 4-1-2014 |
| 635-054-0055 | 6-30-2014 | Adopt(T) | 8-1-2014 | 635-071-0000 | 6-10-2014 | Amend | 7-1-2014 |
| 635-054-0060 | 6-30-2014 | Adopt(T) | 8-1-2014 | 635-072-0000 | 12-20-2013 | Amend | 2-1-2014 |
| 635-055-0002 | 3-11-2014 | Amend | 4-1-2014 | 635-073-0000 | 1-22-2014 | Amend | 3-1-2014 |
| 635-055-0030 | 3-11-2014 | Amend | 4-1-2014 | 635-073-0000 | 6-10-2014 | Amend | 7-1-2014 |
| 635-055-0035 | 3-11-2014 | Amend | 4-1-2014 | 635-073-0000 | 7-7-2014 | Amend(T) | 8-1-2014 |
| 635-055-0037 | 3-11-2014 | Amend | 4-1-2014 | 635-073-0015 | 6-10-2014 | Amend | 7-1-2014 |
| 635-056-0000 | 3-11-2014 | Amend | 4-1-2014 | 635-073-0060 | 8-8-2014 | Amend(T) | 9-1-2014 |
| 635-056-0002 | 3-11-2014 | Adopt | 4-1-2014 | 635-075-0005 | 6-10-2014 | Amend | 7-1-2014 |
| 635-056-0002 | 9-11-2014 | Amend | 10-1-2014 | 635-075-0010 | 6-10-2014 | Amend | 7-1-2014 |
| 635-056-0050 | 3-11-2014 | Amend | 4-1-2014 | 635-075-0011 | 6-10-2014 | Amend | 7-1-2014 |
| 635-056-0050 | 9-11-2014 | Amend | 10-1-2014 | 635-075-0020 | 6-10-2014 | Amend | 7-1-2014 |
| 635-056-0060 | 3-11-2014 | Amend | 4-1-2014 | 635-095-0100 | 7-4-2014 | Amend | 7-1-2014 |
| 635-056-0060 | 4-16-2014 | Amend(T) | 5-1-2014 | 635-095-0105 | 7-4-2014 | Amend | 7-1-2014 |
| 635-056-0060 | 9-11-2014 | Amend | 10-1-2014 | 635-095-0125 | 7-4-2014 | Amend | 7-1-2014 |
| 635-056-0060(T) | 9-11-2014 | Repeal | 10-1-2014 | 635-095-0125 | 7-7-2014 | Amend(T) | 8-1-2014 |
| 635-056-0075 | 4-1-2014 | Amend(T) | 5-1-2014 | 635-110-0000 | 1-14-2014 | Amend | 2-1-2014 |
| 635-056-0075 | 9-11-2014 | Amend | 10-1-2014 | 635-110-0010 | 1-14-2014 | Amend | 2-1-2014 |
| 635-056-0130 | 3-11-2014 | Amend | 4-1-2014 | 635-110-0010(T) | 1-14-2014 | Repeal | 2-1-2014 |
| 635-056-0130 | 9-11-2014 | Amend | 10-1-2014 | 635-110-0020 | 1-14-2014 | Amend | 2-1-2014 |
| 635-056-0140 | 3-11-2014 | Amend | 4-1-2014 | 635-110-0030 | 1-14-2014 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|----------|-----------|--------------|-----------|--------|----------|
| 635-200-0040 | 6-11-2014 | Amend | 7-1-2014 | 635-500-4060 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-435-0000 | 8-29-2014 | Amend(T) | 10-1-2014 | 635-500-4060 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0130 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4070 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0130 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4070 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0135 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4310 | 6-10-2014 | Amend | 7-1-2014 |
| 635-500-0135 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4310 | 6-24-2014 | Amend | 8-1-2014 |
| 635-500-0140 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4330 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0140 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4330 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0145 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4340 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0145 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4340 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0150 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4350 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0150 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4350 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0175 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4370 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0175 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4370 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0200 | 6-10-2014 | Amend | 7-1-2014 | 635-500-4380 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0200 | 6-24-2014 | Amend | 8-1-2014 | 635-500-4380 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0385 | 6-10-2014 | Amend | 7-1-2014 | 635-500-4510 | 6-10-2014 | Amend | 7-1-2014 |
| 635-500-0385 | 6-24-2014 | Amend | 8-1-2014 | 635-500-4510 | 6-24-2014 | Amend | 8-1-2014 |
| 635-500-0390 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4530 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0390 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4530 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0400 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4540 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0400 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4540 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0405 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4550 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0405 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4550 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0415 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4560 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0415 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4560 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0420 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4580 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0420 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4580 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0425 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4590 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0425 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4590 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0500 | 6-10-2014 | Amend | 7-1-2014 | 635-500-4600 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0500 | 6-24-2014 | Amend | 8-1-2014 | 635-500-4600 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0505 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4810 | 6-10-2014 | Amend | 7-1-2014 |
| 635-500-0505 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4810 | 6-24-2014 | Amend | 8-1-2014 |
| 635-500-0515 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4830 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0515 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4830 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0520 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4840 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0520 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4840 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0600 | 6-10-2014 | Amend | 7-1-2014 | 635-500-4850 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0600 | 6-24-2014 | Amend | 8-1-2014 | 635-500-4850 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0605 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4860 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0605 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4860 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0610 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4880 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0610 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4880 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0620 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-4890 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0620 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-4890 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-0625 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-5010 | 6-10-2014 | Amend | 7-1-2014 |
| 635-500-0625 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-5010 | 6-24-2014 | Amend | 8-1-2014 |
| 635-500-0630 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-5030 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-0630 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-5030 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-4010 | 6-10-2014 | Amend | 7-1-2014 | 635-500-5040 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-4010 | 6-24-2014 | Amend | 8-1-2014 | 635-500-5040 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-4030 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-5050 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-4030 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-5050 | 6-24-2014 | Repeal | 8-1-2014 |
| 635-500-4040 | 6-10-2014 | Repeal | 7-1-2014 | 635-500-5070 | 6-10-2014 | Repeal | 7-1-2014 |
| 635-500-4040 | 6-24-2014 | Repeal | 8-1-2014 | 635-500-5070 | 6-24-2014 | Repeal | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 635-500-5080 | 6-10-2014 | Repeal | 7-1-2014 | 660-033-0130 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5080 | 6-24-2014 | Repeal | 8-1-2014 | 660-033-0140 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5210 | 6-10-2014 | Amend | 7-1-2014 | 661-010-0000 | 2-26-2014 | Amend | 4-1-2014 |
| 635-500-5210 | 6-24-2014 | Amend | 8-1-2014 | 661-010-0021 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5230 | 6-10-2014 | Repeal | 7-1-2014 | 661-010-0025 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5230 | 6-24-2014 | Repeal | 8-1-2014 | 661-010-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5240 | 6-10-2014 | Repeal | 7-1-2014 | 661-010-0050 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5240 | 6-24-2014 | Repeal | 8-1-2014 | 661-010-0067 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5250 | 6-10-2014 | Repeal | 7-1-2014 | 661-010-0071 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5250 | 6-24-2014 | Repeal | 8-1-2014 | 661-010-0073 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5270 | 6-10-2014 | Repeal | 7-1-2014 | 661-010-0075 | 1-1-2014 | Amend | 2-1-2014 |
| 635-500-5270 | 6-24-2014 | Repeal | 8-1-2014 | 690-022-0020 | 4-1-2014 | Adopt(T) | 5-1-2014 |
| 635-500-5280 | 6-10-2014 | Repeal | 7-1-2014 | 690-022-0025 | 4-1-2014 | Adopt(T) | 5-1-2014 |
| 635-500-5280 | 6-24-2014 | Repeal | 8-1-2014 | 690-022-0030 | 4-1-2014 | Adopt(T) | 5-1-2014 |
| 635-500-5290 | 6-10-2014 | Repeal | 7-1-2014 | 695-040-0010 | 8-6-2014 | Amend | 9-1-2014 |
| 635-500-5290 | 6-24-2014 | Repeal | 8-1-2014 | 695-040-0020 | 8-6-2014 | Amend | 9-1-2014 |
| 635-500-5400 | 6-10-2014 | Repeal | 7-1-2014 | 695-040-0030 | 8-6-2014 | Amend | 9-1-2014 |
| 635-500-5400 | 6-24-2014 | Repeal | 8-1-2014 | 695-040-0040 | 8-6-2014 | Repeal | 9-1-2014 |
| 635-500-6775 | 6-10-2014 | Adopt | 7-1-2014 | 695-040-0050 | 8-6-2014 | Repeal | 9-1-2014 |
| 635-500-6775 | 6-24-2014 | Adopt | 8-1-2014 | 695-040-0060 | 8-6-2014 | Repeal | 9-1-2014 |
| 642-010-0010 | 7-1-2014 | Amend | 5-1-2014 | 695-040-0070 | 8-6-2014 | Repeal | 9-1-2014 |
| 644-010-0005 | 7-1-2014 | Amend | 8-1-2014 | 695-040-0080 | 8-6-2014 | Repeal | 9-1-2014 |
| 644-010-0005 | 7-23-2014 | Amend | 9-1-2014 | 695-040-0090 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0010 | 7-1-2014 | Amend | 8-1-2014 | 695-040-0100 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0010 | 7-23-2014 | Amend | 9-1-2014 | 695-040-0110 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0015 | 7-1-2014 | Amend | 8-1-2014 | 695-040-0120 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0015 | 7-23-2014 | Amend | 9-1-2014 | 695-040-0130 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0020 | 7-1-2014 | Amend | 8-1-2014 | 695-040-0140 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0020 | 7-23-2014 | Amend | 9-1-2014 | 695-040-0150 | 8-6-2014 | Adopt | 9-1-2014 |
| 644-010-0025 | 7-1-2014 | Amend | 8-1-2014 | 710-001-0000 | 2-11-2014 | Adopt | 3-1-2014 |
| 644-010-0025 | 7-23-2014 | Amend | 9-1-2014 | 710-001-0005 | 2-11-2014 | Adopt | 3-1-2014 |
| 644-030-0020 | 7-1-2014 | Amend | 8-1-2014 | 710-005-0005 | 2-11-2014 | Adopt | 3-1-2014 |
| 646-010-0020 | 5-5-2014 | Amend | 6-1-2014 | 710-010-0000 | 7-1-2014 | Adopt(T) | 8-1-2014 |
| 646-030-0020 | 5-5-2014 | Amend | 6-1-2014 | 715-001-0020 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 646-040-0000 | 5-5-2014 | Amend | 6-1-2014 | 715-001-0025 | 2-19-2014 | Adopt(T) | 4-1-2014 |
| 647-010-0010 | 5-5-2014 | Amend | 6-1-2014 | 715-013-0010 | 6-25-2014 | Adopt(T) | 8-1-2014 |
| 655-015-0020 | 5-6-2014 | Amend | 6-1-2014 | 715-013-0050 | 6-25-2014 | Adopt(T) | 8-1-2014 |
| 656-030-0020 | 1-24-2014 | Amend | 3-1-2014 | 715-013-0055 | 6-25-2014 | Adopt(T) | 8-1-2014 |
| 656-030-0040 | 1-24-2014 | Amend | 3-1-2014 | 731-012-0030 | 4-23-2014 | Amend | 6-1-2014 |
| 656-040-0010 | 1-24-2014 | Amend | 3-1-2014 | 731-012-0030 | 7-10-2014 | Amend | 8-1-2014 |
| 660-006-0025 | 1-1-2014 | Amend | 2-1-2014 | 731-035-0010 | 12-20-2013 | Amend | 2-1-2014 |
| 660-006-0026 | 1-1-2014 | Amend | 2-1-2014 | 731-035-0020 | 12-20-2013 | Amend | 2-1-2014 |
| 660-006-0055 | 1-1-2014 | Amend | 2-1-2014 | 731-035-0050 | 12-20-2013 | Amend | 2-1-2014 |
| 660-012-0005 | 8-15-2014 | Amend | 9-1-2014 | 731-035-0060 | 12-20-2013 | Amend | 2-1-2014 |
| 660-012-0015 | 8-15-2014 | Amend | 9-1-2014 | 731-035-0080 | 12-20-2013 | Amend | 2-1-2014 |
| 660-012-0016 | 8-15-2014 | Amend | 9-1-2014 | 731-147-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 660-012-0020 | 8-15-2014 | Amend | 9-1-2014 | 731-147-0040 | 1-1-2014 | Amend | 2-1-2014 |
| 660-012-0025 | 8-15-2014 | Amend | 9-1-2014 | 731-149-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 660-012-0030 | 8-15-2014 | Amend | 9-1-2014 | 734-020-0010 | 2-21-2014 | Amend | 4-1-2014 |
| 660-012-0035 | 8-15-2014 | Amend | 9-1-2014 | 734-026-0010 | 11-25-2013 | Amend | 1-1-2014 |
| 660-012-0045 | 8-15-2014 | Amend | 9-1-2014 | 734-026-0020 | 11-25-2013 | Amend | 1-1-2014 |
| 660-012-0055 | 8-15-2014 | Amend | 9-1-2014 | 734-026-0030 | 11-25-2013 | Amend | 1-1-2014 |
| 660-018-0020 | 1-1-2014 | Amend | 2-1-2014 | 734-035-0010 | 6-25-2014 | Amend(T) | 8-1-2014 |
| 660-018-0040 | 1-1-2014 | Amend | 2-1-2014 | 734-035-0010 | 7-10-2014 | Amend(T) | 8-1-2014 |
| 660-033-0030 | 1-1-2014 | Amend | 2-1-2014 | 734-035-0200 | 6-25-2014 | Adopt(T) | 8-1-2014 |
| 660-033-0120 | 1-1-2014 | Amend | 2-1-2014 | 734-035-0200 | 7-9-2014 | Adopt(T) | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|-----------|-----------------|------------|----------|-----------|
| 734-035-0200 | 8-20-2014 | Amend(T) | 10-1-2014 | 735-018-0020 | 3-25-2014 | Amend | 5-1-2014 |
| 734-035-0200(T) | 8-20-2014 | Suspend | 10-1-2014 | 735-018-0050 | 3-25-2014 | Amend | 5-1-2014 |
| 734-051-1030 | 6-30-2014 | Amend | 8-1-2014 | 735-018-0070 | 3-25-2014 | Amend | 5-1-2014 |
| 734-051-1030 | 7-9-2014 | Amend | 8-1-2014 | 735-018-0080 | 3-25-2014 | Amend | 5-1-2014 |
| 734-051-1040 | 6-30-2014 | Amend | 8-1-2014 | 735-018-0130 | 12-20-2013 | Adopt | 2-1-2014 |
| 734-051-1040 | 7-9-2014 | Amend | 8-1-2014 | 735-020-0010 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-1065 | 6-30-2014 | Adopt | 8-1-2014 | 735-022-0000 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-1065 | 7-9-2014 | Adopt | 8-1-2014 | 735-022-0010 | 5-19-2014 | Repeal | 7-1-2014 |
| 734-051-1070 | 6-30-2014 | Amend | 8-1-2014 | 735-022-0030 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-1070 | 7-9-2014 | Amend | 8-1-2014 | 735-022-0050 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-2010 | 6-30-2014 | Amend | 8-1-2014 | 735-022-0060 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-2010 | 7-9-2014 | Amend | 8-1-2014 | 735-022-0090 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-2020 | 6-30-2014 | Amend | 8-1-2014 | 735-028-0000 | 4-1-2014 | Amend(T) | 5-1-2014 |
| 734-051-2020 | 7-9-2014 | Amend | 8-1-2014 | 735-028-0000 | 6-24-2014 | Amend | 8-1-2014 |
| 734-051-3010 | 6-30-2014 | Amend | 8-1-2014 | 735-028-0000 | 7-9-2014 | Amend | 8-1-2014 |
| 734-051-3010 | 7-9-2014 | Amend | 8-1-2014 | 735-028-0005 | 4-1-2014 | Adopt(T) | 5-1-2014 |
| 734-051-3015 | 6-30-2014 | Adopt | 8-1-2014 | 735-028-0005 | 6-24-2014 | Adopt | 8-1-2014 |
| 734-051-3015 | 7-9-2014 | Adopt | 8-1-2014 | 735-028-0005 | 7-9-2014 | Adopt | 8-1-2014 |
| 734-051-3020 | 6-30-2014 | Amend | 8-1-2014 | 735-028-0040 | 4-1-2014 | Amend(T) | 5-1-2014 |
| 734-051-3020 | 7-9-2014 | Amend | 8-1-2014 | 735-028-0040 | 6-24-2014 | Amend | 8-1-2014 |
| 734-051-3040 | 6-30-2014 | Amend | 8-1-2014 | 735-028-0040 | 7-9-2014 | Amend | 8-1-2014 |
| 734-051-3040 | 7-9-2014 | Amend | 8-1-2014 | 735-046-0000 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-3050 | 6-30-2014 | Amend | 8-1-2014 | 735-050-0120 | 11-25-2013 | Amend | 1-1-2014 |
| 734-051-3050 | 7-9-2014 | Amend | 8-1-2014 | 735-050-0120(T) | 11-25-2013 | Repeal | 1-1-2014 |
| 734-051-3060 | 6-30-2014 | Amend | 8-1-2014 | 735-062-0007 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-3060 | 7-9-2014 | Amend | 8-1-2014 | 735-062-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-3070 | 6-30-2014 | Amend | 8-1-2014 | 735-062-0385 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-3070 | 7-9-2014 | Amend | 8-1-2014 | 735-064-0070 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-4020 | 6-30-2014 | Amend | 8-1-2014 | 735-070-0082 | 1-1-2014 | Adopt | 2-1-2014 |
| 734-051-4020 | 7-9-2014 | Amend | 8-1-2014 | 735-070-0085 | 11-25-2013 | Amend | 1-1-2014 |
| 734-051-5060 | 6-30-2014 | Amend | 8-1-2014 | 735-070-0085(T) | 11-25-2013 | Repeal | 1-1-2014 |
| 734-051-5060 | 7-9-2014 | Amend | 8-1-2014 | 735-070-0185 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-5120 | 6-30-2014 | Amend | 8-1-2014 | 735-070-0190 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-5120 | 7-9-2014 | Amend | 8-1-2014 | 735-072-0035 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-7010 | 6-30-2014 | Amend | 8-1-2014 | 735-118-0000 | 9-1-2014 | Amend | 10-1-2014 |
| 734-051-7010 | 7-9-2014 | Amend | 8-1-2014 | 735-118-0010 | 9-1-2014 | Amend | 10-1-2014 |
| 734-051-8010 | 1-1-2014 | Adopt(T) | 2-1-2014 | 735-118-0020 | 9-1-2014 | Amend | 10-1-2014 |
| 734-051-8010(T) | 6-30-2014 | Repeal | 8-1-2014 | 735-118-0030 | 9-1-2014 | Amend | 10-1-2014 |
| 734-051-8010(T) | 7-9-2014 | Repeal | 8-1-2014 | 735-118-0040 | 9-1-2014 | Amend | 10-1-2014 |
| 734-051-8015 | 1-1-2014 | Adopt(T) | 2-1-2014 | 735-118-0050 | 9-1-2014 | Adopt | 10-1-2014 |
| 734-051-8015(T) | 6-30-2014 | Repeal | 8-1-2014 | 735-150-0037 | 5-19-2014 | Amend(T) | 7-1-2014 |
| 734-051-8015(T) | 7-9-2014 | Repeal | 8-1-2014 | 735-150-0045 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-8020 | 1-1-2014 | Adopt(T) | 2-1-2014 | 735-150-0105 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-8020(T) | 6-30-2014 | Repeal | 8-1-2014 | 735-150-0140 | 5-19-2014 | Amend | 7-1-2014 |
| 734-051-8020(T) | 7-9-2014 | Repeal | 8-1-2014 | 735-152-0037 | 1-1-2014 | Amend | 2-1-2014 |
| 734-051-8025 | 1-1-2014 | Adopt(T) | 2-1-2014 | 736-010-0040 | 3-6-2014 | Amend | 4-1-2014 |
| 734-051-8025(T) | 6-30-2014 | Repeal | 8-1-2014 | 736-018-0045 | 8-31-2014 | Amend | 9-1-2014 |
| 734-051-8025(T) | 7-9-2014 | Repeal | 8-1-2014 | 736-040-0065 | 7-1-2014 | Amend | 8-1-2014 |
| 734-051-8030 | 1-1-2014 | Adopt(T) | 2-1-2014 | 736-040-0070 | 7-1-2014 | Amend | 8-1-2014 |
| 734-051-8030(T) | 6-30-2014 | Repeal | 8-1-2014 | 737-015-0010 | 3-1-2014 | Amend | 3-1-2014 |
| 734-051-8030(T) | 7-9-2014 | Repeal | 8-1-2014 | 737-015-0020 | 3-1-2014 | Amend | 3-1-2014 |
| 734-055-0017 | 11-25-2013 | Repeal | 1-1-2014 | 737-015-0030 | 3-1-2014 | Amend | 3-1-2014 |
| 735-010-0020 | 8-29-2014 | Amend | 10-1-2014 | 737-015-0035 | 3-1-2014 | Adopt | 3-1-2014 |
| 735-010-0250 | 12-20-2013 | Adopt | 2-1-2014 | 737-015-0070 | 3-1-2014 | Amend | 3-1-2014 |
| 735-018-0010 | 12-20-2013 | Amend | 2-1-2014 | 737-015-0074 | 3-1-2014 | Adopt | 3-1-2014 |
| 735-018-0010 | 3-25-2014 | Amend | 5-1-2014 | 737-015-0076 | 3-1-2014 | Adopt | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|------------|----------|----------|-----------------|------------|----------|-----------|
| 737-015-0085 | 3-1-2014 | Adopt | 3-1-2014 | 808-002-0330 | 4-1-2014 | Amend(T) | 5-1-2014 |
| 737-015-0090 | 3-1-2014 | Amend | 3-1-2014 | 808-002-0360 | 6-1-2014 | Amend | 7-1-2014 |
| 737-015-0100 | 3-1-2014 | Amend | 3-1-2014 | 808-003-0035 | 3-1-2014 | Amend | 4-1-2014 |
| 737-015-0105 | 3-1-2014 | Adopt | 3-1-2014 | 808-003-0040 | 3-1-2014 | Amend | 4-1-2014 |
| 737-015-0110 | 3-1-2014 | Amend | 3-1-2014 | 808-003-0040 | 3-1-2014 | Amend(T) | 4-1-2014 |
| 737-015-0120 | 3-1-2014 | Adopt | 3-1-2014 | 808-003-0045 | 3-1-2014 | Amend | 4-1-2014 |
| 737-015-0130 | 3-1-2014 | Adopt | 3-1-2014 | 808-003-0045 | 3-1-2014 | Amend(T) | 4-1-2014 |
| 737-025-0010 | 2-26-2014 | Amend | 4-1-2014 | 808-003-0060 | 3-1-2014 | Amend | 4-1-2014 |
| 740-100-0010 | 4-23-2014 | Amend | 6-1-2014 | 808-003-0065 | 3-1-2014 | Amend(T) | 4-1-2014 |
| 740-100-0010 | 7-10-2014 | Amend | 8-1-2014 | 808-009-0315 | 6-1-2014 | Adopt | 7-1-2014 |
| 740-100-0065 | 4-23-2014 | Amend | 6-1-2014 | 809-050-0050 | 9-15-2014 | Amend(T) | 10-1-2014 |
| 740-100-0065 | 7-10-2014 | Amend | 8-1-2014 | 811-010-0110 | 8-11-2014 | Amend | 9-1-2014 |
| 740-100-0070 | 4-23-2014 | Amend | 6-1-2014 | 811-010-0110 | 9-5-2014 | Amend | 10-1-2014 |
| 740-100-0070 | 7-10-2014 | Amend | 8-1-2014 | 811-015-0005 | 11-27-2013 | Amend | 1-1-2014 |
| 740-100-0080 | 4-23-2014 | Amend | 6-1-2014 | 811-015-0005 | 8-7-2014 | Amend | 9-1-2014 |
| 740-100-0080 | 7-10-2014 | Amend | 8-1-2014 | 811-015-0005 | 9-5-2014 | Amend | 10-1-2014 |
| 740-100-0085 | 4-23-2014 | Amend | 6-1-2014 | 811-015-0036 | 6-4-2014 | Repeal | 7-1-2014 |
| 740-100-0085 | 7-10-2014 | Amend | 8-1-2014 | 811-035-0015 | 1-29-2014 | Amend | 3-1-2014 |
| 740-100-0090 | 4-23-2014 | Amend | 6-1-2014 | 812-002-0120 | 1-1-2014 | Amend | 2-1-2014 |
| 740-100-0090 | 7-10-2014 | Amend | 8-1-2014 | 812-002-0120 | 7-1-2014 | Amend | 8-1-2014 |
| 740-110-0010 | 4-23-2014 | Amend | 6-1-2014 | 812-002-0640 | 4-30-2014 | Amend | 6-1-2014 |
| 740-110-0010 | 7-10-2014 | Amend | 8-1-2014 | 812-003-0100 | 4-30-2014 | Amend | 6-1-2014 |
| 740-200-0010 | 1-1-2014 | Amend | 2-1-2014 | 812-003-0120 | 7-1-2014 | Amend | 8-1-2014 |
| 740-200-0020 | 1-1-2014 | Amend | 2-1-2014 | 812-003-0130 | 1-1-2014 | Repeal | 2-1-2014 |
| 740-200-0040 | 1-1-2014 | Amend | 2-1-2014 | 812-003-0131 | 1-1-2014 | Amend | 2-1-2014 |
| 741-040-0040 | 12-20-2013 | Amend | 2-1-2014 | 812-003-0140 | 1-1-2014 | Repeal | 2-1-2014 |
| 800-010-0020 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0141 | 1-1-2014 | Repeal | 2-1-2014 |
| 800-010-0025 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0142 | 5-5-2014 | Adopt(T) | 6-1-2014 |
| 800-010-0040 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0142 | 7-1-2014 | Adopt | 8-1-2014 |
| 800-010-0041 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0142(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 800-010-0050 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0150 | 1-1-2014 | Repeal | 2-1-2014 |
| 800-015-0015 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0152 | 1-1-2014 | Amend | 2-1-2014 |
| 800-020-0025 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0153 | 1-1-2014 | Amend | 2-1-2014 |
| 800-020-0065 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0160 | 4-30-2014 | Amend | 6-1-2014 |
| 800-025-0020 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0170 | 1-1-2014 | Repeal | 2-1-2014 |
| 800-025-0040 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0171 | 1-1-2014 | Amend | 2-1-2014 |
| 800-025-0060 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0175 | 1-1-2014 | Amend | 2-1-2014 |
| 801-001-0035 | 3-1-2014 | Amend | 3-1-2014 | 812-003-0180 | 1-1-2014 | Amend | 2-1-2014 |
| 801-010-0050 | 3-1-2014 | Amend | 3-1-2014 | 812-003-0190 | 4-30-2014 | Amend | 6-1-2014 |
| 801-010-0085 | 3-1-2014 | Amend | 3-1-2014 | 812-003-0220 | 1-1-2014 | Repeal | 2-1-2014 |
| 804-003-0000 | 12-12-2013 | Amend | 1-1-2014 | 812-003-0221 | 1-1-2014 | Amend | 2-1-2014 |
| 804-022-0005 | 12-12-2013 | Amend | 1-1-2014 | 812-003-0240 | 1-1-2014 | Amend | 2-1-2014 |
| 804-022-0010 | 12-12-2013 | Amend | 1-1-2014 | 812-003-0250 | 1-1-2014 | Amend | 2-1-2014 |
| 804-025-0010 | 12-12-2013 | Amend | 1-1-2014 | 812-003-0260 | 1-1-2014 | Amend | 2-1-2014 |
| 806-010-0010 | 7-24-2014 | Amend | 9-1-2014 | 812-003-0260 | 4-30-2014 | Amend | 6-1-2014 |
| 806-010-0020 | 7-24-2014 | Amend | 9-1-2014 | 812-003-0260 | 5-5-2014 | Amend(T) | 6-1-2014 |
| 806-010-0035 | 1-1-2014 | Amend | 2-1-2014 | 812-003-0260 | 7-1-2014 | Amend | 8-1-2014 |
| 806-010-0040 | 7-24-2014 | Amend | 9-1-2014 | 812-003-0260(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 806-010-0045 | 1-1-2014 | Amend | 2-1-2014 | 812-003-0290 | 1-1-2014 | Amend | 2-1-2014 |
| 806-010-0060 | 5-22-2014 | Amend | 7-1-2014 | 812-003-0310 | 1-1-2014 | Amend | 2-1-2014 |
| 806-010-0075 | 7-24-2014 | Amend | 9-1-2014 | 812-003-0320 | 1-1-2014 | Amend | 2-1-2014 |
| 806-010-0105 | 4-24-2014 | Amend | 6-1-2014 | 812-003-0340 | 5-5-2014 | Amend(T) | 6-1-2014 |
| 806-010-0130 | 7-24-2014 | Amend | 9-1-2014 | 812-003-0340 | 7-1-2014 | Amend | 8-1-2014 |
| 806-010-0145 | 4-24-2014 | Amend | 6-1-2014 | 812-003-0340(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 808-001-0020 | 4-1-2014 | Amend(T) | 5-1-2014 | 812-003-0350 | 5-5-2014 | Amend(T) | 6-1-2014 |
| 808-002-0240 | 2-1-2014 | Amend | 3-1-2014 | 812-003-0350 | 7-1-2014 | Amend | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 812-003-0350(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-022-0015 | 2-6-2014 | Amend | 3-1-2014 |
| 812-003-0360 | 5-5-2014 | Amend(T) | 6-1-2014 | 812-022-0015 | 7-1-2014 | Amend | 8-1-2014 |
| 812-003-0360 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0015(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-003-0360(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-022-0016 | 4-30-2014 | Amend | 6-1-2014 |
| 812-003-0370 | 5-5-2014 | Amend(T) | 6-1-2014 | 812-022-0018 | 4-30-2014 | Amend | 6-1-2014 |
| 812-003-0370 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0021 | 11-26-2013 | Amend(T) | 1-1-2014 |
| 812-003-0370(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-022-0021 | 2-6-2014 | Amend | 3-1-2014 |
| 812-003-0380 | 5-5-2014 | Amend(T) | 6-1-2014 | 812-022-0021 | 3-26-2014 | Amend(T) | 5-1-2014 |
| 812-003-0380 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0021 | 7-1-2014 | Amend | 8-1-2014 |
| 812-003-0380(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-022-0021(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-003-0390 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0021(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 812-003-0390 | 4-30-2014 | Amend | 6-1-2014 | 812-022-0022 | 3-26-2014 | Adopt(T) | 5-1-2014 |
| 812-003-0400 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0022 | 7-1-2014 | Adopt | 8-1-2014 |
| 812-003-0430 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0022(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 812-003-0440 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0022(T) | 7-1-2014 | Repeal | 8-1-2014 |
| 812-005-0200 | 4-30-2014 | Amend | 6-1-2014 | 812-022-0025 | 12-12-2013 | Amend(T) | 1-1-2014 |
| 812-005-0210 | 4-30-2014 | Amend | 6-1-2014 | 812-022-0025 | 2-6-2014 | Amend | 3-1-2014 |
| 812-005-0250 | 4-30-2014 | Amend | 6-1-2014 | 812-022-0025(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-005-0800 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0026 | 12-12-2013 | Amend(T) | 1-1-2014 |
| 812-006-0200 | 5-5-2014 | Amend(T) | 6-1-2014 | 812-022-0026 | 2-6-2014 | Amend | 3-1-2014 |
| 812-006-0200 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0026(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-006-0200(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-022-0027 | 12-12-2013 | Amend(T) | 1-1-2014 |
| 812-006-0205 | 5-5-2014 | Adopt(T) | 6-1-2014 | 812-022-0027 | 2-6-2014 | Amend | 3-1-2014 |
| 812-006-0205 | 7-1-2014 | Adopt | 8-1-2014 | 812-022-0027(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-006-0205(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-022-0028 | 2-6-2014 | Amend | 3-1-2014 |
| 812-008-0030 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0028(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-008-0040 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0029 | 2-6-2014 | Adopt | 3-1-2014 |
| 812-009-0340 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0029(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-012-0110 | 1-1-2014 | Amend | 2-1-2014 | 812-022-0033 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0050 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0034 | 2-6-2014 | Adopt | 3-1-2014 |
| 812-020-0055 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0034(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-020-0060 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0035 | 2-6-2014 | Adopt | 3-1-2014 |
| 812-020-0062 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0035(T) | 2-6-2014 | Repeal | 3-1-2014 |
| 812-020-0065 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0036 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0070 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0037 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0071 | 4-30-2014 | Amend | 6-1-2014 | 812-022-0040 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0071 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0042 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0072 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0045 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0080 | 7-1-2014 | Amend | 8-1-2014 | 812-022-0047 | 4-30-2014 | Amend | 6-1-2014 |
| 812-020-0085 | 7-1-2014 | Amend | 8-1-2014 | 812-025-0000 | 1-1-2014 | Amend | 2-1-2014 |
| 812-020-0087 | 7-1-2014 | Amend | 8-1-2014 | 812-025-0005 | 1-1-2014 | Amend | 2-1-2014 |
| 812-020-0090 | 7-1-2014 | Amend | 8-1-2014 | 812-025-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 812-021-0005 | 1-1-2014 | Amend | 2-1-2014 | 812-030-0000 | 1-1-2014 | Amend | 2-1-2014 |
| 812-021-0021 | 1-1-2014 | Amend | 2-1-2014 | 812-030-0240 | 1-1-2014 | Amend | 2-1-2014 |
| 812-021-0045 | 1-1-2014 | Amend | 2-1-2014 | 812-032-0000 | 1-1-2014 | Adopt | 2-1-2014 |
| 812-021-0047 | 1-1-2014 | Amend | 2-1-2014 | 812-032-0000 | 4-30-2014 | Amend | 6-1-2014 |
| 812-022-0000 | 4-30-2014 | Amend | 6-1-2014 | 812-032-0100 | 1-1-2014 | Adopt | 2-1-2014 |
| 812-022-0005 | 4-30-2014 | Amend | 6-1-2014 | 812-032-0100 | 4-30-2014 | Amend | 6-1-2014 |
| 812-022-0010 | 2-6-2014 | Amend | 3-1-2014 | 812-032-0110 | 1-1-2014 | Adopt | 2-1-2014 |
| 812-022-0010 | 3-26-2014 | Amend(T) | 5-1-2014 | 812-032-0110 | 4-30-2014 | Amend | 6-1-2014 |
| 812-022-0010 | 7-1-2014 | Amend | 8-1-2014 | 812-032-0120 | 1-1-2014 | Adopt | 2-1-2014 |
| 812-022-0010(T) | 2-6-2014 | Repeal | 3-1-2014 | 812-032-0120 | 4-30-2014 | Amend | 6-1-2014 |
| 812-022-0010(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-032-0123 | 1-1-2014 | Adopt | 2-1-2014 |
| 812-022-0010(T) | 7-1-2014 | Repeal | 8-1-2014 | 812-032-0123 | 4-30-2014 | Amend | 6-1-2014 |
| 812-022-0011 | 4-30-2014 | Amend | 6-1-2014 | 812-032-0130 | 1-1-2014 | Adopt | 2-1-2014 |
| 812-022-0015 | 11-26-2013 | Amend(T) | 1-1-2014 | 812-032-0130 | 4-30-2014 | Amend | 6-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 812-032-0135 | 1-1-2014 | Adopt | 2-1-2014 | 813-046-0045(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 812-032-0135 | 4-30-2014 | Amend | 6-1-2014 | 813-046-0050 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 812-032-0140 | 1-1-2014 | Adopt | 2-1-2014 | 813-046-0050(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 812-032-0140 | 4-30-2014 | Amend | 6-1-2014 | 813-046-0061 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 812-032-0150 | 1-1-2014 | Adopt | 2-1-2014 | 813-046-0061(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 812-032-0150 | 4-30-2014 | Amend | 6-1-2014 | 813-046-0065 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-001-0007 | 12-18-2013 | Amend | 2-1-2014 | 813-046-0065(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-001-0007 | 12-18-2013 | Amend | 2-1-2014 | 813-046-0070 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-001-0007 | 4-17-2014 | Amend(T) | 6-1-2014 | 813-046-0070(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-001-0007(T) | 12-18-2013 | Amend | 2-1-2014 | 813-046-0081 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-001-0007(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-046-0081(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0001 | 12-18-2013 | Amend | 2-1-2014 | 813-046-0100 | 1-27-2014 | Suspend | 3-1-2014 |
| 813-005-0001(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-046-0100(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0005 | 12-18-2013 | Amend | 2-1-2014 | 813-049-0001 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-005-0005 | 4-17-2014 | Amend(T) | 6-1-2014 | 813-049-0001(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0005(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0005 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-005-0016 | 12-18-2013 | Amend | 2-1-2014 | 813-049-0005(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0016(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0007 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-005-0020 | 12-18-2013 | Adopt | 2-1-2014 | 813-049-0007(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0020 | 4-17-2014 | Amend(T) | 6-1-2014 | 813-049-0010 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-005-0020(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0010(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0030 | 12-18-2013 | Adopt | 2-1-2014 | 813-049-0020 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-005-0030(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0020(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0040 | 12-18-2013 | Adopt | 2-1-2014 | 813-049-0035 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-005-0040(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0035(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0050 | 12-18-2013 | Adopt | 2-1-2014 | 813-049-0040 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-005-0050(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0040(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0060 | 12-18-2013 | Adopt | 2-1-2014 | 813-049-0050 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-005-0060(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0050(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-005-0070 | 12-18-2013 | Adopt | 2-1-2014 | 813-049-0060 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-005-0070(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-049-0060(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0005 | 12-18-2013 | Amend | 2-1-2014 | 813-051-0000 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0005(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0000(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0010 | 12-18-2013 | Amend | 2-1-2014 | 813-051-0010 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0010(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0010(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0015 | 12-18-2013 | Amend | 2-1-2014 | 813-051-0020 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0015(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0020(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0020 | 12-18-2013 | Amend | 2-1-2014 | 813-051-0030 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0020(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0030(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0025 | 12-18-2013 | Amend | 2-1-2014 | 813-051-0040 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0025(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0040(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0030 | 12-18-2013 | Amend | 2-1-2014 | 813-051-0050 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0030(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0050(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0035 | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0060 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-006-0040 | 12-18-2013 | Adopt | 2-1-2014 | 813-051-0060(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-006-0040(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-051-0070 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-046-0000 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-051-0070(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-046-0000(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-051-0080 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-046-0011 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-051-0080(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-046-0011(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-051-0090 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-046-0021 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-051-0090(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-046-0021(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-051-0100 | 1-27-2014 | Suspend | 3-1-2014 |
| 813-046-0030 | 1-27-2014 | Renumber | 3-1-2014 | 813-051-0100(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-046-0040 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-055-0001 | 12-18-2013 | Amend | 2-1-2014 |
| 813-046-0040(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-055-0001 | 6-5-2014 | Amend(T) | 7-1-2014 |
| 813-046-0045 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-055-0001(T) | 12-18-2013 | Repeal | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|-----------------|------------|----------|----------|
| 813-055-0010 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0026 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-055-0010(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0026(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0020 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0027 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-055-0020(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0027(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0040 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0030 | 12-18-2013 | Amend | 2-1-2014 |
| 813-055-0040(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0030(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0050 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0032 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-055-0050(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0032(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0060 | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0033 | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0065 | 12-18-2013 | Adopt | 2-1-2014 | 813-110-0034 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-055-0065(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0034(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0075 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0035 | 12-18-2013 | Amend | 2-1-2014 |
| 813-055-0075(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0035(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0085 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0037 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-055-0085(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0037(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0095 | 12-18-2013 | Adopt | 2-1-2014 | 813-110-0040 | 12-18-2013 | Amend | 2-1-2014 |
| 813-055-0095(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0040(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0100 | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0045 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-055-0105 | 12-18-2013 | Amend | 2-1-2014 | 813-110-0045(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0105(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-110-0050 | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0110 | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0000 | 12-18-2013 | Amend | 2-1-2014 |
| 813-055-0115 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0000(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-055-0115(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0010 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0005 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0010(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0010 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0020 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0015 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0020(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0027 | 6-5-2014 | Suspend | 7-1-2014 | 813-130-0030 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0031 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0030(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0036 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0040 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0037 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0040(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0039 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0050 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0080 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0050(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0089 | 6-2-2014 | Adopt(T) | 7-1-2014 | 813-130-0060 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0089(T) | 6-5-2014 | Suspend | 7-1-2014 | 813-130-0060(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0095 | 6-2-2014 | Amend(T) | 7-1-2014 | 813-130-0070 | 12-18-2013 | Amend | 2-1-2014 |
| 813-090-0095(T) | 6-5-2014 | Suspend | 7-1-2014 | 813-130-0070(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-090-0110 | 6-5-2014 | Adopt(T) | 7-1-2014 | 813-130-0080 | 12-18-2013 | Amend | 2-1-2014 |
| 813-110-0005 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0080(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0005 | 6-5-2014 | Amend(T) | 7-1-2014 | 813-130-0090 | 12-18-2013 | Amend | 2-1-2014 |
| 813-110-0005(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0090(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0010 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0100 | 12-18-2013 | Amend | 2-1-2014 |
| 813-110-0010(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0100(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0012 | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0110 | 12-18-2013 | Amend | 2-1-2014 |
| 813-110-0013 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0110(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0013(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0120 | 12-18-2013 | Amend | 2-1-2014 |
| 813-110-0015 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0120(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0015(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0130 | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0020 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0140 | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0020(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-130-0150 | 12-18-2013 | Amend | 2-1-2014 |
| 813-110-0021 | 12-18-2013 | Amend | 2-1-2014 | 813-130-0150(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-110-0021(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-145-0000 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-110-0022 | 12-18-2013 | Amend | 2-1-2014 | 813-145-0000(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-110-0022(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-145-0010 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-110-0023 | 12-18-2013 | Repeal | 2-1-2014 | 813-145-0010(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-110-0025 | 12-18-2013 | Amend | 2-1-2014 | 813-145-0020 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-110-0025(T) | 12-18-2013 | Repeal | 2-1-2014 | 813-145-0020(T) | 2-10-2014 | Suspend | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 813-145-0025 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-202-0020 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-145-0025(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-202-0020(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-145-0030 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-202-0030 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-145-0030(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-202-0030(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-145-0040 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-202-0040 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-145-0040(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-202-0040(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-145-0050 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-202-0050 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-145-0050(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-202-0050(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-145-0060 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-202-0060 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-145-0060(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-202-0060(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-145-0070 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-202-0070 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-145-0070(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-202-0070(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-145-0080 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0000 | 12-18-2013 | Amend | 2-1-2014 |
| 813-145-0080(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0000(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-145-0090 | 1-27-2014 | Suspend | 3-1-2014 | 813-205-0010 | 12-18-2013 | Repeal | 2-1-2014 |
| 813-145-0090(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0020 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0001 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0020(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0001(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0030 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0005 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0030(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0005(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0040 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0007 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0040(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0007(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0050 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0010 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0050(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0010(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0051 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0017 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0051(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0017(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0052 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0019 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0052(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0019(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0060 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0020 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0060(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0020(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0070 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0030 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0070(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0030(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0080 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0040 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0080(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0040(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0082 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-200-0050 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0082(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0050(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0085 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0055 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0085(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0055(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0100 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0060 | 1-27-2014 | Suspend | 3-1-2014 | 813-205-0100(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0060(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0110 | 12-18-2013 | Amend | 2-1-2014 |
| 813-200-0070 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0110(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-200-0070(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0120 | 12-18-2013 | Amend | 2-1-2014 |
| 813-202-0001 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0120(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-202-0001(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0130 | 12-18-2013 | Amend | 2-1-2014 |
| 813-202-0005 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0130(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-202-0005(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0140 | 12-18-2013 | Repeal | 2-1-2014 |
| 813-202-0008 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-205-0145 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-202-0008(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0145(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-202-0010 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-205-0150 | 12-18-2013 | Adopt | 2-1-2014 |
| 813-202-0010(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-205-0150(T) | 12-18-2013 | Repeal | 2-1-2014 |
| 813-202-0015 | 1-27-2014 | Suspend | 3-1-2014 | 813-210-0001 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-202-0015(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-210-0001(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-202-0017 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-210-0009 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-202-0017(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-210-0009(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-202-0019 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-210-0010 | 1-27-2014 | Renumber | 3-1-2014 |
| 813-202-0019(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-210-0015 | 1-27-2014 | Amend(T) | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|----------|-----------------|------------|----------|----------|
| 813-210-0015(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-240-0041(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0022 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-240-0050 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0022(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-240-0050(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0025 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-240-0060 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0025(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-240-0060(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0030 | 1-27-2014 | Renumber | 3-1-2014 | 813-240-0070 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0040 | 1-27-2014 | Suspend | 3-1-2014 | 813-240-0070(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0040(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-240-0080 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0050 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-240-0080(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0050(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-240-0090 | 1-27-2014 | Suspend | 3-1-2014 |
| 813-210-0052 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-240-0090(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0052(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0000 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0055 | 1-27-2014 | Suspend | 3-1-2014 | 813-250-0000(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0055(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0005 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-210-0056 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-250-0005(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0056(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0015 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-210-0060 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-250-0015(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0060(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0020 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0065 | 1-27-2014 | Suspend | 3-1-2014 | 813-250-0020(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0065(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0030 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0075 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-250-0030(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0075(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0040 | 1-27-2014 | Amend(T) | 3-1-2014 |
| 813-210-0085 | 1-27-2014 | Adopt(T) | 3-1-2014 | 813-250-0040(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-210-0085(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0055 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-220-0001 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-250-0055(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-220-0001(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0060 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-220-0005 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-250-0060(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-220-0005(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-250-0070 | 1-27-2014 | Adopt(T) | 3-1-2014 |
| 813-220-0010 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-250-0070(T) | 2-10-2014 | Suspend | 3-1-2014 |
| 813-220-0010(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-300-0010 | 12-18-2013 | Amend(T) | 2-1-2014 |
| 813-220-0015 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-300-0010 | 6-12-2014 | Amend | 7-1-2014 |
| 813-220-0015(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-360-0000 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0020 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-360-0010 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0020(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-360-0020 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0030 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-360-0030 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0030(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-360-0040 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0050 | 1-27-2014 | Amend(T) | 3-1-2014 | 813-360-0050 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0050(T) | 2-10-2014 | Suspend | 3-1-2014 | 813-360-0060 | 6-24-2014 | Adopt | 8-1-2014 |
| 813-220-0060 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-005-0005 | 3-1-2014 | Amend | 4-1-2014 |
| 813-220-0060(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0007 | 3-1-2014 | Amend | 4-1-2014 |
| 813-220-0070 | 1-27-2014 | Suspend | 3-1-2014 | 817-010-0009 | 3-1-2014 | Repeal | 4-1-2014 |
| 813-220-0070(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0014 | 1-1-2014 | Amend | 2-1-2014 |
| 813-220-0080 | 1-27-2014 | Adopt(T) | 3-1-2014 | 817-010-0021 | 3-1-2014 | Amend | 4-1-2014 |
| 813-220-0080(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0035 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0001 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-010-0040 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0001(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0055 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0005 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-010-0060 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0005(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0065 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0010 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-010-0068 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0010(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0069 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0015 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-010-0075 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0015(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0085 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0020 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-010-0095 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0020(T) | 2-10-2014 | Suspend | 3-1-2014 | 817-010-0101 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0030 | 1-27-2014 | Renumber | 3-1-2014 | 817-010-0106 | 3-1-2014 | Amend | 4-1-2014 |
| 813-240-0041 | 1-27-2014 | Amend(T) | 3-1-2014 | 817-010-0110 | 3-1-2014 | Amend | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|-----------|--------|----------|-----------------|-----------|----------|----------|
| 817-010-0300 | 3-1-2014 | Repeal | 4-1-2014 | 818-026-0065 | 8-1-2014 | Amend | 8-1-2014 |
| 817-015-0010 | 3-1-2014 | Repeal | 4-1-2014 | 818-026-0070 | 8-1-2014 | Amend | 8-1-2014 |
| 817-015-0030 | 3-1-2014 | Amend | 4-1-2014 | 818-035-0025 | 8-1-2014 | Amend | 8-1-2014 |
| 817-015-0065 | 3-1-2014 | Amend | 4-1-2014 | 818-035-0030 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0001 | 3-1-2014 | Amend | 4-1-2014 | 818-035-0040 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0006 | 3-1-2014 | Amend | 4-1-2014 | 818-042-0040 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0007 | 3-1-2014 | Amend | 4-1-2014 | 818-042-0050 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0009 | 3-1-2014 | Amend | 4-1-2014 | 818-042-0060 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0305 | 3-1-2014 | Amend | 4-1-2014 | 818-042-0090 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0325 | 3-1-2014 | Adopt | 4-1-2014 | 818-042-0120 | 8-1-2014 | Amend | 8-1-2014 |
| 817-020-0350 | 3-1-2014 | Adopt | 4-1-2014 | 818-042-0130 | 8-1-2014 | Amend | 8-1-2014 |
| 817-030-0003 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0020 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 817-030-0005 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0020 | 2-26-2014 | Amend | 4-1-2014 |
| 817-030-0028 | 1-1-2014 | Adopt | 2-1-2014 | 820-001-0020(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-030-0030 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0020(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-030-0065 | 1-1-2014 | Amend | 2-1-2014 | 820-001-0020(T) | 2-26-2014 | Repeal | 4-1-2014 |
| 817-030-0071 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0025 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 817-030-0080 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0025 | 2-26-2014 | Amend | 4-1-2014 |
| 817-035-0010 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0030 | 7-16-2014 | Adopt | 9-1-2014 |
| 817-035-0048 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0035 | 7-16-2014 | Adopt | 9-1-2014 |
| 817-035-0050 | 3-1-2014 | Amend | 4-1-2014 | 820-001-0040 | 7-16-2014 | Adopt | 9-1-2014 |
| 817-035-0052 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0010 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 817-035-0068 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0010 | 2-26-2014 | Amend | 4-1-2014 |
| 817-035-0070 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0010(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-035-0090 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0010(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-035-0093 | 3-1-2014 | Adopt | 4-1-2014 | 820-010-0010(T) | 2-26-2014 | Repeal | 4-1-2014 |
| 817-035-0095 | 3-1-2014 | Adopt | 4-1-2014 | 820-010-0225 | 2-14-2014 | Amend(T) | 3-1-2014 |
| 817-035-0110 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0225 | 7-16-2014 | Amend | 9-1-2014 |
| 817-060-0010 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0225(T) | 7-16-2014 | Repeal | 9-1-2014 |
| 817-060-0020 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0226 | 2-14-2014 | Amend(T) | 3-1-2014 |
| 817-060-0030 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0226 | 7-16-2014 | Amend | 9-1-2014 |
| 817-060-0050 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0226(T) | 7-16-2014 | Repeal | 9-1-2014 |
| 817-080-0005 | 3-1-2014 | Repeal | 4-1-2014 | 820-010-0227 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 817-090-0025 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0227 | 2-14-2014 | Amend(T) | 3-1-2014 |
| 817-090-0045 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0227 | 7-16-2014 | Amend | 9-1-2014 |
| 817-090-0050 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0227(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-090-0055 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0227(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-090-0065 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0227(T) | 7-16-2014 | Repeal | 9-1-2014 |
| 817-090-0070 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0228 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 817-090-0075 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0228 | 2-14-2014 | Amend(T) | 3-1-2014 |
| 817-090-0085 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0228 | 7-16-2014 | Amend | 9-1-2014 |
| 817-090-0090 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0228(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-090-0105 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0228(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-090-0110 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0228(T) | 7-16-2014 | Repeal | 9-1-2014 |
| 817-090-0115 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0260(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-100-0005 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0260(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 817-120-0005 | 3-1-2014 | Amend | 4-1-2014 | 820-010-0305 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 818-001-0087 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0305 | 2-26-2014 | Amend | 4-1-2014 |
| 818-012-0005 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0305(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 818-012-0030 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0305(T) | 12-5-2013 | Suspend | 1-1-2014 |
| 818-012-0040 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0305(T) | 2-26-2014 | Repeal | 4-1-2014 |
| 818-021-0060 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0420 | 2-14-2014 | Amend(T) | 3-1-2014 |
| 818-021-0070 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0420 | 7-16-2014 | Amend | 9-1-2014 |
| 818-026-0050 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0420(T) | 7-16-2014 | Repeal | 9-1-2014 |
| 818-026-0055 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0442 | 12-5-2013 | Amend(T) | 1-1-2014 |
| 818-026-0060 | 8-1-2014 | Amend | 8-1-2014 | 820-010-0442 | 2-26-2014 | Amend | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|-----------|--------------|-----------|----------|----------|
| 820-010-0442(T) | 12-5-2013 | Suspend | 1-1-2014 | 836-052-0142 | 5-19-2014 | Amend | 7-1-2014 |
| 820-010-0442(T) | 12-5-2013 | Suspend | 1-1-2014 | 836-052-0676 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0442(T) | 2-26-2014 | Repeal | 4-1-2014 | 836-052-0800 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0620 | 12-5-2013 | Amend(T) | 1-1-2014 | 836-052-0830 | 1-1-2014 | Repeal | 2-1-2014 |
| 820-010-0620 | 2-26-2014 | Amend | 4-1-2014 | 836-052-0860 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0620(T) | 12-5-2013 | Suspend | 1-1-2014 | 836-053-0000 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0620(T) | 12-5-2013 | Suspend | 1-1-2014 | 836-053-0001 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0620(T) | 2-26-2014 | Repeal | 4-1-2014 | 836-053-0002 | 1-1-2014 | Adopt | 2-1-2014 |
| 820-010-0621 | 12-5-2013 | Amend(T) | 1-1-2014 | 836-053-0003 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0621 | 2-26-2014 | Amend | 4-1-2014 | 836-053-0005 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0621(T) | 12-5-2013 | Suspend | 1-1-2014 | 836-053-0007 | 1-1-2014 | Amend | 2-1-2014 |
| 820-010-0621(T) | 12-5-2013 | Suspend | 1-1-2014 | 836-053-0008 | 1-1-2014 | Adopt | 2-1-2014 |
| 820-010-0621(T) | 2-26-2014 | Repeal | 4-1-2014 | 836-053-0009 | 1-1-2014 | Adopt | 2-1-2014 |
| 820-010-0622 | 7-16-2014 | Amend | 9-1-2014 | 836-053-0021 | 1-1-2014 | Amend | 2-1-2014 |
| 833-020-0051 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0030 | 1-1-2014 | Amend | 2-1-2014 |
| 833-020-0075 | 7-1-2014 | Amend(T) | 7-1-2014 | 836-053-0040 | 1-1-2014 | Repeal | 2-1-2014 |
| 833-030-0021 | 9-5-2014 | Amend | 10-1-2014 | 836-053-0050 | 1-1-2014 | Amend | 2-1-2014 |
| 833-040-0021 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0060 | 1-1-2014 | Repeal | 2-1-2014 |
| 833-040-0021 | 9-5-2014 | Amend | 10-1-2014 | 836-053-0063 | 1-1-2014 | Adopt | 2-1-2014 |
| 833-050-0061 | 6-11-2014 | Amend | 7-1-2014 | 836-053-0065 | 1-1-2014 | Amend | 2-1-2014 |
| 833-050-0071 | 9-5-2014 | Amend | 10-1-2014 | 836-053-0066 | 4-11-2014 | Adopt(T) | 5-1-2014 |
| 833-050-0131 | 6-11-2014 | Amend | 7-1-2014 | 836-053-0070 | 1-1-2014 | Amend | 2-1-2014 |
| 833-060-0012 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0081 | 1-1-2014 | Repeal | 2-1-2014 |
| 833-100-0021 | 6-11-2014 | Amend | 7-1-2014 | 836-053-0210 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-007-0001 | 12-31-2013 | Adopt(T) | 2-1-2014 | 836-053-0211 | 1-1-2014 | Adopt | 2-1-2014 |
| 836-007-0001 | 6-20-2014 | Adopt | 8-1-2014 | 836-053-0220 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-010-0011 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0221 | 1-1-2014 | Adopt | 2-1-2014 |
| 836-010-0013 | 4-24-2014 | Adopt(T) | 6-1-2014 | 836-053-0250 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-010-0051 | 1-1-2014 | Adopt | 2-1-2014 | 836-053-0410 | 1-1-2014 | Amend | 2-1-2014 |
| 836-010-0150 | 7-17-2014 | Adopt | 9-1-2014 | 836-053-0415 | 1-1-2014 | Amend | 2-1-2014 |
| 836-011-0000 | 2-14-2014 | Amend | 3-1-2014 | 836-053-0430 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-011-0050 | 2-14-2014 | Adopt | 3-1-2014 | 836-053-0431 | 1-1-2014 | Adopt | 2-1-2014 |
| 836-020-0770 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0431 | 2-4-2014 | Amend(T) | 3-1-2014 |
| 836-020-0775 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0431 | 4-2-2014 | Amend(T) | 5-1-2014 |
| 836-020-0780 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0431 | 4-16-2014 | Amend(T) | 6-1-2014 |
| 836-020-0785 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0431 | 7-30-2014 | Amend | 9-1-2014 |
| 836-020-0806 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0440 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0005 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0460 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0005 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0465 | 1-1-2014 | Amend | 2-1-2014 |
| 836-027-0010 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0465 | 4-11-2014 | Amend(T) | 5-1-2014 |
| 836-027-0010 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0471 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0030 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0472 | 1-1-2014 | Adopt | 2-1-2014 |
| 836-027-0030 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0473 | 1-1-2014 | Adopt | 2-1-2014 |
| 836-027-0035 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0475 | 1-1-2014 | Amend | 2-1-2014 |
| 836-027-0035 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0510 | 1-1-2014 | Amend | 2-1-2014 |
| 836-027-0045 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0700 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0045 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0710 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0050 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0750 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0050 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0760 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0100 | 1-1-2014 | Amend | 2-1-2014 | 836-053-0780 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0100 | 1-8-2014 | Amend | 2-1-2014 | 836-053-0785 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0125 | 1-1-2014 | Adopt | 2-1-2014 | 836-053-0790 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0125 | 1-8-2014 | Adopt | 2-1-2014 | 836-053-0800 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-027-0140 | 1-1-2014 | Adopt | 2-1-2014 | 836-053-0825 | 1-1-2014 | Amend | 2-1-2014 |
| 836-027-0140 | 1-8-2014 | Adopt | 2-1-2014 | 836-053-0830 | 1-1-2014 | Amend | 2-1-2014 |
| 836-052-0142 | 12-5-2013 | Amend(T) | 1-1-2014 | 836-053-0835 | 1-1-2014 | Adopt | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 836-053-0851 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0011 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-0900 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0016 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-0910 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0020 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-1000 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0025 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-1020 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0030 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-1030 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0035 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-1035 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0040 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-1040 | 1-1-2014 | Repeal | 2-1-2014 | 836-100-0045 | 1-1-2014 | Repeal | 2-1-2014 |
| 836-053-1070 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0100 | 1-1-2014 | Amend | 2-1-2014 |
| 836-053-1080 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0105 | 1-1-2014 | Amend | 2-1-2014 |
| 836-053-1100 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0110 | 1-1-2014 | Amend | 2-1-2014 |
| 836-053-1110 | 1-1-2014 | Amend | 2-1-2014 | 836-100-0115 | 1-1-2014 | Amend | 2-1-2014 |
| 836-053-1130 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0400 | 1-2-2014 | Adopt(T) | 2-1-2014 |
| 836-053-1140 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0401 | 7-21-2014 | Adopt | 9-1-2014 |
| 836-053-1170 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0405 | 1-2-2014 | Adopt(T) | 2-1-2014 |
| 836-053-1180 | 1-1-2014 | Adopt | 2-1-2014 | 836-200-0406 | 7-21-2014 | Adopt | 9-1-2014 |
| 836-053-1190 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0410 | 1-2-2014 | Adopt(T) | 2-1-2014 |
| 836-053-1200 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0411 | 7-21-2014 | Adopt | 9-1-2014 |
| 836-053-1315 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0415 | 1-2-2014 | Adopt(T) | 2-1-2014 |
| 836-053-1320 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0416 | 7-21-2014 | Adopt | 9-1-2014 |
| 836-053-1325 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0420 | 1-2-2014 | Adopt(T) | 2-1-2014 |
| 836-053-1330 | 1-1-2014 | Amend | 2-1-2014 | 836-200-0421 | 7-21-2014 | Adopt | 9-1-2014 |
| 836-053-1335 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0305 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1340 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0310 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1342 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0315 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1345 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0320 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1350 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0325 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1355 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0330 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1360 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0340 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1365 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0350 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1400 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0360 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1401 | 1-1-2014 | Repeal | 2-1-2014 | 837-012-0370 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1410 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0500 | 7-1-2014 | Amend | 8-1-2014 |
| 836-053-1415 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0505 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0267 | 7-21-2014 | Amend | 9-1-2014 | 837-012-0510 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0405 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0515 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0410 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0520 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0415 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0525 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0420 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0530 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0425 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0535 | 7-1-2014 | Amend | 8-1-2014 |
| 836-071-0430 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0540 | 7-1-2014 | Amend | 8-1-2014 |
| 836-075-0045 | 1-1-2014 | Adopt | 2-1-2014 | 837-012-0545 | 7-1-2014 | Amend | 8-1-2014 |
| 836-080-0050 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0550 | 7-1-2014 | Amend | 8-1-2014 |
| 836-080-0055 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0555 | 7-1-2014 | Amend | 8-1-2014 |
| 836-080-0080 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0560 | 7-1-2014 | Amend | 8-1-2014 |
| 836-080-0200 | 8-15-2014 | Adopt | 9-1-2014 | 837-012-0565 | 7-1-2014 | Amend | 8-1-2014 |
| 836-081-0005 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0570 | 7-1-2014 | Amend | 8-1-2014 |
| 836-082-0050 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0600 | 7-1-2014 | Amend | 8-1-2014 |
| 836-082-0055 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0605 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0001 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0610 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0005 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0615 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0010 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0620 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0025 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0625 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0035 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0630 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0045 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0635 | 7-1-2014 | Amend | 8-1-2014 |
| 836-085-0050 | 1-1-2014 | Amend | 2-1-2014 | 837-012-0640 | 7-1-2014 | Amend | 8-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 837-012-0645 | 7-1-2014 | Amend | 8-1-2014 | 837-040-0010 | 7-1-2014 | Amend | 6-1-2014 |
| 837-012-0650 | 7-1-2014 | Amend | 8-1-2014 | 837-040-0020 | 7-1-2014 | Amend | 6-1-2014 |
| 837-012-0655 | 7-1-2014 | Amend | 8-1-2014 | 837-040-0140 | 7-1-2014 | Amend | 6-1-2014 |
| 837-012-0660 | 7-1-2014 | Amend | 8-1-2014 | 837-085-0040 | 1-9-2014 | Amend | 2-1-2014 |
| 837-012-0665 | 7-1-2014 | Amend | 8-1-2014 | 837-085-0090 | 1-9-2014 | Amend | 2-1-2014 |
| 837-012-0670 | 7-1-2014 | Amend | 8-1-2014 | 837-085-0280 | 1-9-2014 | Amend | 2-1-2014 |
| 837-012-0675 | 7-1-2014 | Amend | 8-1-2014 | 837-090-1030 | 7-1-2014 | Amend | 8-1-2014 |
| 837-012-0700 | 7-1-2014 | Amend | 8-1-2014 | 839-001-0300 | 5-5-2014 | Amend | 6-1-2014 |
| 837-012-0710 | 7-1-2014 | Amend | 8-1-2014 | 839-001-0440 | 1-1-2014 | Amend | 2-1-2014 |
| 837-012-0720 | 7-1-2014 | Amend | 8-1-2014 | 839-001-0450 | 1-1-2014 | Amend | 2-1-2014 |
| 837-012-0730 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0005 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0740 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0020 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0750 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0031 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0760 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0090 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0770 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0100 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0780 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0235 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0790 | 7-1-2014 | Amend | 8-1-2014 | 839-003-0245 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0800 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0003 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0810 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0011 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0820 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0030 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0830 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0060 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0835 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0065 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0840 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0070 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0850 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0075 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0855 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0080 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0860 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0085 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0865 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0160 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0870 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0170 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0875 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0200 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0880 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0205 | 7-3-2014 | Amend | 8-1-2014 |
| 837-012-0890 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0206 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-0900 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0300 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0910 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0305 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0920 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0310 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0930 | 7-1-2014 | Repeal | 8-1-2014 | 839-005-0315 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0940 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0320 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0950 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0325 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0960 | 7-1-2014 | Amend | 8-1-2014 | 839-005-0400 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-0970 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0205 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-1000 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0212 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-1010 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0270 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-1020 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0290 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-1030 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0291 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-1040 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0292 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-1050 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0295 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-1060 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0305 | 12-30-2013 | Amend | 2-1-2014 |
| 837-012-1070 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0307 | 12-30-2013 | Am. & Ren. | 2-1-2014 |
| 837-012-1080 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0332 | 12-30-2013 | Renumber | 2-1-2014 |
| 837-012-1090 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0345 | 12-30-2013 | Adopt | 2-1-2014 |
| 837-012-1100 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0450 | 12-16-2013 | Amend(T) | 1-1-2014 |
| 837-012-1110 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0450 | 2-19-2014 | Amend(T) | 4-1-2014 |
| 837-012-1120 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0450 | 5-30-2014 | Amend | 7-1-2014 |
| 837-012-1130 | 7-1-2014 | Amend | 8-1-2014 | 839-006-0450(T) | 2-19-2014 | Suspend | 4-1-2014 |
| 837-012-1140 | 7-1-2014 | Amend | 8-1-2014 | 839-009-0210 | 12-31-2013 | Amend | 2-1-2014 |
| 837-012-1150 | 7-1-2014 | Amend | 8-1-2014 | 839-009-0230 | 12-31-2013 | Amend | 2-1-2014 |
| 837-012-1160 | 7-1-2014 | Amend | 8-1-2014 | 839-009-0240 | 12-31-2013 | Amend | 2-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|--------------|------------|----------|----------|--------------|-----------|--------|-----------|
| 839-009-0250 | 12-31-2013 | Amend | 2-1-2014 | 839-021-0360 | 1-1-2014 | Amend | 2-1-2014 |
| 839-009-0270 | 12-31-2013 | Amend | 2-1-2014 | 839-021-0365 | 1-1-2014 | Amend | 2-1-2014 |
| 839-009-0280 | 12-31-2013 | Amend | 2-1-2014 | 839-021-0370 | 1-1-2014 | Amend | 2-1-2014 |
| 839-009-0325 | 12-31-2013 | Amend | 2-1-2014 | 839-021-0490 | 1-1-2014 | Amend | 2-1-2014 |
| 839-009-0330 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0000 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0340 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0010 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0345 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0100 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0362 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0105 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0363 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0110 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0380 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0115 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0390 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0120 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-009-0430 | 12-31-2013 | Amend | 2-1-2014 | 839-022-0125 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-010-0000 | 12-30-2013 | Amend | 2-1-2014 | 839-022-0130 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-010-0300 | 12-30-2013 | Adopt | 2-1-2014 | 839-022-0135 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-010-0305 | 12-30-2013 | Adopt | 2-1-2014 | 839-022-0140 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-010-0310 | 12-30-2013 | Adopt | 2-1-2014 | 839-022-0145 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-015-0155 | 1-21-2014 | Amend(T) | 3-1-2014 | 839-022-0150 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-015-0155 | 4-10-2014 | Amend | 5-1-2014 | 839-022-0155 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-019-0004 | 1-1-2014 | Amend | 2-1-2014 | 839-022-0160 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-019-0010 | 1-1-2014 | Amend | 2-1-2014 | 839-022-0165 | 1-1-2014 | Repeal | 2-1-2014 |
| 839-019-0100 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0004 | 1-1-2014 | Amend | 2-1-2014 |
| 839-020-0004 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0010 | 1-1-2014 | Amend | 2-1-2014 |
| 839-020-0025 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0013 | 1-1-2014 | Amend | 2-1-2014 |
| 839-020-0040 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0020 | 1-1-2014 | Amend | 2-1-2014 |
| 839-020-0050 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0035 | 1-1-2014 | Amend | 2-1-2014 |
| 839-020-0070 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0043 | 1-1-2014 | Amend | 2-1-2014 |
| 839-020-1010 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0085 | 1-1-2014 | Amend | 2-1-2014 |
| 839-021-0006 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0090 | 1-1-2014 | Amend | 2-1-2014 |
| 839-021-0067 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0095 | 1-1-2014 | Amend | 2-1-2014 |
| 839-021-0070 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0230 | 1-1-2014 | Amend | 2-1-2014 |
| 839-021-0072 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0530 | 1-1-2014 | Amend | 2-1-2014 |
| 839-021-0087 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0700 | 1-1-2014 | Amend | 2-1-2014 |
| 839-021-0097 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0700 | 4-2-2014 | Amend | 5-1-2014 |
| 839-021-0102 | 1-1-2014 | Amend | 2-1-2014 | 839-025-0700 | 7-1-2014 | Amend | 7-1-2014 |
| 839-021-0104 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0000 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0175 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0010 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0220 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0020 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0221 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0030 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0246 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0040 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0248 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0050 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0255 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0060 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0265 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0070 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0280 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0080 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0290 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0080 | 9-4-2014 | Amend | 10-1-2014 |
| 839-021-0292 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0090 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0294 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0100 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0297 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0110 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0315 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0120 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0320 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0130 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0325 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0140 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0330 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0150 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0335 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0160 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0340 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0170 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0345 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0180 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0350 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0190 | 4-15-2014 | Amend | 5-1-2014 |
| 839-021-0355 | 1-1-2014 | Amend | 2-1-2014 | 839-050-0200 | 4-15-2014 | Amend | 5-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-------------------|------------------|---------------|-----------------|-------------------|------------------|---------------|-----------------|
| 839-050-0210 | 4-15-2014 | Amend | 5-1-2014 | 845-020-0020 | 5-1-2014 | Amend | 5-1-2014 |
| 839-050-0220 | 4-15-2014 | Amend | 5-1-2014 | 847-001-0024 | 1-14-2014 | Adopt | 2-1-2014 |
| 839-050-0230 | 4-15-2014 | Amend | 5-1-2014 | 847-001-0045 | 4-9-2014 | Adopt | 5-1-2014 |
| 839-050-0230 | 9-4-2014 | Amend | 10-1-2014 | 847-005-0005 | 4-9-2014 | Amend | 5-1-2014 |
| 839-050-0240 | 4-15-2014 | Amend | 5-1-2014 | 847-008-0003 | 4-9-2014 | Amend | 5-1-2014 |
| 839-050-0250 | 4-15-2014 | Amend | 5-1-2014 | 847-008-0070 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0255 | 4-15-2014 | Amend | 5-1-2014 | 847-010-0053 | 1-14-2014 | Repeal | 2-1-2014 |
| 839-050-0260 | 4-15-2014 | Amend | 5-1-2014 | 847-010-0060 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0270 | 4-15-2014 | Amend | 5-1-2014 | 847-020-0110 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0280 | 4-15-2014 | Amend | 5-1-2014 | 847-020-0183 | 4-9-2014 | Amend | 5-1-2014 |
| 839-050-0290 | 4-15-2014 | Amend | 5-1-2014 | 847-050-0020 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0300 | 4-15-2014 | Amend | 5-1-2014 | 847-050-0023 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0310 | 4-15-2014 | Amend | 5-1-2014 | 847-050-0025 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0320 | 4-15-2014 | Amend | 5-1-2014 | 847-050-0026 | 1-14-2014 | Repeal | 2-1-2014 |
| 839-050-0330 | 4-15-2014 | Amend | 5-1-2014 | 847-050-0043 | 4-9-2014 | Amend | 5-1-2014 |
| 839-050-0330 | 9-4-2014 | Amend | 10-1-2014 | 847-070-0019 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0340 | 4-15-2014 | Amend | 5-1-2014 | 847-070-0036 | 1-14-2014 | Repeal | 2-1-2014 |
| 839-050-0340 | 9-4-2014 | Amend | 10-1-2014 | 847-070-0037 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0350 | 4-15-2014 | Amend | 5-1-2014 | 847-070-0045 | 4-9-2014 | Amend | 5-1-2014 |
| 839-050-0360 | 4-15-2014 | Amend | 5-1-2014 | 847-080-0002 | 1-14-2014 | Amend | 2-1-2014 |
| 839-050-0370 | 4-15-2014 | Amend | 5-1-2014 | 847-080-0021 | 4-9-2014 | Amend | 5-1-2014 |
| 839-050-0380 | 4-15-2014 | Amend | 5-1-2014 | 848-001-0005 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0400 | 4-15-2014 | Amend | 5-1-2014 | 848-005-0020 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0410 | 4-15-2014 | Amend | 5-1-2014 | 848-005-0030 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0420 | 4-15-2014 | Amend | 5-1-2014 | 848-010-0010 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0430 | 4-15-2014 | Amend | 5-1-2014 | 848-010-0015 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0440 | 4-15-2014 | Amend | 5-1-2014 | 848-010-0020 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0440 | 9-4-2014 | Repeal | 10-1-2014 | 848-010-0026 | 1-1-2014 | Amend | 1-1-2014 |
| 839-050-0445 | 4-15-2014 | Amend | 5-1-2014 | 848-010-0033 | 1-1-2014 | Amend | 1-1-2014 |
| 845-001-0007 | 10-1-2014 | Amend | 10-1-2014 | 848-010-0035 | 1-1-2014 | Amend | 1-1-2014 |
| 845-003-0200 | 10-1-2014 | Amend | 10-1-2014 | 848-010-0044 | 1-1-2014 | Amend | 1-1-2014 |
| 845-003-0210 | 10-1-2014 | Amend | 10-1-2014 | 848-015-0030 | 1-1-2014 | Amend | 1-1-2014 |
| 845-003-0220 | 10-1-2014 | Amend | 10-1-2014 | 848-020-0000 | 1-1-2014 | Amend | 1-1-2014 |
| 845-003-0270 | 10-1-2014 | Amend | 10-1-2014 | 848-020-0060 | 1-1-2014 | Amend | 1-1-2014 |
| 845-003-0331 | 10-1-2014 | Amend | 10-1-2014 | 848-035-0010 | 4-1-2014 | Amend | 4-1-2014 |
| 845-003-0340 | 10-1-2014 | Repeal | 10-1-2014 | 848-035-0015 | 4-1-2014 | Amend | 4-1-2014 |
| 845-003-0345 | 10-1-2014 | Adopt | 10-1-2014 | 848-035-0020 | 4-1-2014 | Amend | 4-1-2014 |
| 845-003-0460 | 10-1-2014 | Amend | 10-1-2014 | 848-035-0030 | 4-1-2014 | Amend | 4-1-2014 |
| 845-003-0590 | 10-1-2014 | Amend | 10-1-2014 | 848-035-0035 | 4-1-2014 | Amend | 4-1-2014 |
| 845-003-0670 | 10-1-2014 | Amend | 10-1-2014 | 848-035-0040 | 4-1-2014 | Amend | 4-1-2014 |
| 845-004-0001 | 1-1-2014 | Amend | 1-1-2014 | 848-040-0105 | 1-1-2014 | Amend | 1-1-2014 |
| 845-005-0311 | 1-1-2014 | Amend | 1-1-2014 | 848-040-0110 | 1-1-2014 | Amend | 1-1-2014 |
| 845-005-0325 | 8-15-2014 | Amend | 9-1-2014 | 848-040-0117 | 1-1-2014 | Amend | 1-1-2014 |
| 845-005-0329 | 6-1-2014 | Adopt | 6-1-2014 | 848-040-0147 | 1-1-2014 | Amend | 1-1-2014 |
| 845-005-0331 | 6-1-2014 | Amend | 6-1-2014 | 848-040-0150 | 1-1-2014 | Amend | 1-1-2014 |
| 845-005-0431 | 3-1-2014 | Amend | 3-1-2014 | 848-045-0010 | 1-1-2014 | Amend | 1-1-2014 |
| 845-005-0440 | 3-1-2014 | Amend | 3-1-2014 | 850-030-0035 | 7-10-2014 | Amend | 8-1-2014 |
| 845-006-0309 | 6-1-2014 | Adopt | 6-1-2014 | 850-035-0230 | 7-10-2014 | Amend | 8-1-2014 |
| 845-006-0335 | 1-1-2014 | Amend | 1-1-2014 | 850-060-0226 | 4-9-2014 | Amend | 5-1-2014 |
| 845-006-0392 | 1-1-2014 | Amend | 1-1-2014 | 850-060-0226 | 7-10-2014 | Amend | 8-1-2014 |
| 845-006-0396 | 1-1-2014 | Amend | 1-1-2014 | 851-021-0005 | 1-1-2014 | Amend | 1-1-2014 |
| 845-006-0452 | 3-1-2014 | Amend | 3-1-2014 | 851-021-0010 | 1-1-2014 | Amend | 1-1-2014 |
| 845-009-0020 | 9-1-2014 | Amend | 9-1-2014 | 851-021-0025 | 1-1-2014 | Amend | 1-1-2014 |
| 845-009-0130 | 6-1-2014 | Amend | 6-1-2014 | 851-021-0050 | 1-1-2014 | Amend | 1-1-2014 |
| 845-013-0001 | 1-1-2014 | Amend | 1-1-2014 | 851-021-0120 | 1-1-2014 | Amend | 1-1-2014 |
| 845-013-0030 | 8-15-2014 | Amend | 9-1-2014 | 851-050-0000 | 1-1-2014 | Amend | 1-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|----------|----------|--------------|-----------|------------|-----------|
| 851-050-0001 | 1-1-2014 | Amend | 1-1-2014 | 856-010-0006 | 1-23-2014 | Adopt | 3-1-2014 |
| 851-050-0002 | 1-1-2014 | Amend | 1-1-2014 | 856-010-0010 | 5-23-2014 | Amend(T) | 7-1-2014 |
| 851-050-0005 | 7-1-2014 | Amend(T) | 8-1-2014 | 856-010-0011 | 5-23-2014 | Amend(T) | 7-1-2014 |
| 851-054-0010 | 1-1-2014 | Amend | 1-1-2014 | 856-010-0012 | 5-23-2014 | Amend(T) | 7-1-2014 |
| 851-054-0020 | 1-1-2014 | Amend | 1-1-2014 | 856-010-0045 | 8-25-2014 | Amend | 10-1-2014 |
| 851-054-0021 | 1-1-2014 | Amend | 1-1-2014 | 858-010-0036 | 3-24-2014 | Amend | 5-1-2014 |
| 851-054-0030 | 1-1-2014 | Adopt | 1-1-2014 | 858-010-0075 | 6-2-2014 | Amend | 7-1-2014 |
| 851-054-0035 | 1-1-2014 | Adopt | 1-1-2014 | 858-040-0015 | 1-1-2015 | Amend | 7-1-2014 |
| 851-054-0040 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0020 | 1-1-2015 | Am. & Ren. | 7-1-2014 |
| 851-056-0020 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0025 | 1-1-2015 | Amend | 7-1-2014 |
| 851-056-0022 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0026 | 1-1-2015 | Amend | 7-1-2014 |
| 851-061-0020 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0035 | 1-1-2015 | Amend | 7-1-2014 |
| 851-061-0030 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0036 | 1-1-2015 | Amend | 7-1-2014 |
| 851-061-0080 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0055 | 1-1-2015 | Amend | 7-1-2014 |
| 851-061-0090 | 1-1-2014 | Amend | 1-1-2014 | 858-040-0065 | 1-1-2015 | Amend | 7-1-2014 |
| 851-062-0010 | 1-1-2014 | Amend | 1-1-2014 | 859-200-0005 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-062-0010 | 8-1-2014 | Amend | 8-1-2014 | 859-200-0010 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-062-0050 | 1-1-2014 | Amend | 1-1-2014 | 859-200-0015 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-062-0050 | 8-1-2014 | Amend | 8-1-2014 | 859-200-0020 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-062-0080 | 1-1-2014 | Amend | 1-1-2014 | 859-200-0025 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-062-0130 | 1-1-2014 | Amend | 1-1-2014 | 859-200-0030 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-070-0005 | 4-1-2014 | Amend | 4-1-2014 | 859-200-0035 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-070-0040 | 4-1-2014 | Amend | 4-1-2014 | 859-200-0040 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-070-0080 | 4-1-2014 | Amend | 4-1-2014 | 859-200-0045 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-070-0090 | 4-1-2014 | Amend | 4-1-2014 | 859-200-0050 | 3-5-2014 | Adopt | 4-1-2014 |
| 851-070-0100 | 4-1-2014 | Amend | 4-1-2014 | 859-200-0055 | 3-5-2014 | Adopt | 4-1-2014 |
| 852-010-0080 | 1-3-2014 | Amend | 2-1-2014 | 859-200-0060 | 3-5-2014 | Adopt | 4-1-2014 |
| 852-050-0005 | 1-3-2014 | Amend | 2-1-2014 | 859-200-0065 | 3-5-2014 | Adopt | 4-1-2014 |
| 852-050-0016 | 1-3-2014 | Amend | 2-1-2014 | 859-200-0070 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-007-0080 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0075 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-011-0020 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0080 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-019-0130 | 4-25-2014 | Amend(T) | 6-1-2014 | 859-200-0085 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-019-0150 | 2-28-2014 | Amend(T) | 4-1-2014 | 859-200-0090 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-019-0150 | 6-18-2014 | Amend | 8-1-2014 | 859-200-0095 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-019-0205 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0100 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-019-0270 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0105 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-019-0280 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0110 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-1001 | 1-24-2014 | Adopt | 3-1-2014 | 859-200-0115 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-1030 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0120 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-1105 | 1-24-2014 | Amend | 3-1-2014 | 859-200-0125 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2300 | 1-24-2014 | Adopt | 3-1-2014 | 859-200-0130 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2300(T) | 1-24-2014 | Repeal | 3-1-2014 | 859-200-0135 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2310 | 1-24-2014 | Adopt | 3-1-2014 | 859-200-0140 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2310(T) | 1-24-2014 | Repeal | 3-1-2014 | 859-200-0145 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2320 | 1-24-2014 | Adopt | 3-1-2014 | 859-200-0150 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2320(T) | 1-24-2014 | Repeal | 3-1-2014 | 859-200-0200 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2330 | 1-24-2014 | Adopt | 3-1-2014 | 859-200-0205 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-2330(T) | 1-24-2014 | Repeal | 3-1-2014 | 859-200-0210 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-041-4200 | 1-3-2014 | Amend | 2-1-2014 | 859-200-0215 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-080-0021 | 12-20-2013 | Amend(T) | 2-1-2014 | 859-200-0220 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-080-0021 | 2-28-2014 | Amend(T) | 4-1-2014 | 859-200-0225 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-080-0021 | 4-15-2014 | Amend(T) | 5-1-2014 | 859-200-0230 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-080-0021 | 6-18-2014 | Amend | 8-1-2014 | 859-200-0235 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-110-0005 | 1-3-2014 | Amend | 2-1-2014 | 859-200-0300 | 3-5-2014 | Adopt | 4-1-2014 |
| 855-110-0007 | 1-3-2014 | Amend | 2-1-2014 | 859-200-0305 | 3-5-2014 | Adopt | 4-1-2014 |
| 856-010-0003 | 1-23-2014 | Amend | 3-1-2014 | 859-200-0310 | 3-5-2014 | Adopt | 4-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|------------|--------|----------|--------------|-----------|--------|----------|
| 860-001-0310 | 1-9-2014 | Amend | 2-1-2014 | 863-003-0050 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-021-0135 | 6-26-2014 | Amend | 8-1-2014 | 863-003-0060 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-023-0055 | 1-22-2014 | Amend | 3-1-2014 | 863-003-0070 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-027-0005 | 5-28-2014 | Amend | 7-1-2014 | 863-003-0080 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-027-0015 | 5-28-2014 | Amend | 7-1-2014 | 863-003-0090 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-027-0045 | 5-28-2014 | Amend | 7-1-2014 | 863-003-0100 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-027-0070 | 5-28-2014 | Amend | 7-1-2014 | 863-003-0110 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-032-0012 | 1-22-2014 | Amend | 3-1-2014 | 863-014-0003 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0001 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0010 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0001(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-014-0015 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0005 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0015 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0005(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-014-0020 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0006 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0035 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0006(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-014-0040 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0007 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0050 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0007(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-014-0062 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0010 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0063 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0010(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-014-0065 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0030 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0066 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0030(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-014-0095 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0035 | 12-20-2013 | Amend | 2-1-2014 | 863-014-0100 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0035(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-015-0003 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0040 | 12-20-2013 | Amend | 2-1-2014 | 863-015-0081 | 4-28-2014 | Adopt | 5-1-2014 |
| 860-033-0040(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-020-0000 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0045 | 12-20-2013 | Amend | 2-1-2014 | 863-020-0010 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0045(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-020-0015 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0046 | 12-20-2013 | Amend | 2-1-2014 | 863-020-0030 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0046(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-020-0030 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0050 | 12-20-2013 | Amend | 2-1-2014 | 863-020-0040 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0050(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-020-0055 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0055 | 12-20-2013 | Repeal | 2-1-2014 | 863-020-0060 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0100 | 12-20-2013 | Amend | 2-1-2014 | 863-024-0003 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0100(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-024-0015 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0110 | 12-20-2013 | Adopt | 2-1-2014 | 863-024-0015 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0110(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-024-0045 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0530 | 12-20-2013 | Amend | 2-1-2014 | 863-024-0050 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0530(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-024-0062 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0535 | 12-20-2013 | Amend | 2-1-2014 | 863-024-0063 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0535(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-024-0065 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0536 | 12-20-2013 | Amend | 2-1-2014 | 863-024-0066 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0536(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-024-0095 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0537 | 12-20-2013 | Amend | 2-1-2014 | 863-024-0100 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0537(T) | 12-20-2013 | Repeal | 2-1-2014 | 863-025-0010 | 4-28-2014 | Amend | 5-1-2014 |
| 860-033-0540 | 12-20-2013 | Amend | 2-1-2014 | 875-005-0005 | 1-17-2014 | Amend | 3-1-2014 |
| 860-033-0540(T) | 12-20-2013 | Repeal | 2-1-2014 | 875-010-0000 | 1-17-2014 | Amend | 3-1-2014 |
| 860-034-0130 | 6-26-2014 | Amend | 8-1-2014 | 875-010-0016 | 1-17-2014 | Amend | 3-1-2014 |
| 860-034-0390 | 1-22-2014 | Amend | 3-1-2014 | 875-010-0021 | 1-17-2014 | Amend | 3-1-2014 |
| 860-036-0135 | 6-26-2014 | Amend | 8-1-2014 | 875-010-0045 | 1-17-2014 | Amend | 3-1-2014 |
| 860-037-0120 | 6-26-2014 | Amend | 8-1-2014 | 875-010-0050 | 1-17-2014 | Amend | 3-1-2014 |
| 860-038-0005 | 3-7-2014 | Amend | 4-1-2014 | 875-010-0090 | 1-17-2014 | Amend | 3-1-2014 |
| 860-038-0300 | 3-7-2014 | Amend | 4-1-2014 | 875-015-0020 | 1-17-2014 | Amend | 3-1-2014 |
| 863-003-0000 | 4-28-2014 | Adopt | 5-1-2014 | 875-015-0030 | 1-17-2014 | Amend | 3-1-2014 |
| 863-003-0005 | 4-28-2014 | Adopt | 5-1-2014 | 875-030-0010 | 1-17-2014 | Amend | 3-1-2014 |
| 863-003-0010 | 4-28-2014 | Adopt | 5-1-2014 | 875-030-0020 | 1-17-2014 | Amend | 3-1-2014 |
| 863-003-0020 | 4-28-2014 | Adopt | 5-1-2014 | 875-030-0025 | 4-22-2014 | Amend | 6-1-2014 |
| 863-003-0040 | 4-28-2014 | Adopt | 5-1-2014 | 875-030-0030 | 1-17-2014 | Amend | 3-1-2014 |

OAR REVISION CUMULATIVE INDEX

| OAR Number | Effective | Action | Bulletin | OAR Number | Effective | Action | Bulletin |
|-----------------|-----------|----------|-----------|-----------------|------------|----------|----------|
| 875-030-0040 | 1-17-2014 | Amend | 3-1-2014 | 943-014-0410 | 2-18-2014 | Adopt | 3-1-2014 |
| 875-030-0050 | 1-17-2014 | Amend | 3-1-2014 | 943-014-0415 | 2-18-2014 | Adopt | 3-1-2014 |
| 877-020-0057 | 8-1-2014 | Amend(T) | 9-1-2014 | 943-014-0420 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-001-0025 | 3-24-2014 | Amend | 5-1-2014 | 943-014-0430 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-008-0000 | 4-1-2014 | Amend | 3-1-2014 | 943-014-0435 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-020-0090 | 1-1-2014 | Amend | 2-1-2014 | 943-014-0440 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-020-0370 | 1-1-2014 | Amend | 2-1-2014 | 943-014-0445 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-020-0370(T) | 1-1-2014 | Repeal | 2-1-2014 | 943-014-0450 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-098-1000 | 4-1-2014 | Amend | 5-1-2014 | 943-014-0455 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-098-1005 | 4-1-2014 | Amend | 5-1-2014 | 943-014-0460 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-098-1010 | 1-1-2014 | Amend | 2-1-2014 | 943-014-0465 | 2-18-2014 | Adopt | 3-1-2014 |
| 918-098-1010 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0000 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1015 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0010 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1030 | 4-1-2014 | Repeal | 5-1-2014 | 943-070-0020 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1210 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0030 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1215 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0040 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1450 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0050 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1470 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0060 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1500 | 4-1-2014 | Amend | 5-1-2014 | 943-070-0070 | 3-10-2014 | Adopt | 4-1-2014 |
| 918-098-1505 | 8-26-2014 | Adopt(T) | 10-1-2014 | 945-030-0025 | 7-9-2014 | Adopt(T) | 8-1-2014 |
| 918-098-1525 | 4-1-2014 | Adopt | 5-1-2014 | 945-030-0030 | 4-15-2014 | Amend | 5-1-2014 |
| 918-098-1550 | 4-1-2014 | Amend | 5-1-2014 | 945-030-0045 | 1-16-2014 | Adopt | 3-1-2014 |
| 918-098-1560 | 4-1-2014 | Repeal | 5-1-2014 | 945-040-0010 | 5-12-2014 | Amend | 6-1-2014 |
| 918-282-0450 | 2-12-2014 | Adopt(T) | 3-1-2014 | 945-040-0040 | 5-12-2014 | Amend | 6-1-2014 |
| 918-282-0455 | 2-12-2014 | Adopt(T) | 3-1-2014 | 945-040-0060 | 5-12-2014 | Amend | 6-1-2014 |
| 918-282-0455 | 2-21-2014 | Adopt(T) | 4-1-2014 | 945-040-0090 | 5-12-2014 | Amend | 6-1-2014 |
| 918-282-0455(T) | 2-21-2014 | Suspend | 4-1-2014 | 945-040-0100 | 5-12-2014 | Amend | 6-1-2014 |
| 918-282-0460 | 2-12-2014 | Adopt(T) | 3-1-2014 | 945-040-0110 | 5-12-2014 | Amend | 6-1-2014 |
| 918-440-0010 | 7-1-2014 | Amend | 8-1-2014 | 945-040-0140 | 5-12-2014 | Amend | 6-1-2014 |
| 918-440-0012 | 7-1-2014 | Amend | 8-1-2014 | 945-040-0180 | 11-18-2013 | Adopt(T) | 1-1-2014 |
| 918-440-0050 | 7-1-2014 | Amend | 8-1-2014 | 945-040-0180 | 12-23-2013 | Adopt(T) | 2-1-2014 |
| 918-460-0010 | 7-1-2014 | Amend | 8-1-2014 | 945-040-0180 | 5-12-2014 | Adopt | 6-1-2014 |
| 918-460-0015 | 7-1-2014 | Amend | 8-1-2014 | 945-040-0180(T) | 12-23-2013 | Suspend | 2-1-2014 |
| 918-460-0050 | 7-1-2014 | Amend | 8-1-2014 | 952-001-0003 | 3-7-2014 | Adopt | 4-1-2014 |
| 918-460-0500 | 7-1-2014 | Amend | 8-1-2014 | 952-001-0003(T) | 3-7-2014 | Repeal | 4-1-2014 |
| 918-460-0510 | 7-1-2014 | Repeal | 8-1-2014 | 952-001-0010 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0000 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0020 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0005 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0030 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0010 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0040 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0015 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0050 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0020 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0060 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0025 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0070 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0030 | 1-1-2015 | Amend | 10-1-2014 | 952-001-0080 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0040 | 1-1-2015 | Adopt | 10-1-2014 | 952-001-0090 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0050 | 1-1-2015 | Adopt | 10-1-2014 | 952-001-0100 | 3-7-2014 | Amend | 4-1-2014 |
| 943-005-0060 | 1-1-2015 | Adopt | 10-1-2014 | 966-100-0600 | 7-1-2014 | Adopt | 8-1-2014 |
| 943-005-0070 | 1-1-2015 | Adopt | 10-1-2014 | 972-010-0020 | 5-7-2014 | Amend | 6-1-2014 |
| 943-014-0050 | 2-18-2014 | Repeal | 3-1-2014 | 972-030-0040 | 5-7-2014 | Amend | 6-1-2014 |
| 943-014-0400 | 2-18-2014 | Adopt | 3-1-2014 | | | | |