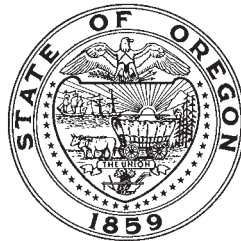


OREGON BULLETIN

Supplements the 2014 *Oregon Administrative Rules Compilation*

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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
Other Notices	4–6
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.	
Appraiser Certification and Licensure Board, Chapter 161	7
Board of Accountancy, Chapter 801	7
Board of Medical Imaging, Chapter 337	8
Board of Psychologist Examiners, Chapter 858	8
Board of Tax Practitioners, Chapter 800	8
Department of Administrative Services, Chapter 125	8, 9
Department of Agriculture, Chapter 603	9
Department of Consumer and Business Services, Building Codes Division, Chapter 918	9
Division of Finance and Corporate Securities, Chapter 441	9, 10
Oregon Occupational Safety and Health Division, Chapter 437	10
Workers’ Compensation Division, Chapter 436	10
Department of Corrections, Chapter 291	10
Department of Energy, Chapter 330	11
Department of Fish and Wildlife, Chapter 635	11
Department of Human Services, Aging and People with Disabilities and Developmental Disabilities, Chapter 411	11
Child Welfare Programs, Chapter 413	12
Vocational Rehabilitation Services, Chapter 582	12
Department of Public Safety Standards and Training, Chapter 259	12–15
Department of Revenue, Chapter 150	15
Department of State Police, Office of State Fire Marshal, Chapter 837	15
Oregon Department of Education, Chapter 581	15, 16
Oregon Health Authority, Division of Medical Assistance Programs, Chapter 410	16
Office for Oregon Health Policy and Research, Chapter 409	16, 17
Public Employees’ Benefit Board, Chapter 101	17
Public Health Division, Chapter 333	17, 18
Oregon State Treasury, Chapter 170	18
Secretary of State, Archives Division, Chapter 166	18
Teacher Standards and Practices Commission, Chapter 584	18
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.	
Appraiser Certification and Licensure Board, Chapter 161	19
Board of Architect Examiners, Chapter 806	19
Board of Chiropractic Examiners, Chapter 811	19, 20
Board of Medical Imaging, Chapter 337	20–22
Board of Pharmacy, Chapter 855	22
Bureau of Labor and Industries, Chapter 839	22–33
Department of Consumer and Business Services, Building Codes Division, Chapter 918	33–35
Division of Finance and Corporate Securities, Chapter 441	35
Insurance Division, Chapter 836	35, 36
Oregon Occupational Safety and Health Division, Chapter 437	36–63
Workers’ Compensation Division, Chapter 436	63–67
Department of Corrections, Chapter 291	67, 68
Department of Environmental Quality, Chapter 340	68–80
Department of Fish and Wildlife, Chapter 635	80–91
Department of Human Services, Aging and People with Disabilities and Developmental Disabilities, Chapter 411	91, 92
Self-Sufficiency Programs, Chapter 461	92–94
Department of Justice, Chapter 137	94, 95
Department of Public Safety Standards and Training, Chapter 259	95–102
Department of Transportation, Driver and Motor Vehicle Services Division, Chapter 735	102–108
Employment Department, Chapter 471	108
Health Licensing Office, Behavior Analysis Regulatory Board, Chapter 824	108–112
Oregon Health Authority, Addictions and Mental Health Division: Mental Health Services, Chapter 309	112–115
Division of Medical Assistance Programs, Chapter 410	115–140
Oregon Educators Benefit Board, Chapter 111	140, 141
Public Employees’ Benefit Board, Chapter 101	141–145
Public Health Division, Chapter 333	145–151
Oregon State Marine Board, Chapter 250	151, 152
Oregon Youth Authority, Chapter 416	152–154
Public Utility Commission, Chapter 860	154, 155
Racing Commission, Chapter 462	155, 156
Teacher Standards and Practices Commission, Chapter 584	156–165
Travel Information Council, Chapter 733	166–174
Veterinary Medical Examining Board, Chapter 875	174
OAR Revision Cumulative Index	175–249

OTHER NOTICES

REQUEST FOR COMMENTS PROPOSAL TO UPDATE DESCRIPTIONS OF THE POPULATIONS ELIGIBLE FOR MEDICAID AND ESTABLISH OHP BENEFITS FOR THE NEW ADULT POPULATION UNDER THE AFFORDABLE CARE ACT

COMMENTS DUE: December 17, 2014

PROPOSAL: The Oregon Health Authority will submit a State Plan Amendment to the Centers for Medicare and Medicaid Services that will include three new provider types for the newly covered Applied Behavior Analysis (ABA) treatment. The Board Certified Behavior Analyst (BCBA) will be added as a paid provider, allowable for direct reimbursement, and the Board Certified Assistant Behavior Analyst (BCABA) and Behavior Analysis Interventionist (BAI) will be allowed as non-paid providers, reimbursable through the BCBAAs, under the Division of Medical Assistance Programs.

BACKGROUND: In response to increased interest and activity with respect to services available to children with autism spectrum disorder (ASD), CMS provided information on approaches available under the federal Medicaid program for providing services to eligible individuals with ASD. One such approach known as Applied Behavior Analysis (ABA) is delivered through three types of Behavior Analysts, each with their own educational requirements and responsibilities for patient care. In addition, The Health Evidence Review Committee (HERC) has approved Applied Behavior Analysis (ABA) as a covered service for Oregon Medicaid enrolled individuals with autism from January 1, 2015 in response to Senate Bill 365. Senate Bill 365 can be found at <https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/SB365/Enrolled>.

EFFECTIVE DATE: 1-1-15

HOW TO COMMENT: Send written comments by fax, mail, or email to:

Jesse Anderson, State Plan Manager
Division of Medical Assistance Programs
500 Summer Street NE
Salem, Oregon 97301
Fax: 503-947-1119
Email: jesse.anderson@state.or.us

PUBLIC NOTICE AND REQUEST FOR COMMENTS PROPOSED PROSPECTIVE PURCHASER AGREEMENT WITH GROUP 701 FOR SCHULZ PROPERTY PROJECT IN PORTLAND

COMMENTS DUE: Wednesday, Dec. 31, 2014

PROJECT LOCATION: 10010 and 10060 SE Ankeny Street, Portland, Oregon.

PROPOSAL: The Department of Environmental Quality proposes to enter into a prospective purchaser agreement with Group 701. Group 701 intends to buy the property for mixed use redevelopment. Group 701 will conduct a limited soil removal and install a soil vapor extraction system in the SW corner of the site before redevelopment. Additional areas of remaining contamination will be capped and a Contaminated Media Management Plan will be prepared for handling any contaminated soil found during development.

HIGHLIGHTS: Three residences, a garage, and two workshops were constructed between the mid-40s and 1960, and two small sheds were built in the mid-80s. Concrete production work was conducted on part of the site in the 1950s-1960s. The property was used for a septic waste and portable toilet storage/rental facility from 1953-1984. The property was most recently used for storage, refinishing, and sale of used grocery and retail store fixtures and has been vacant since 2005.

Contaminated soil removal began at the site in the 1980s. In 2008, cleanup continued with removal of all site structures, three underground storage tanks and nearly 10,000 tons of contaminated soil. During soil removal a possible liquid disposal area with high solvent concentration was found in the SW corner. Cleanup was halted when funding ran out. Site investigation in the SW corner was initiated in 2010 by a potential buyer. Soil gas sampling identified a soil gas plume moving south below Pine Street and buildings to the south but

concentrations were below risk-based levels. A groundwater well was installed at the SW corner but impacts to groundwater were de minimis.

Group 701s proposed cleanup and redevelopment will provide both environmental and economic benefits. Extensive environmental investigation and cleanup has already been performed, and the project will result in cleanup of remaining site contamination. In addition, an underused property will be returned to more productive use and increase local employment.

The proposed prospective purchaser agreement will provide Group 701 with a release from liability for claims by the State of Oregon under ORS 465.200 to 465.545 and 465.990, 466.640, and 468B.310 regarding existing hazardous substance releases at or from the property. The proposed prospective purchaser agreement will also provide Group 701 with third party liability protection.

DEQ created the Prospective Purchaser Agreement Program in 1995 through amendments to the state's Environmental Cleanup Law. The prospective purchaser agreement is a tool that facilitates the beneficial reuse of contaminated property and its cleanup, and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing contaminated property. DEQ has approved many prospective purchaser agreements throughout the state since the program began.

HOW TO COMMENT: Send comments by 5 p.m., Wednesday, Dec. 31, 2014, to DEQ Project Manager Robert Williams, 2020 SW 4th Avenue, Suite 400, Portland, Oregon 97201-4987, williams.robert.k@deq.state.or.us. For more information, contact Williams at 503-229-6802.

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>

To access the proposed prospective purchaser agreement along with site summary information and other documents in DEQ's Environmental Cleanup Site Information database, go to: <http://www.deq.state.or.us/lq/ECSI/ecsi.htm>, select "Search complete ECSI database", then enter 158 in the Site ID box and click "Submit" at the bottom of the page. Next, click the link labeled 158 in the Site ID/Info column. Alternatively, you may go directly to the database website for this page at <http://www.deq.state.or.us/Webdocs/Forms/Output/FPController.ashx?SourceId=158&SourceIdType=11>.

THE NEXT STEP: DEQ will consider all public comments received by the end of the comment period before making a final decision regarding the prospective purchaser agreement.

ACCESSIBILITY INFORMATION: DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, call 503-229-5696 or toll free in Oregon at 800-452-4011; fax to 503-229-6762; or email to deqinfo@deq.state.or.us.

People with hearing impairments may call 711.

REQUEST FOR COMMENTS PROPOSED PROSPECTIVE PURCHASER AGREEMENT WITH CITY OF SALEM FOR FORMER BOISE CASCADE SALEM PAPER MILL PARCEL

COMMENTS DUE: 5 p.m., December 30, 2014

PROJECT LOCATION: 315 Commercial Street, SE, Salem

PROPOSAL: The Department of Environmental Quality seeks comments on its proposed consent judgment for a prospective purchaser agreement with the City of Salem concerning its acquisition of real property located at 315 SE Commercial Street, Salem, Oregon (Property). The Property was formerly occupied by a flour mill, a foundry, a sawmill, and most recently, a paper mill. This Property is just one of several that once comprised the former Boise Cascade paper mill site. The City plans to use the site to expand its Riverfront Park southward and eastward. This proposal will provide substantial public benefits by furthering cleanup goals and allowing productive reuse of this currently vacant property.

OTHER NOTICES

Spills or releases of chemicals from historical site uses have contaminated soil at the Property with lead and dioxins. While the levels of contamination are not extremely high, people and wildlife should be prevented from direct contact with the soil. The consent judgment will require the city to maintain a protective soil cap over contaminated soils and make sure visitors are prevented from coming into contact with the contaminated soil. Exposures to park workers will also need to be limited and managed. The consent judgment will require an appropriate combination of measures, which may include removal, maintenance of a soil cap, a contaminated media management plan, health and safety plan, and institutional controls such as cap maintenance and use restrictions. The City will record an easement and equitable servitude on the property to impose use restrictions and institutional controls.

DEQ created the prospective purchaser agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The prospective purchaser agreement is a tool that expedites the cleanup of contaminated property and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing a contaminated site.

The proposed consent judgment will provide the City of Salem with a release from liability for claims by the State of Oregon under ORS 465.200 to 465.545 and 465.990, 466.640, and 468B.310 regarding existing hazardous substance releases at or from the property. The proposed consent judgment will also provide the City of Salem with third party liability protection. Previous owners or operators of the former mill site would not be relieved from their liability for historical contamination on the Property.

HOW TO COMMENT: Send comments to DEQ Project Manager Donald Hanson at 165 E. 7th Avenue, Suite 100, Eugene, Oregon or hanson.don@deq.state.or.us. For more information contact the project manager at 541-687-7349.

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>

To access site summary information and other documents in the DEQ Environmental Cleanup Site Information database, go to <http://www.deq.state.or.us/lq/ECSI/ecsi.htm>, select "Search complete ECSI database", then enter ECSI# 4427 in the Site ID box and click "Submit" at the bottom of the page. Next, click the link labeled ECSI #4427 in the Site ID/Info column. Alternatively, you may go directly to the database website for this page at <http://www.deq.state.or.us/Webdocs/Forms/Output/FPCController.aspx?SourceId=4427&SourceIdType=11>.

If you do not have web access and want to review the project file contact the DEQ project manager.

THE NEXT STEP: DEQ will consider all public comments received by the date and time stated above before making a final decision regarding the proposed consent judgment and the associated remedial actions proposed at the site Property. A public notice of DEQ's final decision will be issued in this publication.

ACCESSIBILITY INFORMATION: DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, call DEQ at 503-229-5696 or toll free in Oregon at 800-452-4011; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. People with hearing impairments may call 711.

DEQ RECOMMENDS NO FURTHER ACTION FOR ASSESSMENT OR CLEANUP OF FORMER KNIFE RIVER QUARRY, ECSI # 2270, SWEET HOME, OREGON

PROJECT LOCATION: 3101 Zelkova Road (Formerly Clark Mill Road) Sweet Home, Linn County, Oregon

SUMMARY: The Oregon Department of Environmental Quality is recommending No Further Action (NFA) for assessment or cleanup of historical contaminants at the former Knife River Quarry in Sweet Home. DEQ is soliciting public comment on the recommendation.

The following provides a short project summary and information on how to comment.

Historical operations at the site consisted of rock excavation and processing, and concrete redi-mix and asphalt preparation that were conducted at various times from the 1950s to 2009. Petroleum contamination resulted from spills at a fuel tank, a truck wash area, and the asphalt preparation plant.

In 2003 Western States Land Reliance Trust, led by Dan Desler, purchased the site from Knife River and planned to redevelop the property into a variety of mixed uses. Dan Desler and Western States Land Reliance went bankrupt after significant environmental cleanup problems occurred on the neighboring former Willamette Industries property to the south. Linn County took ownership of both the former Knife River property and the former Willamette Industries property through tax foreclosure in 2011. The former Willamette Industries property requires additional assessment and cleanup.

In 2013 and 2014, Linn County conducted assessment and cleanup of the former Knife River site. DEQ reviewed the work conducted by the County and determined that the property has been sufficiently cleaned up and meets DEQ's most conservative standards. DEQ completed a Staff Memo supporting No Further Action for assessment or cleanup at the property.

DEQ's recommendation includes a deed restriction on the property that restricts groundwater use in an area at the former asphalt plant due to residual diesel contamination in groundwater. As long as the deed restriction is adhered to, the site will be protective of human health and the environment.

HOW TO COMMENT: Assessment and cleanup documentation and the Staff Memo are available on line at <http://www.deq.state.or.us/lq/cu/index.htm> by entering the Site ID number 2270 in the Environmental Cleanup Site Inventory (ECSI) database. A file containing detailed information for the site is available for review in DEQ's office located in Suite 100 at 165 East 7th Avenue in Eugene. Comments need to be received by December 31st at 5 pm by email or letter. Comments or questions should be directed to Bryn Thoms at DEQ's Eugene office at 541-687-7424 or toll-free in Oregon at 1-800-844-8467, extension 7424, or by email at thoms.bryn@deq.state.or.us.

PUBLIC NOTICE SELECTED SHORELINE SOURCE CONTROL MEASURES FOR EVRAZ OREGON STEEL

PROJECT LOCATION: 14400 Rivergate Ave., Portland, OR

DECISION: The Department of Environmental Quality determined that Evraz Oregon Steel Mills must implement shoreline source control measures to significantly reduce potential sources of contamination to the Willamette River. These measures include removing beach soils and removing, capping, and stabilizing bank soils contaminated with metals and PCBs. DEQ has concluded that this combination of actions will remove, or prevent contact with and erosion of, contaminant sources along the site's shoreline on the Willamette River.

HIGHLIGHTS: The Evraz facility is located on approximately 145 acres at River Mile 2 on the east shore of the Willamette River. The property is part of the Portland Harbor Superfund Site study area. Oregon Steel Mills (formerly Gilmore Steel Mills) purchased the property in 1967 and built a steel mill on the site. Evraz purchased the facility from Oregon Steel Mills in 2006. Portions of the original steel mill continue to operate today, however the steelmaking operations have been idle since 2003.

Environmental investigations of the site conducted since 2001 revealed metals and PCBs present in fill material exposed along the facility's bank on the Willamette River. Concentrations exceed screening levels based on toxicity to aquatic organisms and bioaccumulation in fish tissue. Contaminated soil is currently subject to erosion into the river.

DEQ has determined that Evraz must remove contaminated soil along the beach to depths of one to five feet below the surface with residual contamination capped with river rock. DEQ also determined

OTHER NOTICES

that Evraz must remove contaminated soil in the steeper portions of the bank which is susceptible to erosion, and then cap and stabilize the bank and residual contamination.

A DEQ staff report outlining the proposed cleanup approach was made available for public review in September 2014. One set of comments was received from the Northwest Environmental Defense Center. Responses to these comments are provided in Section 10 of DEQ's Record of Decision. View the DEQ Record of Decision outlining the selected shoreline source control approach at the DEQ Northwest Region Office in Portland and at: <http://www.deq.state.or.us/Webdocs/Forms/Output/FPCController.ashx?SourceId=141&SourceIdType=11>.

Direct questions about the project to DEQ Project Manager Jennifer Sutter at 503-229-6148 or sutter.jennifer@deq.state.or.us. Assuming necessary permits are obtained this year, Evraz Oregon Steel will begin implementing the selected action in the spring 2015.

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>

To access site summary information and other documents in the DEQ Environmental Cleanup Site Information database, go to <http://www.deq.state.or.us/lq/ECSI/ecsi.htm>, select "Search complete ECSI database", then enter [ECSI#] in the Site ID box and click "Submit" at the bottom of the page. Next, click the link labeled [ECSI #] in the Site ID/Info column. Alternatively, you may go directly to the database website for this page at <http://www.deq.state.or.us/Webdocs/Forms/Output/FPCController.ashx?SourceId=141&SourceIdType=11>.

If you do not have web access and want to review the project file contact the DEQ project manager.

ACCESSIBILITY INFORMATION: DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, call DEQ at 503-229-5696 or toll free in Oregon at 800-452-4011; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. People with hearing impairments may call 711.

REQUEST FOR COMMENTS

PROPOSED PROSPECTIVE PURCHASER AGREEMENT FOR CONE LUMBER COMPANY MILL SITE

COMMENTS DUE: 5 p.m., Wednesday, December 31, 2014

PROJECT LOCATION: 85810 Hwy 99 S., Goshen, Oregon

PROPOSAL: The Oregon Department of Environmental Quality seeks comments on its proposed Consent Judgment for a prospective purchaser agreement with Goshen Properties LLC concerning its acquisition of real property located at 85810 Highway 99 South, Goshen, Oregon (Property). The property is a former lumber mill site, and is identified in DEQ's Environmental Cleanup Site Investigation database as site number 5754. Cone Lumber stopped full-scale sawmill operations in 1995, but continued running parts of the mill until 2006. Portions of the mill are currently used by various

wood products companies, including Zip-O-Log Mills, and a septic pumping business. Much of the mill equipment has been removed, but most of the original mill structures remain at the site.

DEQ has overseen numerous phases of investigation at the mill site, and identified two locations on the property that require cleanup to protect human health and the environment. Both contaminated areas involve shallow soil contaminated with dioxins. Under the proposed Consent Judgment, contaminated soil in one area will be removed by excavation. Contaminated soils in the other area will be capped and managed in place.

The prospective purchaser intends to use the site as a wood products mill. By expanding their business at this property, it will allow them to increase the number of jobs in the area.

DEQ created the prospective purchaser agreement program in 1995 through amendments to the state's Environmental Cleanup Law. The prospective purchaser agreement is a tool that expedites cleanup of contaminated property and encourages property transactions that would otherwise not likely occur because of the liabilities associated with purchasing a contaminated site.

The proposed Consent Judgment will provide Goshen Properties LLC with a release from liability for claims by the State of Oregon under ORS 465.200 to 465.545 and 465.990, 466.640, and 468B.310 regarding existing hazardous substance releases at or from the property. The proposed Consent Judgment will also provide Goshen Properties LLC with third-party liability protection.

HOW TO COMMENT: Send comments to DEQ Project Manager, Don Hanson at 165 E. 7th Ave., Suite 100, Eugene, OR 97401, or by email to hanson.don@deq.state.or.us. For more information contact the project manager at 541-687-7349.

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>

To access site summary information and other documents in the DEQ Environmental Cleanup Site Information database, go to <http://www.deq.state.or.us/lq/ECSI/ecsi.htm>, select "Search complete ECSI database," then enter 5754 in the Site ID box and click "Submit" at the bottom of the page. Next, click the link labeled 5754 in the Site ID/Info column. Alternatively, you may go directly to the database website for this page at <http://www.deq.state.or.us/Webdocs/Forms/Output/FPCController.ashx?SourceId=5754&SourceIdType=11>.

If you don't have web access and want to review the project file, contact the DEQ project manager.

NEXT STEP: DEQ will consider all public comments received by the date and time stated above before entering into the Consent Judgment.

ACCESSIBILITY INFORMATION: DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, call DEQ at 503-229-5696, Portland, or toll free in Oregon at 800-452-4011; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. People with hearing impairments may call 711.

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.*

.....
Appraiser Certification and Licensure Board
Chapter 161

Rule Caption: Revisions to rules to implement new AQB criteria and House Bill 3330 regarding fingerprinting.

Date:	Time:	Location:
12-17-14	3 p.m.	3000 Market St. NE, Suite 541 Salem, OR 97301

Hearing Officer: James Baumberger

Stat. Auth.: ORS 674.035(7) & 674.310

Stats. Implemented: ORS 674

Proposed Adoptions: 161-015-0015

Proposed Amendments: 161-001-0010, 161-006-0025, 161-006-0155, 161-006-0160, 161-008-0010, 161-010-0010, 161-010-0035, 161-010-0045, 161-010-0065, 161-010-0080, 161-010-0085, 161-015-0000, 161-015-0010, 161-015-0030, 161-020-0005, 161-020-0015, 161-020-0035, 161-020-045, 161-020-0055, 161-020-0065, 161-020-0070, 161-020-0110, 161-020-120, 161-020-0130, 161-020-0150, 161-025-0005, 161-025-0010, 161-025-0025, 161-025-0030, 161-025-0060, 161-030-0000, 161-040-0000, 161-050-0000, 161-530-0020, 161-570-0030,

Proposed Repeals: 161-020-0090, 161-015-0025

Last Date for Comment: 12-17-14, 3 p.m.

Summary: Amends Oregon Administrative Rule 161, Rule 0010 regarding Notice of Proposed Rulemaking; Division 006, Rule 0025 regarding location of copies of the budget; Rule 0155 regarding Allegation Reports; Rule 0160 regarding complaints, investigations and audits; Division 8, Rule 0010 regarding Access to Records; Division 10, Rule 0010 regarding Application Components and Disciplinary Actions Disclosure; Division 10, Rules 0035 regarding Experience and Education Requirements for SCGA; Rule 0045 regarding Experience and Education for SCRA; Rule 0065 regarding Experience and Education for SLA; Rule 0080 regarding Appraiser Assistant Registration Application and Renewal; Rule 0085 regarding Super-

vising Appraiser Experience and Education; Division 015, Rule 0000 regarding Application Process; Rule 0010 regarding Form of Application; Rule 0025 repealing the Out of State Credential Holder; Rule 0030 regarding Submission of Application; Division 20, Rule 0005 regarding Scope; Rule 0015 regarding Course Approval; Rule 0035 regarding Application for Course Approval; Rule 0045 regarding Criteria approval for Qualifying Education; Rule 0055 regarding Criteria Approval for Continuing Education; Rule 0065 regarding denial of approval; Rule 0070 regarding withdrawal of approval; Rule 110 QE content guidelines; Rule 0120 regarding CE content guidelines; Rule 0130 regarding Approval of non pre-approved QE and CE courses; Rule 0150 regarding time requirements for QE and CE; Division 25, Rule 0005 SCRA Scope of Practice; Rule 0010 regarding SLA scope of practice; Rule 0025 regarding Supervising Appraisers; Rule 0060 regarding Appraisal Standards and USPAP; Division 30, Rule 0000 regarding Criminal Background; Division 40, Rule 0000 regarding Inactive Status, Division 50, Rule 0000 regarding Temporary Non-Resident Applications, Rule 0050 regarding Reciprocity; Division 530, Rule 0020 regarding Background Check and Fingerprint Cards; Division 570, Rule 0030 regarding Complaints, Investigations and Audits.

Rules Coordinator: Gae Lynne Cooper

Address: Appraiser Certification and Licensure Board, 3000 Market St. NE, Suite 541, Salem, OR 97301

Telephone: (503) 485-2555

.....
Board of Accountancy
Chapter 801

Rule Caption: Updates definitions, licensing requirements and ethics rules and standards

Date:	Time:	Location:
12-11-14	1 p.m.	3218 Pringle Rd. SE Salem, OR 97302

Hearing Officer: John Lauseng

Stat. Auth.: ORS 673.010-673.457

Other Auth.: ORS 183.360, 197.720, 192.440 & 183.341

Stats. Implemented: ORS 673.010-673.457

Proposed Amendments: 801-001-0000, 801-001-0005, 801-001-0035, 801-005-0010, 801-010-0010, 801-010-0045, 801-010-0050, 801-010-0060, 801-010-0065, 801-010-0073, 801-010-0079, 801-010-0080, 801-010-0100, 801-010-0110, 801-010-0120, 801-010-0130, 801-010-0345, 801-030-0005, 801-030-0010, 801-030-0015, 801-030-0020

Proposed Repeals: 801-001-0015, 801-001-0020, 801-010-0078, 801-010-0125

Last Date for Comment: 12-10-14, Close of Business

Summary: The proposed rules move the Board of Accountancy Rules closer to the national model rules for the profession, in line with establishing more commonality among states in terms of licensure standards given established mobility and reciprocity in licensure. That policy goal translates into a range of primarily licensing-related proposed rule changes, including proposed adoption of slightly more stringent educational requirements for licensure, effective June 30, 2017, by removing the ability to count introductory or principles-level accounting courses toward the core accounting requirement. The rules proposal clarifies the experience requirements for licensure for all licensing tracks, removes the requirement for continuous 5-year licensure by supervisor licensees, and removes burdensome specificity in definition of part-time experience. The rules further propose to place emphasis on the applicant documenting compliance with experience requirements. The rules proposal also updates references to AICPA ethical standards and professional standards, and the Attorney General's Uniform and Model Rules of Procedure, and updates definitions.

Rules Coordinator: Kimberly Fast

Address: Board of Accountancy, 3218 Pringle Rd. SE, Suite 110, Salem, OR 97302

Telephone: (503) 378-2268

NOTICES OF PROPOSED RULEMAKING

Board of Medical Imaging Chapter 337

Rule Caption: Waiver process for persons without proper credential to perform computed tomography.

Stat. Auth.: ORS 688.555

Stats. Implemented: ORS 688.415, 688.445(1)a & 688.480

Proposed Amendments: 337-010-0011

Last Date for Comment: 1-5-15, 4:30 p.m.

Summary: This waiver provision will enable the Board of Medical Imaging to allow, on a case-by-case basis, a radiographer who does not have an ARRT credential, or who has an ARRT credential but lacks a computed tomography (CT) sub-specialty credential, to perform computed tomography. In cases where it can be demonstrated that a radiographer is competent to perform CT and where the technologist's availability to perform CT in rural hospitals is required by the hospital, this rule will allow the Board to waive the credential requirement.

Rules Coordinator: Ed Conlow

Address: Board of Medical Imaging, 800 NE Oregon St., Suite 1160A, Portland, OR 97232

Telephone: (971) 673-0216

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**Board of Psychologist Examiners
Chapter 858**

Rule Caption: Designation of education and licensure status for psychologists and psychologist associates.

Date:	Time:	Location:
12-30-14	10 a.m.	3218 Pringle Rd. SE Salem, OR 97302

Hearing Officer: LaReé Felton

Stat. Auth.: ORS 675.010–675.150

Stats. Implemented: ORS 675.110

Proposed Adoptions: 858-010-0062

Last Date for Comment: 12-30-14, 5 p.m.

Summary: The proposed rule will specify how psychologists and psychologist associates may designate their education and licensure status.

Rules Coordinator: LaReé Felton

Address: Board of Psychologist Examiners, 3218 Pringle Rd. SE, Suite 130, Salem, OR 97302

Telephone: (503) 373-1196

.....
Rule Caption: Diversity continuing education requirement.

Date:	Time:	Location:
12-30-14	10 a.m.	3218 Pringle Rd. SE Salem, OR 97302

Hearing Officer: LaReé Felton

Stat. Auth.: ORS 675.010–675.150

Other Auth.: ORS 676.850

Stats. Implemented: ORS 675.110

Proposed Amendments: 858-040-0015

Last Date for Comment: 12-30-14, 5 p.m.

Summary: The proposed amendment changes the continuing education (CE) requirements for licensed psychologists and psychologist associates by adding a requirement that active and semi-active licensees complete four hours of education dedicated to the topic of diversity in each reporting period. This would become effective January 1, 2016.

Rules Coordinator: LaReé Felton

Address: Board of Psychologist Examiners, 3218 Pringle Rd. SE, Suite 130, Salem, OR 97302

Telephone: (503) 373-1196

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**Board of Tax Practitioners
Chapter 800**

Rule Caption: 2014 overhaul of OAR's based on recommendations by Rules Advisory Committee and approved by Board

Date:	Time:	Location:
12-16-14	10 a.m.	Oregon Board of Tax Practitioners Morrow Crane Bldg. 3218 Pringle Rd. SE, Suite 120 Salem, OR 97302

Hearing Officer: Jane Billings

Stat. Auth.: ORS 673.605, 673.740 & 673.990

Stats. Implemented: ORS 673.605, 673.740 & 673.990

Proposed Amendments: Rules in 800-010, 800-015, 800-020, 800-025

Last Date for Comment: 12-16-14, 5 p.m.

Summary: In 2013 the Board adopted a temporary rule change decreasing fees due to unexpected revenue surplus. The Board's ending balance is now below sufficient operating funds and the fees are proposed to be reverted to the prior fee structure effective July 2015.

The additional amendments to the OAR's, under which the Board operates, result from the Rules Advisory Committee, Assistant Attorney General and Board staff recommendations and are for general "housekeeping" & "maintenance" as well as to change language to better reflect the "norm" in industry standards and the practices of other state agencies. In addition, the proposed amendments will provide better clarification to constituents as well as continue to conform to the current standards. The Rules Advisory Committee is comprised of Oregon licensed tax professionals and was established by the Board of Tax Practitioners for the purpose of reviewing the OARs governing tax practitioners in the State of Oregon. In addition, the establishment of the Rules Advisory Committee has provided an avenue for the Board to involve licensees in the rule making process.

Rules Coordinator: Jane Billings

Address: Board of Tax Practitioners, 3218 Pringle Rd. SE, Suite 120, Salem, OR 97302

Telephone: (503) 373-1691

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**Department of Administrative Services
Chapter 125**

Rule Caption: Adopts and Amends Department of Administrative Services Public Contracting Rules

Date:	Time:	Location:
12-16-14	1 p.m.	155 Cottage St. NE Salem, OR 97301 Conference Rm. B

Hearing Officer: Jay Jackson

Stat. Auth.: ORS 279A.050, 279A.065 & 279A.070

Stats. Implemented: ORS 279A.015, 279A.050, 279A.065, 279A.070, 279A.075, 279A.140, 279A.165, 279A.200, 646A.566, 279B.030, 279B.005, 279B.033, 279B.036, 279B.040, 279B.050, 279B.085, 279B.110, 279B.112, 279B.140, 279B.205, 279B.210, 279C.100, 279C.105, 279C.110, 279C.115, 279C.120, 279C.125, 279C.307 & 279C.335

Proposed Adoptions: 125-248-0270

Proposed Amendments: 125-246-0110, 125-246-0165, 125-246-0170, 125-246-0316, 125-246-0318, 125-246-0330, 125-246-0333, 125-246-0350, 125-246-0351, 125-247-0110, 125-247-0200, 125-247-0287, 125-247-0296, 125-247-0690, 125-247-0805, 125-248-0100, 125-248-0130, 125-248-0330, 125-249-0630

Last Date for Comment: 12-19-14, 5 p.m.

Summary: Since 2005, the Department of Administrative Services (DAS) has developed and amended rules (Rules) to put into practice the Public Contracting Code, ORS 279ABC (Code). The Rules apply to state agencies subject to DAS procurement authority (Agencies). In 2014, the Legislature made changes to select sections of the Code. In addition to the legislative changes to the Code, the Department of Justice and Agencies requested select Rule changes to streamline or reduce duplications. Now, in response to the legislative changes and requests for change from stakeholders, DAS needs to amend the select Rules listed in this filing.

Rules Coordinator: Janet Chambers

NOTICES OF PROPOSED RULEMAKING

Address: Department of Administrative Services, 155 Cottage St. NE, Salem, OR 97301
Telephone: (503) 378-5522

.....
Department of Agriculture
Chapter 603

Rule Caption: Crucifer blackleg disease requirements moved into one regulation; removes same requirements from rapeseed production districts.

Date:	Time:	Location:
12-16-14	10 a.m.	151 Hawthorne Ave. NE Salem, OR 97301

Hearing Officer: Kathleen Wickman
Stat. Auth.: ORS 561.190, 561.510-561.600, 570.305, 570.405, 570.410-570.415 & 570.450
Stats. Implemented: ORS 2013 HB 2427, 561.190, 561.510-561.600, 570.305, 570.405, 570.410-570.415 & 570.450
Proposed Amendments: 603-052-0860, 603-052-0861, 603-052-0862, 603-052-0870, 603-052-0880, 603-052-0882, 603-052-0884, 603-052-0886, 603-052-0888, 603-052-0921
Last Date for Comment: 12-21-14, 5 p.m.

Summary: The proposed amendments place all requirements for protection from the crucifer disease blackleg (caused by *Lep-tosphaeria maculans*) into a single regulation (OAR 603-052-0870) that applies to all Brassicaceae crops planted statewide. Mandatory treatments for fields officially confirmed as infected by this disease have been added. The regulations pertaining to the rapeseed production districts (OARs 603-052-0880, 603-052-0882, 603-052-0884, 603-052-0886, and 603-052-0888) have been amended to remove references to blackleg. The regulation (OAR 603-052-0921) addressing violations of the blackleg and rapeseed production districts requirements, the introductory sections (OARs 603-052-0860 and 603-052-0861) and the definitions (OAR 603-052-0862) have been amended to reflect the previously described changes.

Rules Coordinator: Sue Gooch
Address: Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301
Telephone: (503) 986-4583

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Rule Caption: Establishes rules for growing and handling Industrial Hemp and Agricultural Hemp seed.

Date:	Time:	Location:
1-6-15	9 a.m.	Oregon Dept. of Agriculture 635 Capitol St. NE Salem, OR 97301

Hearing Officer: Wym Matthews
Stat. Auth.: ORS 571.300 to 571.315 & 633.511-633.996
Stats. Implemented: ORS 571.300-315
Proposed Adoptions: 603-048-0010 – 603-048-1000
Last Date for Comment: 1-9-15, 5 p.m.

Summary: This proposed rule would establish: Regulations for Industrial Hemp and Agricultural Hemp seed as described in ORS 571.300 to 571.315; Processes and fees for licenses and permits; Processes and fees for Sampling, Inspection and Testing; Establishes violations and penalties.

Rules Coordinator: Sue Gooch
Address: Department of Agriculture, 635 Capitol St. NE, Salem, OR 97301
Telephone: (503) 986-4583

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

Rule Caption: Adopts 2015 Oregon Amusement Ride and Device Specialty Code

Date:	Time:	Location:
12-16-14	9:30 a.m.	1535 Edgewater St. NW Salem, OR 97304

Hearing Officer: Staff
Stat. Auth.: ORS 455.020, 455.030, 455.110, 460.355 & 460.360
Stats. Implemented: ORS 460.355 & 460.360
Proposed Adoptions: Rules in 918-200
Proposed Amendments: Rules in 918-200
Proposed Repeals: Rules in 918-200
Proposed Renumberings: Rules in 918-200
Proposed Ren. & Amends: Rules in 918-200
Last Date for Comment: 12-19-14, 5 p.m.

Summary: These proposed rules adopt minimum safety standards for the manufacture, installation, operation, and maintenance of amusement rides and devices in Oregon by adopting the current provisions of national amusement ride and devices codes and standards. Additionally, the proposed rules include some non-substantive housekeeping changes to administrative rule that provide clarity and consistency among the division's rules, and which repeal outdated provisions relating to the regulation of bungee devices.

Rules Coordinator: Holly A. Tucker
Address: Department of Consumer and Business Services, Building Codes Division, PO Box 14470, Salem, OR 97309-0404
Telephone: (503) 378-5331

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

Stat. Auth.: ORS 455.030, 455.055, 455.110, 455.720, 455.730 & 455.740
Stats. Implemented: ORS 455.740
Proposed Adoptions: 918-098-1505
Proposed Repeals: 918-098-1505(T)
Last Date for Comment: 12-19-14, 5 p.m.

Summary: 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. This created a central certification regulated by the Division.

On August 26, 2014, the Division adopted a temporary rule which clarified that any grounds for enforcement action against any building inspection program certification was also grounds for action against the Oregon Inspector Certification. The purpose of this rule is to make that clarification permanent.

Rules Coordinator: Holly A. Tucker
Address: Department of Consumer and Business Services, Building Codes Division, PO Box 14470, Salem, OR 97309-0404
Telephone: (503) 378-5331

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

Rule Caption: Revises the fee schedule for assessments financial institutions pay to the Director.

Date:	Time:	Location:
12-22-14	9:30 a.m.	350 Winter St. NE, Rm. 260 Salem, OR 97301

Hearing Officer: Division Staff
Stat. Auth.: ORS 706.530
Stats. Implemented: ORS 706.530
Proposed Amendments: 441-500-0020
Last Date for Comment: 12-29-14, 5 p.m.

Summary: Under ORS 706.530, the Director of the Department of Consumer and Business Services may assess financial institutions a fee under a schedule adopted by rule. In adopting the schedule, the Director takes into consideration three factors: the amount of other moneys available for the director to use in performing the director's duties, the costs the director will incur in performing the director's duties in the year in which the director will collect the fee, and the amount the director needs to establish and maintain a reasonable emergency fund. This proposed rulemaking activity revises the cur-

NOTICES OF PROPOSED RULEMAKING

rent fee schedule consistent with the policy considerations written into the enabling statute.

Rules Coordinator: Shelley Greiner

Address: Department of Consumer and Business Services, Finance and Corporate Securities, 350 Winter St. NE, Rm. 410, Salem, OR 97301

Telephone: (503) 947-7484

Rule Caption: Repeals rule allowing pawnbrokers to charge \$5.00 fee for certified mailings.

Stat. Auth.: ORS 726.260

Stats. Implemented: ORS 726.400

Proposed Repeals: 441-740-0015

Last Date for Comment: 12-29-14, 5 p.m.

Summary: This proposed rule repeals a provision allowing pawnbrokers to pass through a "reasonable" fee for the preparation and posting of a notice of forfeiture through certified mail. In 2014, House Bill 4011 amended statutory language that a pledgor would bear postal costs and could be assessed a reasonable fee by a pawnbroker for preparing the notice to be delivered by certified mail. HB 4011 removed the requirement for certified mail and shifted the cost of postage from the pledgor to the pawnbroker. In order to comply with the new language of ORS 726.400(5), the division is proposing to repeal the rule

Rules Coordinator: Shelley Greiner

Address: Department of Consumer and Business Services, Finance and Corporate Securities, 350 Winter St. NE, Rm. 410, Salem, OR 97301

Telephone: (503) 947-7484

Department of Consumer and Business Services, Oregon Occupational Safety and Health Division Chapter 437

Rule Caption: Adopt federal OSHA correction to Vehicle-Mounted Elevating and Rotating Work Platforms in General Industry.

Stat. Auth.: ORS 654.025(2) & 656.726(4)

Stats. Implemented: ORS 654.001-654.295

Proposed Amendments: 437-002-0060

Last Date for Comment: 12-29-14, Close of Business

Summary: This rulemaking is to keep Oregon OSHA in harmony with recent changes to federal OSHA's standards.

Federal OSHA published, in the July 1, 2014 Federal Register, a notice of a typographical error to 1910.67 (Vehicle-mounted Elevated and Rotating Work Platforms).

Currently under 1910.67(c)(5) Welding standard, the rule references the "Automotive" Welding Society; however, the correct title to the national consensus standard organization referenced is "American" Welding Society. This proposed rulemaking corrects the typographical error.

Oregon OSHA proposes to make this correction to 1910.67(c)(5), in Division 2/F.

Please visit our website: www.orosha.org Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules.

Rules Coordinator: Sue C. Joye

Address: Department of Consumer and Business Services, Oregon Occupational Safety and Health Division, 350 Winter St. NE, Salem, OR 97301-3882

Telephone: (503) 947-7449

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

Rule Caption: Recognition of preexisting conditions; effects of compensable injury versus accepted conditions

Date:	Time:	Location:
12-19-14	9 a.m.	Labor & Industries Bldg., Rm. F 350 Winter St. NE Salem, OR

Hearing Officer: Fred Bruyns

Stat. Auth.: ORS 656 & 656.726(4)

Stats. Implemented: ORS 656, 656.005, 656.214, 656.262, 656.266, 656.268, 656.273, 656.340, 656.622 & 656.802

Proposed Adoptions: 436-035-0006

Proposed Amendments: 436-009-0005, 436-010-0005, 436-010-0280, 436-030, 436-035, 436-105, 436-110, 436-120

Last Date for Comment: 12-29-14, Close of Business

Summary: The public may also listen to the hearing or testify by telephone: Dial-in number is 1-626-677-3000; Access code is 786664; Lines open at 8:45 a.m. Pacific Standard Time.

The agency proposes to amend OAR chapter 436, to reflect the decision of the Oregon Supreme Court, in *Schleiss v. SAIF* (364 Or. 637 (2013)). A contributing cause to impairment must be a statutorily recognized preexisting condition to qualify for apportionment. In injury claims, to be recognized as a preexisting condition, a condition must be (1) arthritis or an arthritic condition or (2) diagnosed or treated prior to the compensable injury. In an occupational disease claim, to be recognized as a preexisting condition, a condition must precede the onset of the claimed occupational disease. Consistent with this court decision, the agency proposes to amend OAR 436-030, Claim Closure and Reconsideration, and OAR 436-035, Disability Rating Standards.

The agency proposes to amend OAR chapter 436 to reflect the decision of the Oregon Court of Appeals, in *Brown v. SAIF* (262 Or. App. 640 (2014)). The court found that the legislative history established that an insurer's obligation to specify the accepted conditions for a claim was not intended to have a negative impact on the injured worker's right to benefits resulting from the compensable injury; specifically, the legislature did not mean to equate "compensable injury" with an "accepted condition." Consistent with this court decision, the agency proposes to amend OAR 436-009-0005, Oregon Medical Fee and Payment Rules, 436-010-0005 and 0280, Medical Services, 436-030, Claim Closure and Reconsideration, 436-035, Disability Rating Standards, 436-105, Employer-at-Injury Program, 436-110 Preferred Worker Program, and 436-120, Vocational Assistance to Injured Workers to distinguish definitions and actions that are relevant to compensable injuries from those definitions and actions that are relevant to accepted conditions.

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 Corrections Chapter 291

Rule Caption: Use of Risk Assessment Tools to Classify Offenders and Assign their Level of Community Supervision

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075

Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075

Proposed Amendments: 291-078-0010, 291-078-0020, 291-078-0026, 291-078-0031

Last Date for Comment: 1-15-15, Close of Business

Summary: These 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

Address: Department of Corrections, 2575 Center St. NE, Salem, OR 97301-4667

Telephone: (503) 945-0933

NOTICES OF PROPOSED RULEMAKING

Department of Energy Chapter 330

Rule Caption: Amending Residential Energy Tax Credit pass-through eligibility rules.

Date: 12-22-14
Time: 10 a.m.
Location: OR Dept. of Energy
625 Marion St. NE
Salem, OR 97301

Hearing Officer: Elizabeth Ross

Stat. Auth.: ORS 469.040 & 469B.106

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

Proposed Amendments: 330-070-0014

Last Date for Comment: 12-22-14, 5 p.m.

Summary: The proposed rule for the Residential Energy Tax Credit program is a continuation of the permanent RETC rules filed in November 2014. The pass-through eligibility section of rule was included during the rule review and prior public hearing. However, OAR 330-070-0014 was not noticed as part of the earlier rulemaking because, initially, the Oregon Department of Energy did not propose amendments to this section of the rule. The proposed rule modifies the RETC pass-through eligibility to align with ORS 316.116. An eligible pass-through partner must be subject to tax under ORS 316. The department requests public comment on this draft rule.

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 Fish and Wildlife Chapter 635

Rule Caption: Establish Average Market Values of Food Fish for Determining Damages Related to Commercial Fishing Violations.

Date: 1-9-15
Time: 8 a.m.
Location: Oregon Dept. of Fish and Wildlife
4034 Fairview Industrial Dr. SE
Salem, OR 97302

Hearing Officer: Oregon Fish & Wildlife Commission

Stat. Auth.: ORS 506.119

Stats. Implemented: ORS 506.109 & 506.720

Proposed Amendments: 635-006-0232

Last Date for Comment: 1-9-15, Close of Hearing

Summary: This amended rule establishes the average market value of food fish species used to determine damages for commercial fishing violations. Housekeeping and technical corrections may occur to ensure rule consistency.

Rules Coordinator: Therese Kucera

Address: Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302

Telephone: (503) 947-6033

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Rule Caption: Modify Barbless Hook Regulations for the lower Willamette River and Select Areas.

Date: 1-9-15
Time: 8 a.m.
Location: Oregon Dept. of Fish and Wildlife
4034 Fairview Industrial Dr. SE
Salem, OR 97302

Hearing Officer: Oregon Fish & Wildlife Commission

Stat. Auth.: ORS 496.138, 496.146, 506.036, 506.119, 506.129 & 506.750

Stats. Implemented: ORS 496.162, 506.036, 506.109, 506.129 & 506.750

Proposed Adoptions: Rules in 635-014, 635-017

Proposed Amendments: Rules in 635-014, 635-017

Last Date for Comment: 1-9-15, Close of Hearing

Summary: Amend rules relating to barbless hook regulation requirements for specific fisheries in the Willamette and Northwest Zones. Specifically, the rule modification would repeal the required use of barbless hooks when angling for salmon, steelhead and trout in the lower Willamette River and Select Area fisheries in the lower Columbia River, effective February 1, 2015. Housekeeping and technical corrections to the regulations may occur to ensure rule consistency.

Rules Coordinator: Therese Kucera

Address: Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302

Telephone: (503) 947-6033

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Rule Caption: Amendments to Rules for Commercial and Recreational Groundfish Fisheries.

Date: 1-9-15
Time: 8 a.m.
Location: Oregon Dept. of Fish and Wildlife
4034 Fairview Industrial Dr. SE
Salem, OR 97302

Hearing Officer: Oregon Fish & Wildlife Commission

Stat. Auth.: ORS 496.138, 496.146, 496.162, 497.121, 506.036, 506.109, 506.119, 506.129, 508.530

Stats. Implemented: ORS 496.004, 496.009, 496.162, 506.109, 506.129, 508.025, 508.535, 508.505, 508.550

Proposed Adoptions: Rules in 635-004, 635-006, 635-039

Proposed Amendments: Rules in 635-004, 635-006, 635-039

Last Date for Comment: 1-9-15, Close of Hearing

Summary: These amended rules, as determined justified, will establish annual groundfish management measures and harvest limits for 2015 commercial and sport groundfish fisheries. Housekeeping and technical corrections to the regulations will occur to ensure rule consistency.

Rules Coordinator: Therese Kucera

Address: Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302

Telephone: (503) 947-6033

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

Rule Caption: Residential Care and Assisted Living Facilities

Date: 12-15-14
Time: 2 p.m.
Location: Human Services Bldg., Rm. 160
500 Summer St. NE
Salem, OR 97301

Hearing Officer: Staff

Stat. Auth.: ORS 410.070 & 443.450

Stats. Implemented: ORS 443.004, 443.400–443.455 & 443.991

Proposed Amendments: 411-054-0005, 411-054-0012, 411-054-0090, 411-054-0093, 411-054-0200, 411-054-0300

Last Date for Comment: 12-22-14, 5 p.m.

Summary: The Department of Human Services (Department) is proposing to amend the rules for residential care and assisted living facilities in OAR chapter 411, division 054 to comply with changes in the building codes in regards to physical building structure, initial licensing requirements, and Fire and Life safety. The rules also need to be amended to comply with direction from Centers for Medicare and Medicaid Services (CMS) regarding locked resident unit doors for residential care facilities (RCF). Minor grammar, punctuation, and wording adjustments were made to all of the rules as well.

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

NOTICES OF PROPOSED RULEMAKING

Department of Human Services, Child Welfare Programs Chapter 413

Rule Caption: Revising rules regarding the rights of children in the custody of the Department

Date: 12-22-14	Time: 11 a.m.	Location: 500 Summer St. NE, Rm. 257 Salem, OR 97301
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Hearing Officer: Kris Skaro

Stat. Auth.: ORS 418.005 & 418.202

Stats. Implemented: ORS 418.005, 418.201 & 418.202

Proposed Amendments: 413-010-0180, 413-010-0185

Last Date for Comment: 12-24-14, 5 p.m.

Summary: The Department of Human Services, Office of Child Welfare Programs, is revising rules regarding the rights of children and young adults in the legal custody of the Department to expressly establish the Oregon Foster Children's Bill of Rights and to list in rule the rights of foster children specified in ORS 418.201, as required by ORS 418.202. These rule changes do not make any substantive changes to the rights of children or young adults in the legal custody of the Department. The rules are also revised to add references and clarify language.

A copy of the draft rules can be accessed at the child welfare policy website: <http://www.dhs.state.or.us/policy/childwelfare/drafts/drafts.htm>.

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

Rule Caption: Amending the definition of 'relative' in child welfare rules

Date: 12-22-14	Time: 11 a.m.	Location: Human Services Bldg. 500 Summer St. NE, Rm. 257 Salem, OR 97301
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Hearing Officer: Kris Skaro

Stat. Auth.: ORS 409.050 & 418.005

Stats. Implemented: ORS 409.010, 418.005 & 419B.192

Proposed Amendments: 413-010-0310, 413-070-0063, 413-070-0505, 413-070-0620, 413-070-0655, 413-070-0905, 413-120-0010, 413-120-0195, 413-120-0510, 413-120-0710

Proposed Repeals: 413-010-0310(T), 413-070-0063(T), 413-070-0505(T), 413-070-0620(T), 413-070-0655(T), 413-070-0905(T), 413-120-0010(T), 413-120-0195(T), 413-120-0510(T), 413-120-0710(T)

Last Date for Comment: 12-31-14, 5 p.m.

Summary: The Office of Child Welfare Programs is amending the definition of "relative" to address unintended consequences of a recent rule change. The Department changed the definition of "relative" effective June 3, 2014, to clarify the order in which the Department considers potential adoptive and substitute care resources for placement of children in the Department's custody, specifically where in the order of placement fall birth relatives of children or parents whose prior legal relationship has been dissolved by adoption. The June 3, 2014, change was intended to include as relatives only those blood relatives who are identified as a member of the family by the child or the individual. The change was interpreted, however, to require the Department to search for blood relatives of an adopted child, to whom the child has no connection. That interpretation may have had negative consequences on the adoption process and the child, in addition to creating a practice change and workload increase the Department did not intend nor anticipate. The definition is being amended to add language to clarify that only those relatives who are identified as members of the family are included. These rule changes make permanent temporary rules that were adopted effective August 4, 2014.

"Relative" is defined in ten rules in OAR chapter 413, all of which are amended to adopt a consistent definition.

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

Department of Human Services, Vocational Rehabilitation Services Chapter 582

Rule Caption: Establish 90 days to vocational plan; aligns Vocational Rehabilitation definitions with WIOA amended Rehabilitation Act

Date: 12-22-14	Time: 10 a.m.	Location: DHS, 500 Summer St. NE Rm. 166 Salem, OR 97301
12-22-14	8 a.m.	JCLS Medford Library Adams Rm., 205 S. Central Ave. Medford, OR 97501
12-22-14	1 p.m.	Bend Vocational Rehabilitation 1230 NE 3rd St., Suite A-152 OSHA Rm. Bend, OR 97701

Hearing Officer: Staff

Stat. Auth.: ORS 344.540

Stats. Implemented: ORS 344.511-344-690 & 344-710.730

Proposed Amendments: 582-050-0000, 582-001-0010

Proposed Repeals: 582-001-0003, 582-001-0005

Last Date for Comment: 12-24-14, 5 p.m.

Summary: Vocational Rehabilitation proposes these amendments to comply with requirements of the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA), enacted July 22, 2014. See WIOA Bill Public Law No. 113-128.

OAR 582-001-0003 Purpose for Adoption of Procedural Rules and OAR 582-001-0005 General Procedures are no longer necessary.

OAR 582-001-0010 Definitions for Chapter 582 is amended to comply with new and revised definitions in WIOA Bill Public Law No. 113-128.

OAR 582-050-0000 is amended to comply with the required 90 days to plan WIOA Bill Public Law No. 113-128.

Rules Coordinator: Robin Brandt

Address: Department of Human Services, Vocational Rehabilitation Services, 500 Summer St. NE, E-87, Salem, OR 97301

Telephone: (503) 945-5857

Department of Public Safety Standards and Training Chapter 259

Rule Caption: To clarify continuing education guidelines and housekeeping.

Stat. Auth.: ORS 703.480

Stats. Implemented: ORS 703.447 & 703.480

Proposed Amendments: 259-061-0005, 259-061-0240

Proposed Repeals: 259-061-0260

Last Date for Comment: 12-22-14, Close of Business

Summary: Private Investigators are required to submit a DPSST Form PI-6 to prove compliance with continuing education requirements listed in Oregon Administrative Rules (OAR.) Constituents have expressed confusion regarding the many continuing education categories currently in rule and how to determine which category applies to their continuing education endeavors. Further, many of the continuing education categories currently listed in OAR contain outdated references.

This proposed rule change combines all the continuing education guidelines under OAR 259-061-0240 and updates the continuing

NOTICES OF PROPOSED RULEMAKING

education categories. Further, it repeals OAR 259-061-0260. Finally, the definition of "Continuing Education" in OAR 259-061-0005 has been revised and housekeeping has been performed for clarity and consistency.

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: Amends definition of "Temporary Work Permit" and other definitions; changes private security executive manager responsibilities.

Stat. Auth.: ORS 181.878

Stats. Implemented: ORS 181.873 & 181.878

Proposed Amendments: 259-060-0010, 259-060-0130

Last Date for Comment: 12-22-14, Close of Business

Summary: On February 18, 2014, DPSST presented a proposed rule change to the Private Security and Investigator Policy Committee (PSIPC) amending the definition of "Temporary Work Permit." The amended definition clarified that only managers that are both employers and are licensed by DPSST may issue temporary work permits. The PSIPC approved recommending the proposed language to the Board and the Board affirmed the PSIPC's recommendation.

On April 29, 2014, the amended language was filed with the Secretary of State's Office as a proposed rule and opened for public comment between June 1 and June 23, 2014. On June 6, 2014, a public comment was received.

After reviewing the public comment, DPSST staff recommended leaving the proposed language regarding temporary work permits in OAR 259-060-0010 as previously amended. However, to address the public comment concerns, staff recommended changing the private security executive manager responsibilities in 259-060-0130 to include that an executive manager is considered an employing licensed manager when contracting with businesses or entities. Further, staff also recommended clarifying the definitions of private security professional and supervisory manager to exclude them from contracting with businesses or entities while providing services as private security professionals or supervisory managers.

On August 19, 2014, the PSIPC met and discussed the public comment, the staff recommendation, and the proposed amendments to 259-060-0010 and 259-060-0130. The Committee recommended approving the amended language to the Board. On October 23, 2014, the Board affirmed the PSIPC's recommendation.

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 eliminate the need for tribal law enforcement units to submit a DPSST Form F-8.

Stat. Auth.: 2011 OL Ch. 644

Stats. Implemented: 2011 OL Ch. 644

Proposed Amendments: 259-008-0069

Last Date for Comment: 12-22-14, Close of Business

Summary: OAR 259-008-0069 outlines the requirements for individuals employed as public safety officers by a tribal government to be certified. Because DPSST does not have access to tribal court criminal records, tribal public safety officers must submit an Applicant Disclosure of Convictions in Tribal Jurisdiction (Form F-8), when submitting a Personnel Action Form (Form F-4) or an Application for Certification (Form F-7).

In 2013, the Violence Against Women Act gave tribal courts limited authority to prosecute and convict non-tribal members. This change means that any applicant for DPSST certification could potentially have a conviction in a tribal court. Further, officers employed by non-tribal agencies are only required to make a sworn statement that they have not been convicted of any crime, including traffic crimes, in any jurisdiction, including local, state, federal, and

tribal. Additionally, unlike the Form F-8, these sworn statements do not need to be notarized. Falsification of information is subject to denial or revocation of certification.

DPSST has determined that the requirement that tribal public safety officers submit an Applicant Disclosure of Convictions in Tribal Jurisdiction (F-8 Form) is redundant. This rule change eliminates the need for tribal law enforcement units to submit a Form F-8.

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 add the effective date for the Criminal Justice Commission's adopted definitions.

Stat. Auth.: ORS 703.230

Stats. Implemented: ORS 703.210 & 703.230

Proposed Amendments: 259-020-0010, 259-020-0015

Last Date for Comment: 12-22-14, Close of Business

Summary: On December 26, 2012, DPSST adopted an administrative rule indicating that a conviction of a person felony or person class A misdemeanor, as defined by the Criminal Justice Commission (CJC), is a "course of behavior" that would render a polygraph examiner or trainee unable to perform the required duties. The current rule language failed to include the effective date of the CJC definitions that were adopted. This proposed rule change corrects this error.

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: Waives the academic proficiency standard for certified individuals applying for training in the same discipline.

Stat. Auth.: ORS 181.640, 181.644 & 183.341

Stats. Implemented: ORS 181.640, 181.644 & 183.341

Proposed Amendments: 259-008-0010, 259-008-0011

Last Date for Comment: 12-22-14, Close of Business

Summary: DPSST's administrative rules regarding our academic proficiency standard testing do not allow individuals who are already certified in a public safety discipline and are hired by a public or private safety agency, to waive the academic proficiency standard requirement. Currently, an individual who is certified in another state and is hired by an Oregon agency would have to take an academic proficiency test and provide the information to DPSST. This rule change adds an exception to rule that individuals who certified in the discipline they are applying for training are exempt from this testing requirement.

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: Amend academic proficiency standard to include all law enforcement officers; removes challenging basic police training.

Stat. Auth.: ORS 181.640, 181.644 & 183.341

Stats. Implemented: ORS 181.640, 181.644 & 183.341

Proposed Amendments: 259-008-0010

Last Date for Comment: 12-22-14, Close of Business

Summary: On August 22, 2001, DPSST adopted a 12th grade reading and writing standard to address the high level of academic failure of students enrolled in the basic police course. On February 6, 2002, a standard was adopted requiring telecommunicators and emergency medical dispatchers (EMD) to demonstrate a 12th grade reading level only.

On June 24, 2013, a rule change was adopted changing the reading and writing standard to an academic proficiency standard. This rule change eliminated the need for DPSST to approve testing

NOTICES OF PROPOSED RULEMAKING

vendors. Agencies now choose any proficiency test that fits their hiring needs and budget.

On November 12, 2013, the Corrections Policy Committee discussed having the same academic proficiency requirement for entry into basic corrections and parole & probation courses. The Committee unanimously agreed to recommend this rule change to the Board on Public Safety Standards and Training. Further, the Committee agreed that the rule change would become effective on January 1, 2015. On January 23, 2014, the Board affirmed the Corrections Policy Committee's recommendation.

Since January, 2014, DPSST has provided information regarding the new academic proficiency standard to the Oregon State Sheriff's Association, the Oregon Association of Community Corrections Directors, the Oregon Department of Corrections, and other interested parties as part of a pre-comment period. During this pre-comment period, no concerns have been received that would necessitate further review of the proposed rule change.

Further, this proposed rule change removes "challenging basic police training" from section (7)(c) of rule, since challenging basic police training is no longer an option for students.

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: Updates fingerprint requirements; allows summary staff disposition or administrative closure in cases involving discretionary convictions.

Stat. Auth.: ORS 181.610, 181.640, 181.661, 181.662, 181.664 & 183.341

Stats. Implemented: ORS 181.610, 181.640, 181.661, 181.662 & 181.664

Proposed Amendments: 259-009-0059, 259-009-0070

Last Date for Comment: 12-22-14, Close of Business

Summary: Current rule does not require fingerprint submission for fire service professionals applying for certification who have never been fingerprinted. This proposed rule change remedies this oversight.

Further, because the maximum period of ineligibly for discretionary disqualifying misconduct is seven years, DPSST cannot take action on any discretionary conviction occurring over seven years ago. The implementation of the denial and revocation procedure for fire service professionals used the date of the conviction to dictate DPSST's action. Since it will have been more than seven years since the implementation date (January 15, 2008), the language found in rule is no longer relevant and often creates confusion amongst constituents. This proposal does not alter the intent of the original procedure, but simply updates the rule language to allow for summary staff disposition or administrative closure in cases involving discretionary convictions occurring seven years or more prior to the date of review. Several housekeeping changes have been made for consistency.

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 update the pre-employment background investigation rules.

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Proposed Adoptions: 259-009-0015

Proposed Amendments: 259-008-0015

Last Date for Comment: 12-22-14, Close of Business

Summary: In April, 2014, the Board on Public Safety Standards and Training requested that a workgroup be assembled to review DPSST's current background investigation administrative rule. In July and August, 2014, a background investigation workgroup

comprised of representatives from law enforcement and fire service, met to discuss the current standard. The workgroup reviewed the current rule language and developed additional background investigation requirements to update the guidelines. This rule change updates OAR 259-008-0015 and provides housekeeping. Further, OAR 259-009-0015 (Background Investigations) has been added for fire service professionals.

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: Adopt NWCG National Incident Management System, Wildland Fire Qualification System Guide, PMS 310-1, October 2013.

Stat. Auth.: ORS 181.640

Stats. Implemented: ORS 181.640

Proposed Amendments: 259-009-0005, 259-009-0062

Last Date for Comment: 12-22-14, Close of Business

Summary: This proposed rule change adopts the National Wildfire Coordinating Group (NWCG) National Incident Management System, Wildland Fire Qualification System Guide, PMS 310-1, Edition October 2013, as the standard for training requirements.

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 ensure compliance with the Federal Constitution and DOJ directives regarding same-sex marriage recognition.

Stat. Auth.: ORS 243.970

Stats. Implemented: ORS 243.956

Proposed Amendments: 259-070-0010

Proposed Repeals: 259-070-0010(T)

Last Date for Comment: 12-22-14, Close of Business

Summary: All state agencies administering state laws must recognize the marriages of same-sex couples validly performed in other jurisdictions to the same extent that they recognize other marriages validly performed in other jurisdictions. This direction has a direct impact on the administration of the Public Safety Memorial Fund program, as the spouses of public safety officers are named as eligible family members for the benefit, per ORS 243.954.

To ensure compliance with the federal Constitution and DOJ directives, DPSST filed a temporary rule on August 11, 2014, to address this issue. This proposed rule change begins the permanent rule making 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 clarify that DPSST certifies police officers for the purposes of ORS 813.131(2).

Stat. Auth.: ORS 181.640, 181.644, 181.651, 181.652, 181.653, 181.654 & 181.665

Stats. Implemented: ORS 181.640, 181.644, 181.651, 181.652, 181.653, 181.654 & 181.665

Proposed Amendments: 259-008-0060

Proposed Repeals: 259-008-0060(T)

Last Date for Comment: 12-22-14, Close of Business

Summary: ORS 813.131(2), which is the statute governing implied consent, prohibits police officers from requesting a urine test in cases of suspected impaired driving unless the officer is "... certified by the Board on Public Safety Standards and Training as having completed at least eight hours of training in recognition of drug impaired driving ..." [ORS 813.131(2)].

Recently, DPSST was contacted by the Department of Motor Vehicles (DMV) with concerns about the inconsistency of the statute

NOTICES OF PROPOSED RULEMAKING

requiring that officers be certified by the Board on Public Safety Standards and Training (Board) and the Department's Oregon Administrative Rules (OAR) that state that the Department of Public Safety Standards and Training (DPSST) certifies police officers who have met the minimum standards for certification prescribed by the Board. Because ORS 813.131(2) requires that an officer be certified by the Board, evidence that the officer was certified by DPSST may not be sufficient for the statute.

To remedy this discrepancy, The Department of Motor Vehicles (DMV), in consultation with the Department of Justice (DOJ), will be requesting a technical solution to the statutory language in the 2015 legislative session. In the meantime, at the request of the DMV and DOJ, DPSST filed a temporary rule on October 8th, 2014, adding language to our rule clarifying that DPSST certifies police officers for the purposes of ORS 813.131(2). This proposed rule change 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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Department of Revenue Chapter 150

Rule Caption: Property Tax: Central Assessment, data transmission, five-percent test

Date:	Time:	Location:
12-15-14	10:30 a.m.	Oregon Dept. of Veterans' Affairs Auditorium 700 Summer St. NE Salem, OR 97301-1285

Hearing Officer: Phil McClellan

Stat. Auth.: ORS 305.100 & 308.655

Stats. Implemented: ORS 308.515 & 308.516

Proposed Adoptions: 150-308.515-(A), 150-308.516(3)(b)(A)

Last Date for Comment: 12-22-14, 9 a.m.

Summary: 150-308.515-(A) — The purpose of this rule is to provide guidance about central assessment of communication companies in light of the recent Comcast vs. Department of Revenue Supreme Court Opinion.

150-308.516(3)(b)(A) — The purpose of this rule is to provide guidance about what tangible real and personal property is considered by the department in evaluating the five-percent test to determine whether a data center is centrally assessed.

Rules Coordinator: Deanna Mack

Address: Department of Revenue, 955 Center St. NE, Salem, OR 97301

Telephone: (503) 947-2082

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Department of State Police, Office of State Fire Marshal Chapter 837

Rule Caption: Establish State Emergency Response Commission Executive Committee and Emergency Planning Districts

Date:	Time:	Location:
12-22-14	8:30 a.m.	Office of State Fire Marshal 4760 Portland Rd. NE Salem, OR 97305

Hearing Officer: Anita Phillips

Stat. Auth.: ORS 476.030(2)

Stats. Implemented: ORS 453.520

Proposed Adoptions: Rules in 837-095

Last Date for Comment: 12-22-14, 10 a.m.

Summary: These rules designate emergency planning districts as required by the Emergency Planning and Community Right to Know Act (EPCRA) of 1986 (42 U.S.C. Chapter 116, Section 11001 et seq.).

Rules Coordinator: Valerie Abrahamson

Address: Department of State Police, Office of State Fire Marshal, 4760 Portland Rd. NE, Salem, OR 97305-1760

Telephone: (503) 934-8211

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Rule Caption: Amends rules to establish a new penalty matrix within the authority established in ORS 453.357

Date:	Time:	Location:
12-22-14	10:30 a.m.	Office of State Fire Marshal 4760 Portland Rd. NE Salem, OR 97305

Hearing Officer: Anita Phillips

Stat. Auth.: ORS 453.367 & 453.408

Stats. Implemented: ORS 453.307–453.414

Proposed Amendments: 837-085-0260, 837-085-0270, 827-085-0280, 837-085-0290, 837-085-0300, 837-085-0305, 837-085-0310

Last Date for Comment: 12-22-14, 12 p.m.

Summary: Rules are being amended to align the penalty matrix with the authority established in ORS 453.357.

Rules Coordinator: Valerie Abrahamson

Address: Department of State Police, Office of State Fire Marshal, 4760 Portland Rd. NE, Salem, OR 97305-1760

Telephone: (503) 934-8211

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Oregon Department of Education Chapter 581

Rule Caption: School and district options for granting K–12 students credit

Date:	Time:	Location:
12-22-14	1 p.m.	255 Capital St. NE, Rm. 200A Salem, OR

Hearing Officer: Emily Nazarov

Stat. Auth.: ORS 326.051

Stats. Implemented: ORS 326.051

Proposed Amendments: 581-022-1131

Last Date for Comment: 1-22-15, 9 a.m.

Summary: This rule has required all school districts and public charter schools to offer students the option of obtaining credit towards high school graduation by completing 130 hours in a class. The rule still allows this as an option but does not require districts to do this.

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: Instructional time requirements for school districts and public charter schools

Date:	Time:	Location:
12-22-14	1 p.m.	255 Capital St. NE, Rm. 200A Salem, OR

Hearing Officer: Emily Nazarov

Stat. Auth.: ORS 326.051

Stats. Implemented: ORS 326.051

Proposed Amendments: 581-022-0102, 581-022-1620

Last Date for Comment: 1-22-15, 9 a.m.

Summary: Requires that districts ensure by 2017–18 at least 90% of all students are scheduled to receive the minimum instructional hours.

Increases instructional time for students in K–3 grade.

Improves Oregon's definition of instructional time. Revises what is considered instructional time.

Defines instructional time for purposes of virtual education.

Defines what is considered to be full-day kindergarten.

Rules Coordinator: Cindy Hunt

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

Telephone: (503) 947-5651

NOTICES OF PROPOSED RULEMAKING

Rule Caption: Fingerprinting of subject individuals for public school positions

Date: 12-22-14 **Time:** 1 p.m. **Location:** 200A, 255 Capitol St. NE
Salem, OR

Hearing Officer: Emily Nazarov

Stat. Auth.: ORS 326.603

Stats. Implemented: ORS 326.603

Proposed Amendments: 581-021-0500

Last Date for Comment: 1-22-15, 9 a.m.

Summary: The changes alphabetize the definitions section, clarify what newly hired means, rewrite the section about an employee who previously worked for a district, and redefine knowingly made a false statement.

Rules Coordinator: Cindy Hunt

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

Telephone: (503) 947-5651

Rule Caption: Fingerprinting of subject individuals employed by private schools

Date: 12-22-14 **Time:** 1 p.m. **Location:** 200A, 255 Capitol St. NE
Salem OR

Hearing Officer: Emily Nazarov

Stat. Auth.: ORS 326.603

Stats. Implemented: ORS 326.603

Proposed Amendments: 581-045-0586

Last Date for Comment: 1-22-15, 9 a.m.

Summary: The changes alphabetize the definitions section, clarify what newly hired means, rewrite the section about an employee who previously worked for a school, and redefine knowingly made a false statement.

Rules Coordinator: Cindy Hunt

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

Telephone: (503) 947-5651

Oregon Health Authority, Division of Medical Assistance Programs Chapter 410

Rule Caption: Rule Rewritten to Ensure Language Is Consistent with HERC Coverage Guidelines

Date: 12-16-14 **Time:** 10:30 a.m. **Location:** 500 Summer St. NE, Rm. 137C
Salem, OR 97301

Hearing Officer: Sandy Cafourek

Stat. Auth.: ORS 414.065

Stats. Implemented: ORS 414.065

Proposed Amendments: 410-122-0202

Last Date for Comment: 12-18-14, 5 p.m.

Summary: The Division needs to rewrite the rule listed above to ensure coverage guidelines are consistent with HERC coverage guidelines. The rule is also reorganized to assist providers and staff in interpretation.

Rules Coordinator: Sandy Cafourek

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

Telephone: (503) 945-6430

Rule Caption: Amend Rule to Ensure Language Is Consistent with HERC Coverage Guidelines

Date: 12-16-14 **Time:** 10:30 a.m. **Location:** 500 Summer St. NE, Rm. 137C
Salem, OR 97301

Hearing Officer: Sandy Cafourek

Stat. Auth.: ORS 413.042 & 414.065

Stats. Implemented: ORS 414.065

Proposed Amendments: 410-122-0520

Last Date for Comment: 12-18-14, 5 p.m.

Summary: The Division needs to amend the rule listed above to ensure coverage guidelines are consistent with HERC coverage guidelines that reduces the quantity of diabetic supplies allowed for type 2 diabetics who are not insulin dependent.

Rules Coordinator: Sandy Cafourek

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

Telephone: (503) 945-6430

Rule Caption: Amend Rule to Clarify Review Process for Items Not Already Identified as Covered by DMAP

Date: 12-16-14 **Time:** 10:30 a.m. **Location:** 500 Summer St. NE, Rm. 137C
Salem, OR 97301

Hearing Officer: Sandy Cafourek

Stat. Auth.: ORS 414.065

Stats. Implemented: ORS 414.065

Proposed Amendments: 410-122-0080

Last Date for Comment: 12-18-14, 5 p.m.

Summary: The Division needs to amend the rule listed above to clarify the review process for items not already identified in rules as covered by DMAP and to meet requirements from the CMS guidance letter to Medicaid states

Rules Coordinator: Sandy Cafourek

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

Telephone: (503) 945-6430

Rule Caption: Amendment of HERC Prioritized List of Health Services Reflecting Approved Modifications Effective Oct.1, 2014

Stat. Auth.: ORS 192.527, 192.528, 413.042 & 414.065

Other Auth.: HB 2100

Stats. Implemented: ORS 192.527, 192.528, 414.010, 414.065 NS 414.727

Proposed Amendments: 410-141-0520

Proposed Repeals: 410-141-0520(T)

Last Date for Comment: 12-18-14, 5 p.m.

Summary: The OHP program administrative rules govern the Division of Medical Assistance Programs' payments for services provided to clients. The Division needs to temporarily amend 410-141-0520 to reference the Health Evidenced Review Committee (HERC) Prioritized List of Health Services' January 1, 2012–December 31, 2014. The HERC has made interim modifications and technical changes to the October 13, 2013 Prioritized List of Health Services. The changes will be effective October 1, 2014.

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 Health Authority, Office for Oregon Health Policy and Research Chapter 409

Rule Caption: Proposed Amendments and Adoption relating to the Patient-Centered Primary Care Home Program Rules

Date: 12-19-14 **Time:** 1 p.m. **Location:** General Services Bldg.
Mt. Jefferson Rm.
1225 Ferry St. SE
Salem, OR 97301

Hearing Officer: Zarie Haverkate

Stat. Auth.: ORS 413.042, 414.655 & 442.210

Stats. Implemented: ORS 413.042, 414.655 & 442.210

Proposed Adoptions: 409-055-0045

Proposed Amendments: 409-055-0010, 409-055-0030, 409-055-0040

Last Date for Comment: 12-23-14, 5 p.m.

NOTICES OF PROPOSED RULEMAKING

Summary: The Oregon Health Authority, Office for Oregon Health Policy and Research is proposing to make amendments relating to the recognition criteria for the Patient-Centered Primary Care Home (PCPCH) Program to add a new “3 STAR Designation”.

These rules are available on the OHPR Website: <http://www.oregon.gov/OHA/OHPR/pages/rulemaking/index.aspx>. For hard copy requests, call: (503) 373-1574.

Rules Coordinator: Zarie Haverkate

Address: Oregon Health Authority, Office for Oregon Health Policy and Research, 1225 Ferry St. SE, Salem, OR 97301

Telephone: (503) 373-1574

Rule Caption: Amendment to the Physician VISA Waiver Program Rule

Stat. Auth.: ORS 413.248

Stats. Implemented: ORS 413.248

Proposed Amendments: 409-035-0020, 409-035-0040

Last Date for Comment: 12-19-14, 5 p.m.

Summary: The Office for Oregon Health Policy and Research proposes to amend the criteria for providers recommending candidates to the Physician Visa Waiver Program

Proposed rules are available on the OHPR website: <http://www.oregon.gov/OHA/OHPR/pages/rulemaking/index.aspx>

Rules Coordinator: Zarie Haverkate

Address: Oregon Health Authority, Office for Oregon Health Policy and Research, 1225 Ferry St. SE, Salem, OR 97301

Telephone: (503) 373-1574

Oregon Health Authority, Public Employees’ Benefit Board Chapter 101

Rule Caption: Program change to comply with Affordable Care Act regulations relative to medical coverage opt outs.

Date:	Time:	Location:
12-29-14	4 p.m.	PEBB Boardroom 1225 Ferry St. SE, Suite B Salem, OR

Hearing Officer: Cherie Taylor

Stat. Auth.: ORS 243.061–243.302, 659A.060–659A.069, 743.600–743.602 & 743.707

Stats. Implemented: ORS 243.061-302, 292.051 & 2007 OL Ch. 99

Proposed Amendments: 101-020-0015

Last Date for Comment: 12-29-14, Close of Business

Summary: Program change to comply with Affordable Care Act regulations relative to medical coverage opt outs.

Rules Coordinator: Cherie Taylor

Address: Oregon Health Authority, Public Employees’ Benefit Board, 1225 Ferry St. SE, Suite B, Salem, OR 97301

Telephone: (503) 378-6296

Oregon Health Authority, Public Health Division Chapter 333

Rule Caption: Patient notification of choice by practitioners as required by the passage of SB 683 (2013)

Date:	Time:	Location:
12-16-14	1 p.m.	Portland State Office Bldg. 800 NE Oregon St., Rm. 618 Portland, OR 97232

Hearing Officer: Jana Fussell

Stat. Auth.: ORS 441.098

Other Auth.: 2013 OL Ch. 552

Stats. Implemented: ORS 441.098

Proposed Amendments: 333-072-0215

Proposed Repeals: 333-072-0215(T)

Last Date for Comment: 12-22-14, 5 p.m.

Summary: The Oregon Health Authority, Public Health Division is proposing to amend this rule relating to notice of patient choice in

response to the passage of SB 683 during the 2013 legislative session.

The Authority needs to amend this rule to set forth the form and manner for health practitioners to provide notice of patient choice related to referrals for diagnostic tests, health care services or treatment.

The proposed rule provides for written or oral notice of patient choice at the time the patient establishes care and that notice must also be posted in a conspicuous place. The rule sets forth the information that must be provided. When health practitioners choose to provide notice at the time of referral, the rule sets forth the information that the practitioner must provide. Practitioners must document all oral notices. Implementation of this rule will ensure that health care consumers are aware of their right to choose care providers.

Rules Coordinator: Brittany Sande

Address: Oregon Health Authority, Public Health Division, 800 NE Oregon St., Suite 930, Portland, OR 97232

Telephone: (971) 673-1291

Rule Caption: Amendment of Outpatient Renal Dialysis Facility Administrative Rules and Table

Date:	Time:	Location:
12-18-14	10:30 a.m.	Portland State Office Bldg. 800 NE Oregon St., Rm. 918 Portland, OR 97232

Hearing Officer: Jana Fussell

Stat. Auth.: ORS 441.015, 441.025 & 441.060

Stats. Implemented: ORS 441.022, 441.025 & 441.060

Proposed Amendments: 333-700-0004, 333-700-0017, 333-700-0120, 333-700-0130

Last Date for Comment: 12-24-14, 5 p.m.

Summary: The Oregon Health Authority, Public Health Division, Health Care Regulation and Quality Improvement program is proposing amendments to OAR chapter 333, division 700 pertaining to outpatient renal dialysis facilities. The rule amendments update referenced codes and standards; change some dialysis facility construction requirements; clarify “Table 1: Required Frequency of Water Testing in Oregon Dialysis Facilities” (OAR 333-700-0120) to resolve conflict between federal and state water testing requirements for home patients; clarify the applicability of OAR 333-700-0130; and modify the OAR 333-700-0017 requirement that the Division conduct an on-site licensing survey in coordination with the State Fire Marshal’s Office to instead mandate an on-site certification survey only when required to do so by Centers for Medicare & Medicaid Services (“CMS”) regulations.

Rules Coordinator: Brittany Sande

Address: Oregon Health Authority, Public Health Division, 800 NE Oregon St., Suite 930, Portland, OR 97232

Telephone: (971) 673-1291

Rule Caption: Medical Marijuana Dispensary Program Rule Revisions

Date:	Time:	Location:
12-16-14	9:30 a.m.	Portland State Office Bldg., Rm. 1D, 800 NE Oregon St. Portland, OR 97232

Hearing Officer: Jana Fussell

Stat. Auth.: ORS 431.262, 475.314 & 475.338

Stats. Implemented: ORS 431.262, 475.314 & 475.331

Proposed Amendments: 333-008-1010, 333-008-1020, 333-008-1040, 333-008-1050, 333-008-1060, 333-008-1070, 333-008-1080, 333-008-1090, 333-008-1100, 333-008-1110, 333-008-1120, 333-008-1150, 333-008-1160, 333-008-1170, 333-008-1180, 333-008-1190, 333-008-1200, 333-008-1210, 333-008-1220, 333-008-1225, 333-008-1230, 333-008-1260, 333-008-1275, 333-008-1280

Last Date for Comment: 12-22-14, 5 p.m.

NOTICES OF PROPOSED RULEMAKING

Summary: The Oregon Health Authority is proposing to amend administrative rules in chapter 333, division 8 for the Medical Marijuana Dispensary Program to make a number of clarifications and housekeeping changes; introduce two new forms for attesting that no schools are within 1,000 feet of a proposed dispensary, and that a provisionally approved dispensary is fully compliant; add a fee for changing Person Responsible for Facility (PRF) to cover background check costs; and make minor changes to the approval process. The proposed amendments are based on Rules Advisory Committee, staff, and participant feedback, and are intended to reduce confusion and streamline agency processes.

Rules Coordinator: Brittany Sande

Address: Oregon Health Authority, Public Health Division, 800 NE Oregon St., Suite 930, Portland, OR 97232

Telephone: (971) 673-1291

Oregon State Treasury
Chapter 170

Rule Caption: Revise Division Administrative Fees and add fees for Beginning & Expanding Farmer Loan Program

Stat. Auth.: ORS 268A.014

Other Auth.: HB 2700 (2013)

Stats. Implemented: ORS 268A.014

Proposed Amendments: 170-061-0015

Last Date for Comment: 12-22-14, Close of Business

Summary: Fees for coordination of State agency bond sales by the Oregon State Treasury have remained the same since 2009 while costs for staff of the Debt Management Division have continued to rise. While the Debt Management Division is funded through fees for services, bond-issuing state agencies pay any funding shortfall through quarterly billings for centralized debt management services. Raising bond issuance fees to more closely match actual costs will reduce these centralized debt management quarterly billings.

The 2013 Legislature approved HB 2700 which established a federal-state, public-private partnership program to assist beginning farmers in obtaining low interest loans through the Beginning and Expanding Farmer Loan Program. HB 2700B allows in section 4 for the State Treasurer to charge administrative expenses of the State Treasurer for processing bonds issued for this new agricultural loan program.

Rules Coordinator: Dan McNally

Address: Oregon State Treasury, 350 Winter St. NE, Suite 100, Salem, OR 97301

Telephone: (503) 373-1028

Secretary of State,
Archives Division
Chapter 166

Rule Caption: Housekeeping corrections to the City Records Retention Schedule

Stat. Auth.: ORS 192 & 357

Stats. Implemented: ORS 192 & 357

Proposed Amendments: Rules in 166-200

Last Date for Comment: 1-2-15, Close of Business

Summary: The City Records Retention Schedule was recently adopted. However, during a review after filing and publication of the new retention schedule, a number of corrections were identified as needing to be made to ensure that the schedule is efficient for all to use. These changes are housekeeping in nature. No records retention periods are being changed with this amendment.

Rules Coordinator: Julie Yamaka

Address: Secretary of State, Archives Division, 800 Summer St. NE, Salem, OR 97310

Telephone: (503) 378-5199

Teacher Standards and Practices Commission
Chapter 584

Rule Caption: Adopts, amends and repeals rules associated with educator licensure, preparation and professional practices.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120-342.430, 342.455-342.495; 342.553; 342.985

Proposed Adoptions: 584-018-0165, 584-020-0060, 584-066-0025

Proposed Amendments: Rules in 584-010, 584-017, 584-017-1028, 584-017-1030, Rules in 584-018, 584-018-0305, Rules in 584-019, 584-019-0003, Rules in 584-020, 584-023, 584-023-0005, Rules in 584-036, 584-036-0070, 584-036-0083, Rules in 584-038, 584-042, 584-044, 584-050, 584-052, 584-060, 584-060-0210, 584-060-0635, Rules in 584-065, 584-066, 584-066-0020, Rules in 584-070, 584-070-0120, 584-070-0132, 584-070-0310, Rules in 584-080, 584-080-0152, 584-080-0171, Rules in 584-090, 584-090-0115, Rules in 584-100

Proposed Repeals: 584-019-0002

Last Date for Comment: 1-29-15, 12 p.m.

Summary: Changes term from "Continuing" to "Professional" license; Eliminates basic skills test as an admission requirement; changes requirements associated with evidence of effectiveness for educator preparation programs; creates and amends standards for Deaf and Hard of Hearing, Initial School Counselors and American Sign Language; Creates rule for Informal Reproval process; Amends emergency licenses and expedited services provisions; Amends charter school registry provisions; and other housekeeping changes.

Rules Coordinator: Victoria Chamberlain

Address: Teacher Standards and Practices Commission, 250 Division St. NE, Salem, OR 97301

Telephone: (503) 378-6813

ADMINISTRATIVE RULES

Appraiser Certification and Licensure Board Chapter 161

Rule Caption: To amend the date of the current edition of the Model Rules of Procedure

Adm. Order No.: ACLB 4-2014

Filed with Sec. of State: 10-30-2014

Certified to be Effective: 10-30-14

Notice Publication Date: 10-1-2014

Rules Amended: 161-001-0005

Subject: Amend Oregon Administrative Rule 161, Division 001, Rule 0005 (2) regarding the current edition of the Model Rules of Procedure

Rules Coordinator: Gae Lynne Cooper—(503) 485-2555

161-001-0005

Model Rules of Procedure

(1) The Model Rules of Procedure, OAR 137-003-0501 to 137-003-0700, as promulgated by the Attorney General of the State of Oregon, apply to all contested case hearings conducted by a hearing officer from the Hearing Officer Panel on behalf of the Board.

(2) The Board adopts the current edition of the Model Rules of Procedure, OAR chapter 137, division 001, as promulgated by the Attorney General of the State of Oregon and effective July 1.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure are available from the office of the Attorney General or the Appraiser Certification and Licensure Board.]
Stat. Auth.: ORS 674.305 & 674.310
Stats. Implemented: ORS 674

Hist.: ACLB 6-1991, f. & cert. ef. 12-4-91; ACLB 1-1994, f. & cert. ef. 2-1-94; ACLB 1-1998, f. 6-24-98, cert. ef. 7-1-98; ACLB 1-2002, f. & cert. ef. 2-26-02; ACLB 4-2005, f. & cert. ef. 11-2-05; ACLB 2-2006, f. & cert. ef. 7-26-06; ACLB 3-2008, f. & cert. ef. 8-13-08; ACLB 4-2014, f. & cert. ef. 10-30-14

Board of Architect Examiners Chapter 806

Rule Caption: Observation

Adm. Order No.: BAE 7-2014

Filed with Sec. of State: 10-23-2014

Certified to be Effective: 10-23-14

Notice Publication Date: 10-1-2014

Rules Amended: 806-010-0050

Subject: A change in the terminology used in the ORS 671.010-220 necessitates revising the existing rules for "supervision."

Rules Coordinator: Shelly Coffey—(503) 763-0662

806-010-0050

Supervision

(1) Observation, or observing, as used in ORS 671.010–671.220, and as used in the definition of the practice of architecture in 671.010(7) means the administration of the construction contract which includes:

(a) General administration of contracts and interpretation of construction documents during the construction phase;

(b) Visiting the construction site on a periodic basis as is necessary to determine that the work is proceeding generally in accordance with the construction documents;

(c) Reviewing shop drawings, samples, and other submittals;

(d) Determination of substantial completion and such other services as may be required in accordance with the accepted practice of architecture in Oregon.

(2) Architects must observe all projects they stamp, with the exception of single-family residences. If the architect will not be providing the required observation, the architect must so advise the primary authority having jurisdiction and the Board in writing within 30 days of when the architect becomes aware that he or she will not be providing observation. This written notice must also include the project address and project owner's name.

(3) In accordance with ORS 671.010(7), observation of a non-exempt project constitutes the practice of architecture and therefore must be provided by an Oregon registered architect or engineer who is capable of rendering independent judgment on matters relating to construction.

Stat. Auth.: ORS 671.125

Stats. Implemented: ORS 671.010

Hist.: AE 5, f. 12-22-64; AE 6, f. 6-5-69; AE 2-1978, f. & ef. 3-6-78; AE 1-1979, f. 5-31-79, ef. 6-1-79; AE 1-1981, f. & ef. 3-5-81; AE 1-1996, f. 1-23-96, cert. ef. 2-1-96; BAE 1-1999, f. & cert. ef. 3-25-99; BAE 3-2005, f. & cert. ef. 5-12-05; BAE 7-2014, f. & cert. ef. 10-23-14

Board of Chiropractic Examiners Chapter 811

Rule Caption: Unprofessional Conduct 811-035-0015

Adm. Order No.: BCE 7-2014

Filed with Sec. of State: 10-28-2014

Certified to be Effective: 10-28-14

Notice Publication Date: 7-1-2014

Rules Amended: 811-035-0015

Subject: Prohibits licensees from entering into confidential agreements which interfere with a board investigation

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

811-035-0015

Unprofessional Conduct in the Chiropractic Profession

Unprofessional conduct means 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 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 physician:

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

(b) A licensee 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 doctor-patient relationship.

(c) "Sexual relations" means:

(A) Sexual intercourse; or

(B) 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 licensee for the purpose of arousing or gratifying the sexual desire of either licensee or patient.

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

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

(2) Charging fees for unnecessary services;

(3) Failing to teach and/or directly supervise persons to whom chiropractic services have been delegated;

(4) Practicing outside the scope of the practice of chiropractic in Oregon;

(5) Charging a patient for services not rendered;

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

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

(8) Soliciting or borrowing money from patients;

(9) 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;

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

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

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

(13) Using any controlled or illegal substance or intoxicating liquor to the extent that such use impacts the ability to safely conduct the practice of chiropractic;

(14) Practicing chiropractic without a current Oregon license;

(15) Allowing another person to use one's chiropractic license for any purpose;

(16) Resorting to fraud, misrepresentation, or deceit in applying for or taking the licensure exam or obtaining a license or renewal thereof;

(17) Impersonating any applicant or acting as a proxy for the applicant in any chiropractic licensure examination;

(18) Disclosing the contents of the licensure examination or soliciting, accepting, distributing, or compiling information regarding the con-

ADMINISTRATIVE RULES

tents of the examination before, during, or after its administration; Notwithstanding this section, the Ethics and Jurisprudence Examination is open book and there is no restriction on applicants discussing answers to individual questions between themselves or with others

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

(20) 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;

(21) Failing to comply with State and Federal laws regarding child and elderly abuse, and communicable diseases;

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

(23) Disobeying a final order of the Board;

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

(25) Making an agreement with a patient or person, or any person or entity representing patients or persons, or provide any form of consideration that would prohibit, restrict, discourage or otherwise limit a person's ability to file a complaint with the Board, to truthfully and fully answer any questions posed by an agent or representative of the Board regarding a board proceeding, or to participate as a witness in a Board proceeding; and

(26) Chiropractic physicians holding an ownership interest as described in OAR 811-010-0120 may be held responsible, entirely or in part, for supervised staff (listed below) who provide patient services. This includes a responsibility to render adequate supervision, management and training of ancillary staff or other persons including, but not limited to, chiropractic physicians, student interns, chiropractic assistants and/or others practicing under the licensee's supervision. Chiropractors with supervised staff may be held responsible, entirely or in part, for undue influence on staff or a restriction of a supervised chiropractic physician from using their own clinical judgment.

Stat. Auth.: ORS 684

Stats. Implemented: ORS 684.155

Hist.: CE 6-1995, f. & cert. ef. 12-19-95; CE 2-1996(Temp), f. & cert. ef. 5-31-96; CE 3-1996, f. & cert. ef. 9-26-96; BCE 1-1999, f. & cert. ef. 4-7-99; BCE 2-2000, f. & cert. ef. 5-4-00; BCE 2-2003, f. & cert. ef. 12-11-03; BCE 2-2009, f. & cert. ef. 12-22-09; BCE 1-2014, f. & cert. ef. 1-29-14; BCE 7-2014, f. & cert. ef. 10-28-14

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Board of Medical Imaging Chapter 337

Rule Caption: Beginning 1-1-17, require imaging technologists who practice computed tomography to have a CT credential.

Adm. Order No.: BMI 2-2014

Filed with Sec. of State: 10-20-2014

Certified to be Effective: 10-20-14

Notice Publication Date: 4-1-2014

Rules Amended: 337-010-0011, 337-010-0045

Subject: Beginning January 1, 2017, this rule requires a credential in computed tomography (CT) for radiographers, radiation therapists and nuclear medicine technologists to practice diagnostic CT, including cone beam CT. The requirement to have a CT credential only applies to diagnostic CT and does not apply to 1) radiographers or radiation therapists operating the CT attenuation correction portion of the hybrid imager; or 2) Licensed nuclear medicine technologists operating PET and attenuation correction portion of the hybrid imager.

Beginning January 1, 2017, licensed technologists without a CT credential are eligible to practice diagnostic CT only after obtaining a temporary CT license, which is available for up to 12 months (two six-month temporary licenses) and which requires them to practice under supervision. The temporary license enables CT candidates to complete supervised clinical prerequisites necessary to sit for a CT credentialing examination sponsored by a national registry. To qualify for a temporary CT license, a technologist will need to complete at least 8 hours of didactic CT education and 8 hours of didactic training in cross sectional anatomy.

Rules Coordinator: Ed Conlow—(971) 673-0216

337-010-0011

Qualifications of Computed Tomography Equipment Operators and Merged Technology Equipment Operators' Licensing

(1) Through December 31, 2016, an individual who operates computed tomography equipment for diagnosis must be credentialed by the American Registry of Radiologic Technologists in Computed Tomography (CT) or in Radiography with training in the operation of CT equipment in accordance with applicable RPS rules; currently OAR 333-106-0370 (x-ray) and 333-116-0880 (NM).

(2) Through December 31, 2016, in addition to qualifications to operate radiation therapy devices, Radiation Therapists operating CT for treatment planning must submit evidence of completion of a minimum of twelve (12) hours training in the use of computed tomography from an approved source as determined by the board.

(3) Through December 31, 2016, Nuclear Medicine Technologists who perform non-diagnostic attenuation CT exams with a hybrid scanner such as PET/CT, SPECT/CT or new emerging hybrid scanners must meet the training requirements in accordance with OAR 333-116-0880.

(4) Through December 31, 2016, in addition to qualifications to operate radionuclide imaging devices, Nuclear Medicine technologists may be granted a CT Technologist operator's license to perform diagnostic CT examinations if the following requirements are met:

(a) Credentialing by the American Registry of Radiologic Technologists in Computed Tomography, or

(b) The Board may grant authorization to allow Nuclear Medicine Technologists who are enrolled in a CT training program to perform diagnostic CT exams with direct supervision after they have completed a Board approved didactic training program that will allow the student to perform the ARRT required number of CT exams to sit for the ARRT (CT) exam. The authorization will be effective for 3 consecutive academic terms, and will expire automatically unless the Board is presented with evidence of passing the ARRT (CT) exam.

(5) Diagnostic Computed Tomography: On or after January 1, 2017, a licensee who operates computed tomography (CT) equipment, including cone beam CT, for diagnosis must be credentialed in Computed Tomography (CT) by either the American Registry of Radiologic Technologists or the Nuclear Medicine Technology Certification Board or have an active temporary CT license issued by OBMI.

(6) Computed Tomography/Nuclear Medicine Hybrid Imaging: On or after January 1, 2017, a positron Emission-Computed Tomography (PET/CT) or Single Photon Emission-Computed Tomography (SPECT/CT) systems must be operated by technologists licensed by the Oregon Board of Medical Imaging.

(a) On or after January 1, 2017, a registered radiographer with the credential R.T. (R), or a registered radiation therapist with the credential R.T.(T) may only operate CT for attenuation, not for diagnostic purposes. They may operate the diagnostic portion of the CT hybrid imager if they hold a CT credential from ARRT, or have an active temporary CT license issued by OBMI.

(b) On or after January 1, 2017, registered certified nuclear medicine technologists with the active credentials R.T. (N) or CNMT (NMTCB) may operate SPECT and PET with non-diagnostic CT and the attenuation correction portion of the hybrid imager. Certified Nuclear Medicine technologists may operate the diagnostic portion of the CT scanner if they hold a CT credential or have an active temporary CT license issued by OBMI.

(7) Computed Tomography for Radiation Therapy Treatment Planning Purposes: On or after January 1, 2017, a licensee who operates CT equipment for radiation therapy treatment planning purposes must be credentialed in Radiation Therapy or CT by the ARRT.

Stat. Auth.: ORS 688.555(1)

Stats. Implemented: ORS 688.480

Hist.: BRT 2-2006, f. 12-15-06, cert. ef. 1-1-07; BRT 1-2010, f. & cert. ef. 6-15-10; BMI 2-2014, f. & cert. ef. 10-20-14

337-010-0045

Temporary Licensee

(1) Temporary License

(a) Students who have successfully completed, or will successfully complete within six months, an approved school's didactic and clinical programs may apply for a temporary license that will be effective upon completion of the approved school's program.

(b) A temporary license is intended to allow graduates of an approved school to gain additional paid medical imaging experience in the applicable imaging modality before completing required credentialing examinations.

(c) With an endorsement to OBMI from the medical imaging program director at a student's school, indicating that the student is in good standing

ADMINISTRATIVE RULES

and is in the process of meeting educational requirements for graduation on a date specified, and that the student is competent to work under supervision, a temporary license may be issued which will be valid up to five months prior to the specified course completion date.

(d) A temporary license is valid for 6 months and may be renewed for a single six-month renewal period upon Board approval.

(e) A temporary licensee must apply to the Board for a medical imaging license within 30 days of being awarded a credential in a medical imaging modality by a recognized credentialing organization.

(f) If a temporary licensee is also licensed by the Board in another medical imaging modality, the restrictions of this subsection shall only apply when the individual is functioning as a temporary licensee.

(2) Temporary Licensee Supervision. A temporary licensee may only operate the applicable medical imaging modality under the indirect supervision of a licensed physician, or an individual licensed by the Board and credentialed by a credentialing organization in the medical imaging modality identified on the temporary license. For purposes of this subsection, indirect supervision means that the supervisor is physically present in the building and available to assist the temporary licensee as needed.

(3) Temporary License to add modality through post-primary pathway:

(a) The post-primary license is intended for current licensees who are completing clinical requirements necessary to add a different licensure modality to their current license. Supervision must be provided by a physician or technologist fully licensed to practice in the same modality as the post-primary license. All practice completed under the post-primary license must be specific to the modality on the post-primary temporary license and must be applicable to the post-primary licensee's clinical requirements for the licensure modality being added.

(b) A post-primary temporary license is valid for six months and may be renewed for a single six-month period upon Board approval. In addition, the license issued under this subsection may be permitted to have extended license renewals for up to two additional six-month periods based upon a showing of good cause, upon application for each six month extension renewal, demonstrating that the credentialing registry's clinical requirements cannot be completed within the prescribed timeframe due to limitations of the clinical practice site. Provisional licensees may apply and receive a temporary post-provisional license in the same modality for which they were issued a provisional license.

(c) Levels of supervision for post-primary temporary license: For purposes of this subdivision, post-primary temporary licensees must receive direct supervision for at least the initial six months of the license duration, with indirect supervision for the remaining period of licensure. For purposes of this subdivision, direct supervision means that the supervisor is physically present with the temporary licensee and patient. Indirect supervision has the same meaning as Paragraph (2).

(d) Application process: As part of the application for a post-primary temporary license, the applicant must provide documentation that the applicant has completed a minimum of 16 hours of category "A" content-related education. The Board may require confirmation of clinical supervision and clinical practice site, and may limit the post-primary temporary licensee to one or more specific practice sites. The Board may require confirmation that the applicant is eligible for credentialing in the new modality, if the relevant clinical experience requirements are met, and may deny an application based upon a lack of evidence of eligibility.

(e) Educational Plan: The supervising institution shall provide an outline of the training provided to each licensee under this subsection. The outline must be individualized for each licensee and must identify authorized institutional personnel who will supervise the licensee. This outline must be submitted with the application. As part of the application process, the Board may consult with the institution and may require revisions to the educational plan.

(4) Temporary Computed Tomography (CT) License: On or after January 1, 2017, technologists with active OBMI licensure in radiography, radiation therapy or nuclear medicine who are in the process of obtaining CT experience in order to sit for a CT credentialing examination shall first obtain a temporary license from the Board while they perform their CT competencies under this section. Competencies shall be performed under supervision of a licensed physician or credentialed CT technologist who is at least physically present in the building and available to assist the temporary licensee as needed. The Board may require documentation or confirmation of supervision and that a technologist who has a temporary license under this paragraph or who is applying for a temporary license under this paragraph is in the process of obtaining a CT credential under this paragraph, and may deny an application for a temporary license based upon the

Board's determination that an applicant is not working toward a CT credential or that the applicant does not have the required supervision.

(a) Education prerequisite: As part of the application for a temporary CT license, the applicant must provide documentation of a minimum of eight (8) hours of Category "A" didactic education in CT and eight (8) hours of Category "A" didactic training in cross sectional anatomy. These hours must have been earned within the 24-month period directly preceding submission of the application.

(b) Duration of temporary CT license: A temporary CT license is valid for six months and may be renewed for a single six-month period upon Board approval. In addition, the license issued under this subsection may be permitted to have extended license renewals for up to two additional six-month periods based upon a showing of good cause, upon application for each six month extension renewal, demonstrating that the credentialing registry's clinical requirements cannot be completed within the prescribed timeframe due to limitations of the clinical practice site.

Stat. Auth.: ORS 688.520(7)

Stats. Implemented:

Hist.: RT 2-1978, f. & ef. 7-7-78; BRT 1-2010, f. & cert. ef. 6-15-10; BMI 2-2012, f. 4-26-12, cert. ef. 5-1-12; BMI 3-2013, f. 10-30-13, cert. ef. 1-1-14; BMI 2-2014, f. & cert. ef. 10-20-14

Rule Caption: Waiver for persons without a registry credential to perform computed tomography

Adm. Order No.: BMI 3-2014(Temp)

Filed with Sec. of State: 10-21-2014

Certified to be Effective: 10-21-14 thru 4-19-15

Notice Publication Date:

Rules Amended: 337-010-0011

Subject: This waiver provision will enable the Board of Medical Imaging to allow, on a case-by-case basis, a radiographer who does not have an ARRT credential, or who has an ARRT credential but lacks a computed tomography (CT) sub-specialty credential, to perform computed tomography. In cases where it can be demonstrated that a radiographer is competent to perform CT and where the technologist's availability to perform CT in rural hospitals is required by the hospital, this rule will allow the Board to waive the credential requirement.

Rules Coordinator: Ed Conlow—(971) 673-0216

337-010-0011

Qualifications of Computed Tomography Equipment Operators and Merged Technology Equipment Operators' Licensure

(1) Through December 31, 2016, an individual who operates computed tomography equipment for diagnosis must be credentialed by the American Registry of Radiologic Technologists in Computed Tomography (CT) or in Radiography with training in the operation of CT equipment in accordance with applicable RPS rules; currently OAR 333-106-0370 (x-ray) and 333-116-0880 (NM).

(2) Through December 31, 2016, in addition to qualifications to operate radiation therapy devices, Radiation Therapists operating CT for treatment planning must submit evidence of completion of a minimum of twelve (12) hours training in the use of computed tomography from an approved source as determined by the board.

(3) Through December 31, 2016, Nuclear Medicine Technologists who perform non-diagnostic attenuation CT exams with a hybrid scanner such as PET/CT, SPECT/CT or new emerging hybrid scanners must meet the training requirements in accordance with OAR 333-116-0880.

(4) Through December 31, 2016, in addition to qualifications to operate radionuclide imaging devices, Nuclear Medicine technologists may be granted a CT Technologist operator's license to perform diagnostic CT examinations if the following requirements are met:

(a) Credentialing by the American Registry of Radiologic Technologists in Computed Tomography, or

(b) The Board may grant authorization to allow Nuclear Medicine Technologists who are enrolled in a CT training program to perform diagnostic CT exams with direct supervision after they have completed a Board approved didactic training program that will allow the student to perform the ARRT required number of CT exams to sit for the ARRT (CT) exam. The authorization will be effective for 3 consecutive academic terms, and will expire automatically unless the Board is presented with evidence of passing the ARRT (CT) exam.

(5) Diagnostic Computed Tomography: On or after January 1, 2017, a licensee who operates computed tomography (CT) equipment, including cone beam CT, for diagnosis must be credentialed in Computed

ADMINISTRATIVE RULES

Tomography (CT) by either the American Registry of Radiologic Technologists or the Nuclear Medicine Technology Certification Board or have an active temporary CT license issued by OBMI.

(6) Computed Tomography/Nuclear Medicine Hybrid Imaging: On or after January 1, 2017, a positron Emission-Computed Tomography (PET/CT) or Single Photon Emission-Computed Tomography (SPECT/CT) systems must be operated by technologists licensed by the Oregon Board of Medical Imaging.

(a) On or after January 1, 2017, a registered radiographer with the credential R.T. (R), or a registered radiation therapist with the credential R.T.(T) may only operate CT for attenuation, not for diagnostic purposes. They may operate the diagnostic portion of the CT hybrid imager if they hold a CT credential from ARRT, or have an active temporary CT license issued by OBMI.

(b) On or after January 1, 2017, registered certified nuclear medicine technologists with the active credentials R.T. (N) or CNMT (NMTCB) may operate SPECT and PET with non-diagnostic CT and the attenuation correction portion of the hybrid imager. Certified Nuclear Medicine technologists may operate the diagnostic portion of the CT scanner if they hold a CT credential or have an active temporary CT license issued by OBMI.

(7) Computed Tomography for Radiation Therapy Treatment Planning Purposes: On or after January 1, 2017, a licensee who operates CT equipment for radiation therapy treatment planning purposes must be credentialed in Radiation Therapy or CT by the ARRT.

(8) On a case-by-case basis, the board may waive a credential requirement of this rule for a licensed technologist, based upon the board's determination that the following two conditions are met:

(a) The licensee seeking a waiver:

(A) Has substantial experience, as determined by the board, practicing computed tomography; and

(B) Seeks to perform computed tomography as an employee or contractor of a specified rural hospital, as defined in ORS 442.470; and

(C) Under state sponsorship, passes a computed tomography examination by a registry recognized by the board; and

(D) Must have completed and documented vendor-provided applications training specific to any CT machine the waiver applicant will work on; and

(E) Must have completed a minimum of 16 hours in structured CT education requirements within the 24 months prior to applying for the waiver.

(F) Meets clinical experience requirements as specified in the waiver.

(G) Must have completed five supervised diagnostic-quality repetitions of any anatomic area that the waiver recipient will image with computed tomography. The waiver will only cover images of anatomic areas for which the waiver recipient has met this requirement. Supervision must be provided by a licensed technologist with a CT registry credential recognized by the board.

(b) Failure to grant the waiver would result in a substantial shortage in the rural hospital's ability to deliver necessary health services to the community.

(9) The board may prescribe terms of the waiver, including but not limited to time duration of the waiver, supervisory requirements, and clinical experience requirements. The waiver may include deadlines for completing specified requirements included in the waiver. The board may grant a preliminary waiver conditioned upon the waiver applicant's completion of all board-specified waiver requirements within no more than 60 days from the time the applicant submits an initial waiver request to the Board.

Stat. Auth.: ORS 688.555(1)

Stats. Implemented: ORS 688.480

Hist.: BRT 2-2006, f. 12-15-06, cert. ef. 1-1-07; BRT 1-2010, f. & cert. ef. 6-15-10; BMT 2-2014, f. & cert. ef. 10-20-14; BMT 3-2014(Temp), f. & cert. ef. 10-21-14 thru 4-19-15

Board of Pharmacy Chapter 855

Rule Caption: Permanently amend Division 019 Pharmacist by Reciprocity rules.

Adm. Order No.: BP 8-2014

Filed with Sec. of State: 10-22-2014

Certified to be Effective: 10-22-14

Notice Publication Date: 9-1-2014

Rules Amended: 855-019-0130

Subject: These rules allow pharmacists who have been accepted into a residency program the ability to reciprocate sooner in order to satisfy program requirements. This is applicable to nonresident phar-

macists who have obtained licensure in another state, but have less than one full year of pharmacist licensure to reciprocate.

Rules Coordinator: Karen MacLean—(971) 673-0001

855-019-0130

Licensure by Reciprocity

(1) An applicant for licensure as a pharmacist by reciprocity must meet the requirements of ORS 689.265 and the following requirements:

(a) Be a graduate of a school or college of pharmacy approved by the Board;

(b) Have passed the NAPLEX or equivalent examination with a score of not less than 75;

(c) Have passed the MPJE with a score of not less than 75;

(d) Be licensed and in good standing in the state from which the applicant bases the reciprocity application;

(e) Have either:

(A) Been engaged in the practice of pharmacy for period of at least one year including a minimum of 1440 hours of work experience as a licensed pharmacist. Evidence supporting this work experience shall be provided at time of application; or

(B) Met the internship requirements of this state within the one-year period immediately before the date of this application. Evidence from the school or college of pharmacy supporting this internship shall be provided at time of application.

(2) Licensure as a pharmacist in another state precludes licensure to practice as an intern in the State of Oregon, except an applicant that has been accepted into an Oregon pharmacy residency program or for licensure by examination or by reciprocity who must acquire internship hours to become eligible for licensure, and then only until the required hours have been acquired.

(3) An applicant who has obtained their professional degree outside the United States is not eligible for licensure by reciprocity until they have met the requirements of OAR 855-019-0150.

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.151 & 689.265

Hist.: 1PB 2-1979(Temp), f. & ef. 10-3-79; 1PB 2-1980, f. & ef. 4-3-80; 1PB 2-1981, f. & ef. 8-20-81; 1PB 1-1984, f. & ef. 2-16-84; PB 1-1989, f. & cert. ef. 1-3-89; PB 4-1992, f. & cert. ef. 8-25-92; PB 1-1996, f. & cert. ef. 4-5-96; BP 1-2002, f. & cert. ef. 1-8-02; BP 4-2002, f. 6-27-02, cert. ef. 7-1-02; Renumbered from 855-019-0015 & 855-019-0030, BP 2-2008, f. & cert. ef. 2-20-08; BP 3-2010, f. 4-29-10, cert. ef. 4-30-10; BP 6-2014(Temp), f. & cert. ef. 4-25-14 thru 10-22-14; BP 8-2014, f. & cert. ef. 10-22-14

Bureau of Labor and Industries Chapter 839

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

Adm. Order No.: BLI 13-2014

Filed with Sec. of State: 11-14-2014

Certified to be Effective: 7-1-15

Notice Publication Date: 10-1-2014

Rules Amended: 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

Subject: H.B. 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 rule amendments revise existing regulations which address the licensing of farm and forest labor contractors to incorporate construction labor contractors. Further, the rule amendments 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—(971) 673-0784

839-015-0000

Notice of Proposed Rule

Prior to the permanent adoption, amendment or repeal of any rule relating to construction, farm and forest labor contractors, the Bureau of

ADMINISTRATIVE RULES

Labor and Industries shall give notice of the intended action as required in OAR 839-002-0002.

Stat. Auth.: ORS 183.335, 651.060(4), 658.407(3) & 658.405 - 658.503
Stats. Implemented: ORS 658.405 - 658.503
Hist.: BL 10-1980, f. & ef. 9-19-80; BL 6-1984, f. & ef. 4-27-84, Renumbered from 839-015-0103; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 9-2004, f. 7-26-04, cert. ef. 7-27-04; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0004

Definitions

As used in these rules, unless the context requires otherwise:

(1) "Aggregate bond or deposit" means a bond or deposit posted pursuant to ORS 658.415 by a licensed business entity on behalf of itself and any of its owners or employees who engage in construction, farm or forest labor contracting activities to secure payment of wages and advances due from the entity or any of its owners or employees arising from their activities as construction, farm or forest labor contractors, whether incurred on behalf of the entity or any of its owners or employees.

(2) "Agreed remuneration" means compensation of any kind that is agreed upon by a construction, farm or forest labor contractor and another for the services of such contractor.

(3) "Agricultural association" means a nonprofit or cooperative association of farmers, growers or ranchers that is incorporated under applicable state law and that acts as a farm labor contractor solely on behalf of members of the association.

(4) "Application of big game repellent by contract crew" means work performed by workers who are recruited, solicited, supplied or employed by a person who has contracted to supply a crew of workers to apply big game repellent.

(5) "Bureau" means the Bureau of Labor and Industries.

(6) "Commissioner" means the Commissioner of the Bureau of Labor and Industries, or designee.

(7) "Construction labor contractor" means any person that:

(a) For an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform labor for another in construction;

(b) For an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers on behalf of an employer engaged in construction; or

(c) Enters into a subcontract with another for any of the activities described in subparagraph (a) or (b) of this paragraph.

(8) "Crew leader" means the member of a group of workers who acts as a spokesperson for the group, travels with the group from another state into Oregon, performs the same work along with other members of the group and receives no extra compensation from any person by virtue of acting as a crew leader, aside from any money received from other members of the group for sharing payment of the actual expenses of the group, and provided that the employer pays the members of the group directly and individually for their labor. An immediate family acting as a single unit is not a group, within the meaning of this rule. The spokesperson for such unit is not, therefore, a crew leader. An immediate family includes the father, mother, son, daughter, brother, sister, husband, or wife of the spokesperson for the family. A crew leader may perform the following activities without a license:

(a) Transporting workers from their local place of residence to their place of employment when the crew leader does not perform this service for a profit; and

(b) Making arrangements for jobs, housing, credit, or any other needs of the members of the group, provided the crew leader receives no compensation for this service; and

(c) Adding members to the group in Oregon, provided the crew leader receives no compensation therefore from the added members or from any other person.

(9) "Farm labor contractor" means:

(a) Any person who, for an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform labor for another in the production or harvesting of farm products;

(b) Any person who recruits, solicits, supplies or employs workers for an employer who is engaged in the production or harvesting of farm products;

(c) Any person who recruits, solicits, supplies or employs workers to gather wild forest products, as that term is defined in paragraph (23) of this section;

(d) Any person who furnishes board or lodging for workers in connection with the recruiting, soliciting, supplying or employing of workers to be engaged in the production or harvesting of farm products or in the gathering of wild forest products;

(e) Any person who bids or submits contract offers for the production or harvesting of farm products or the gathering of wild forest products; or

(f) Any person who subcontracts with another for the production or harvesting of farm products or the gathering of wild forest products.

(10) "Farmer" means the owner or lessee of land used in the production and harvesting of farm products.

(11) "Farm-worker camp" has the same meaning as that defined in ORS 658.705(7).

(12) "Farm-worker camp operator" has the same meaning as that defined in OAR 839-014-0035(8).

(13) "Forest fire suppression by contract crew" includes work performed by forest fire fighters who are recruited, solicited, supplied or employed by a person who has contracted to supply a crew of forest fire fighters prior to the existence of the fire. (An incidental duty to assist in emergency fire suppression arising from a permit, timber sale contract, or similar agreement whose primary purpose does not relate to fire suppression does not constitute such a prior contract to supply forest fire fighters.)

(14) "Forest labor contractor" means:

(a) Any person who, for an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform labor for another in the forestation or reforestation of lands; or

(b) Any person who recruits, solicits, supplies or employs workers for an employer who is engaged in the forestation or reforestation of lands; or

(c) Any person who furnishes board and lodging for workers in connection with the recruiting, soliciting, supplying or employing of workers to be engaged in the forestation or reforestation of lands;

(d) Any person who bids or submits contract offers for the forestation or reforestation of lands; or

(e) Any person who subcontracts with another for the forestation or reforestation of lands.

(15) "Forestation or reforestation of lands" includes, but is not limited to:

(a) The planting, transplanting, tubing, pre-commercial thinning, and thinning of trees and seedlings; and

(b) The clearing, piling and disposal of brush and slash; and

(c) Other activities related to the forestation or reforestation of lands including, but not limited to, tree shading, pinning, tagging or staking; fire trail construction and maintenance; slash burning and mop up; mulching of tree seedlings; forest fire suppression by contract crew; application of big game repellent by contract crew; herbicide or pesticide application in the forest by contract crew; gopher baiting; gopher trapping and any activity related to the growth of trees and tree seedlings and the disposal of debris from the land.

(16) "Herbicide or pesticide application in the forest by contract crew" means work performed by workers who are recruited, solicited, supplied or employed by a person who has contracted to supply a crew of workers to apply herbicides or pesticides in the forest.

(17) "Individuals engaged in the solicitation or recruitment of persons for day-haul work" means individuals who solicit or recruit only persons:

(a) Who reside permanently in the local area; and

(b) Who do not, temporarily or otherwise, reside on the farm on which they are working; and

(c) Who are not employed by the individuals; and

(d) Who are transported to the farm each day.

(18) "Labor Contractor" or contractor means a construction, farm or forest labor contractor.

(19) "License" means a construction, farm or forest labor contractor's license issued by the Bureau.

(20) "Perform labor" means the performance of work which is manual or physical in nature (including the use of tools), as distinguished from mental, technical, professional or managerial. Work of a mental, technical, professional or managerial nature includes, but is not limited to:

(a) The operation of aircraft, trucks or heavy equipment that require special permits to operate or labor performed by support crews in connection with such operation;

(b) Stocking surveys;

(c) Timber cruising;

(d) Plantation and timber stand examination;

(e) Surveying;

(f) Secretarial work;

(g) Supervising employees;

(h) Technical or professional work which requires an occupational license (other than the license required by ORS 658.405 to 658.475);

ADMINISTRATIVE RULES

(i) Work requiring an advanced type of knowledge in a field of science, technology or learning customarily acquired over a prolonged course of specialized instruction and study;

(j) Forest research and genetic improvement work (including single-tree or sample lot cone collections and the planting of parent or study trees) that services technical forestry advancement rather than direct forestation or reforestation efforts.

(21) "Permanent employee" means an employee of a farmer, nursery owner, processor of farm products, or owner or lessee of land intended to be used for the production of timber whose employment is intended to continue indefinitely. Employees employed on a seasonal, temporary or transient basis are not permanent employees under the section.

(22) "Person" means any individual, sole proprietorship, partnership, corporation, cooperative corporation, association, public or private corporation, government or governmental instrumentality or other business or legal entity.

(23) "Platoon leader" means a temporary supervisor employed by the farmer to supervise employees hired independently by the farmer and placed under the direction of the platoon leader, provided there is no other connection between the platoon leader and the employees.

(24) "Production and harvesting of farm products" includes, but is not limited to, the cultivation and tillage of the soil, the production, cultivation, growing and harvesting of any agricultural commodity, including, but not limited to, cottonwood trees for fiber production and Christmas trees, and the preparation for and delivery to market of any such commodity.

(25) "Staffing agency" means any person:

(a) Who operates an established firm, the primary business purpose of which is to provide labor for other employers under written client agreements;

(b) Who conducts business from a fixed business location that is separate from the business or work location of the service recipient; and,

(c) Who simultaneously provides contracted services to two or more client employers, typically to employers representing a range of industries.

(26) "Supplies building materials or machinery, other than manual tools or hand-operated power tools" means to make a substantial investment in a construction project. This investment may be provided by supplying heavy equipment needed to complete the project, such as bull dozers, cranes, land movers, etc. Supplying tools that may be used by hand, such as hammers, skill saws, table saws, reciprocating saws, nail guns, saw horses, compressors, bazoookas (for drywall installation) and similar tools would not constitute a substantial investment in the project sufficient to create an exemption. Supplying a significant quantity of structural building materials such as drywall, lumber, concrete, etc. is a substantial investment in a construction project. Supplying incidental materials such as nails, screws, drywall mud, tape, safety goggles, gloves, etc. is not a substantial investment.

(27) "To gather wild forest products" or "the gathering of wild forest products" means the gathering of evergreen boughs, yew bark, bear grass, salal or ferns, and nothing else, from public lands for sale or market prior to processing or manufacture. This term does not include the gathering of these products from private lands in any circumstance or from public lands when the person gathering the products, or the person's employer, does not sell the products in an unmanufactured or unprocessed state.

Example: A nursery uses its own employees to gather evergreen boughs which it uses in the manufacture of Christmas wreaths. The nursery is not engaged in farm labor contracting activity and therefore would not be required to obtain a license.

Example: A person contracts with the owner of private land to remove salal from the land for resale to florists. Because the salal is growing on private land, the person is not engaged in "gathering of wild forest products" as that term is used in these rules (although in some circumstances, the person may be harvesting a farm product).

(28) "To induce to travel" means to cause or entice a worker to travel to a specific geographical location or area, by any promise or inducement.

(29) "Worker" means an individual performing labor in construction, the forestation or reforestation of lands, in the gathering of wild forest products, or in the production and harvesting of farm products, or any person who is recruited, solicited, supplied or employed to perform such labor, notwithstanding whether or not a contract of employment is formed or the labor is actually performed. A "worker" includes, but is not limited to, employees and members of a cooperative corporation.

(30) As used in subsections (4), (13), and (16) of this rule, the term "work performed" has the same meaning as the term "perform labor" in subsection (20) of this rule.

Stat. Auth.: ORS 658.407

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BL 5-1996, f. 6-14-96, cert. ef. 7-1-96; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0125

Contractors Must Obtain a License; Indorsement

No person may perform the activities of a construction, farm or forest labor contractor without first obtaining a temporary permit or license issued by the bureau. No person may perform the activities of a forest labor contractor or operate a farmworker camp without first obtaining a special indorsement from the bureau authorizing such performance. Unless otherwise specifically exempt, and except for cooperative corporations, no person may perform the duties of a construction, farm or forest labor contractor or operate a farmworker camp under a license issued to a corporation unless the person is also licensed to perform such duties.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0130

Exemptions from Licensing

Unless indicated otherwise within this rule, the following persons are not required to obtain a construction, farm or forest labor contractor's license:

(1) A farmer or owner or lessee of land intended to be used for the production of timber dealing with workers or worker groups only concerning employment in their own operation.

(2) A nursery owner or operator dealing with workers or worker groups only concerning employment in their own operations.

(3) A processor of farm products dealing with workers or worker groups only concerning employment in their own farm operations.

(4) A permanent employee of a farmer, nursery owner, or processor of farm products, or a permanent employee of an owner or lessee of land intended to be used for the production of timber so long as the employee is engaged solely in activities which would not require the employer to be licensed if the employer were performing the activity.

(5) A person engaged only in the solicitation or recruitment of workers for agricultural day-haul work and not engaged in arranging for board or lodging for migrant workers and not performing as an employer of the workers.

(6) A platoon leader.

(7) A leader, or a leader's agent, of an organization operating as a labor union, provided that the only payment received from the workers is in the form of membership dues for which the workers are accorded membership status in the conduct of the affairs of the organization.

(8) An employee of a construction, farm or forest labor contractor except for any employee who:

(a) Recruits, solicits, supplies or employs workers on behalf of the construction, farm or forest labor contractor; or

(b) For an agreed remuneration or rate of pay recruits, solicits, supplies or employs workers to perform labor for any other person in construction, forestation or reforestation of lands or the production or harvesting of farm products; or

(c) Recruits, solicits, supplies or employs workers to gather wild forest products; or

(d) Furnishes board or lodging for such workers (but cooks employed by the contractor are not required to be licensed by reason of this sole activity); or

(e) On his or her own behalf bids or submits prices on contracts offers for those activities or enters into a subcontract with another for any of those activities.

(9) A crew leader provided that if the crew leader engages in any activity or receives any compensation with respect to any worker which exceed the permitted activities or compensation allowed by the definition in OAR 839-015-0004(8)(a), the crew leader is not exempt with respect to any activities or workers.

(10) A person who is primarily a supplier of on-farm equipment (sheep shearer, potato digger, or other farm machinery) or cottonwood tree harvesting machines unless the person also supplies temporary workers other than workers engaged in driving or maintaining the equipment.

(11) The advertising media.

(12) Employees of the Employment Department who are acting within the scope of their employment.

(13) A person performing work of a mental, technical, professional or managerial nature as defined in OAR 839-015-0004(20).

(14) An individual who performs work, other than recruiting, soliciting, supplying or employing workers to perform labor for another, or recruiting, soliciting, supplying or employing workers to gather wild forest

ADMINISTRATIVE RULES

products, alone or with only the assistance of the individuals named in section (15) of this rule.

(15) The spouse, son, daughter, brother, sister, mother or father of the individuals named in sections (14) and (16) of this rule.

(16) Individuals who perform labor in connection with an agreement for the exchange of labor or services with each other, provided that the work is performed on land owned or leased by the individuals, and provided further that the labor or services involved are performed solely by said individuals, their immediate families as specified in section (15) of this rule, or their permanent employees.

(17) An educational institution which is recognized as such by the Oregon Department of Education.

(18) An individual who collects tree seed cones or an individual who buys tree seed cones from other individuals. This section applies to individuals only and not to persons who are otherwise defined as construction, farm or forest labor contractors.

(19) Persons who recruit, solicit, supply or employ workers to perform labor under a contract or agreement solely for the following activities, provided that the person performs no other activities which would require licensing:

(a) Stream or creek debris removal;

(b) Provision of security services;

(c) Any activity which does not have the primary purpose of construction, forestation or reforestation of lands, the gathering of wild forest products or of production or harvesting of farm products.

(20) Persons engaged in logging operations who would only otherwise be farm or forest labor contractors because they engage in reforestation activities that are incidental to contracts the primary purpose of which is the sale of timber, provided that they perform such incidental reforestation work using their own employees. If the incidental reforestation activities are carried out using a subcontractor, the subcontractor is required to be licensed.

(21) A person who performs labor contracting activity upon real property solely in the execution of a contract for construction between the person and an owner of the real property upon which the construction work is to be performed;

(22) A person who performs labor contracting activity solely to perform construction work related to a building permit obtained by the person;

(23) A person who performs labor contracting activity solely with respect to a construction project for which the person has supplied building materials or machinery, other than manual tools or hand-operated power tools;

(24) An owner of the real property upon which work is to be performed who engages in the solicitation or recruitment of persons to perform construction work on the owner's property;

(25) A labor union;

(26) A local joint apprenticeship committee formed under ORS 660.135;

(27) For purposes of an exemption to the construction labor contractor requirements only, a staffing agency, if the staffing agency:

(a) Currently provides workers' compensation coverage for all employees as required by ORS 656;

(b) Currently pays employment and income taxes in accordance with applicable law; and

(c) Has not failed in the previous 36 months to provide workers' compensation for all employees as required by ORS 656 or to pay employment or income taxes in accordance with applicable law.

(A) A staffing agency that fails to keep required records or file required reports or files false reports under wage, tax or workers' compensation law is not regarded as being in compliance with workers' compensation and employment or income taxes.

(B) A violation of workers' compensation or employment or income tax law that has been or is being committed by a staffing agency will count to disqualify the agency from the exemption regardless of whether an employee has complained of the violation or the staffing agency has been previously cited or fined for the violation.

(C) Failure to pay employment taxes on wages that are owed to employees of the staffing agency is a violation of employment tax law regardless of whether the wages have been paid to the employees.

Stat. Auth.: ORS 658.407

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BL 5-1996, f. 6-14-96, cert. ef. 7-1-96; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 3-2006, f. 2-16-06, cert. ef. 3-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0135

Issuance of License

(1) A license may be issued only as follows:

(a) To an individual proposing to operate as a sole proprietor under the individual's own name or under the individual's own name and an assumed business name registered with the Corporation Division;

(b) To an individual proposing to operate as a partner in a partnership or a limited liability partnership under the individual's own name or under the individual's own names and the assumed partnership business name registered with the Office of the Secretary of State;

(c) To the majority shareholder or majority shareholders of a corporation or member(s) owning a majority of a limited liability company that is authorized to do business in Oregon by the Office of the Secretary of State and to the corporation or limited liability company. Under this form of licensing, except as provided in subsection (3), the licensed majority shareholder or majority shareholders and the licensed corporation or the majority member(s) of a limited liability company and the licensed limited liability company are jointly and severally liable for all violations of the corporation or limited liability company and its agents when acting as a labor contractor;

(d) To a cooperative corporation authorized to do business in Oregon by the Office of the Secretary of State;

(e) To a private nonprofit corporation authorized to do business in Oregon by the Office of the Secretary of State and designated by the Internal Revenue Service as exempt under section 501 (c)(3) of the Internal Revenue Code, provided:

(A)(i) The purpose of the corporation is to provide education or training; and

(ii) Workers recruited, solicited, supplied or employed by the corporation are recruited, solicited, supplied or employed only for the purpose of educating or training the workers in the forestation or reforestation of lands, in construction, or in the production or harvesting of farm products; or

(B) For at least five years before the corporation files an application for a labor contractor license, the corporation has been:

(i) Authorized to do business in Oregon by the Office of Secretary of State;

(ii) Primarily engaged in recruiting, soliciting, supplying or employing workers; and

(iii) Designated by the Internal Revenue Service as exempt under section 501 (c)(3) of the Internal Revenue Code;

(f) For a farm labor contractor license only, to an agricultural association that is authorized to do business in Oregon by the Office of the Secretary of State;

(g) To an employee of a construction, forest or farm labor contractor who is proposing to or is carrying out activities which would require the employee to obtain a license as a construction, farm or forest labor contractor.

(2) No license may be issued to an individual proposing to do business as a partner in a partnership unless all of the proposed partners are licensed.

(3) The majority shareholder or majority shareholders of a corporation or member(s) owning a majority of a limited liability company are not required to be licensed under this section if the corporation or limited liability company:

(a)(A) Publicly trades its shares of stock on a stock exchange regulated by the United States Securities and Exchange Commission; or

(B) Has 10 or more shareholders or members and demonstrates to the satisfaction of the commissioner that the corporation or limited liability company is adequately capitalized; and

(C) No individual shareholder or member owns, or no two shareholders or members collectively own a majority of the corporation or limited liability company; and

(b) Is authorized to do business in Oregon by the Office of the Secretary of State.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0140

Licensing Requirements

To be eligible for a license, an applicant therefore must:

(1) Be of good character, competence and reliability.

(2) Be a person who has not, within the preceding three years, had an Oregon construction, farm and forest labor contractor's license application denied.

ADMINISTRATIVE RULES

(3) Be a person who has not, within the preceding three years, in Oregon or in any other jurisdiction, had a construction, farm or forest labor contractor's license or indorsement denied, revoked or suspended.

(4) Not have persons financially interested in any capacity in the applicant's business as a construction, farm or forest labor contractor who were denied an Oregon construction, farm or forest labor contractor's license within the preceding three years or who had such license denied, revoked, or suspended within the preceding three years in Oregon or any other jurisdiction. A refusal to renew a license or grant a temporary permit because the applicant or any person financially interested in the applicant's business as a construction, farm or forest labor contractor has been denied a license or had a license revoked in Oregon or any other jurisdiction within the preceding three years is considered the same as the revocation of the license or permit on the date of its expiration.

(5) Not have any unsatisfied final judgments of the court or final orders issued by any government agency which require the payment of unpaid wages to employees or the payment of any advances made to the contractor by construction property owners, farmers or owners or lessees of land intended to be used for the production of timber.

(6) Pay the appropriate license fee.

(7) Except as provided in OAR 839-015-0141(2), show proof of financial ability to promptly pay the wages of employees and advances made by construction property owners, farmers or owners or lessees of land intended for the production of timber in the form of a corporate surety bond or deposit with the commissioner.

(8) File a completed application form.

(9) Except as provided in OAR 839-015-0141(2), certify on the application that there is insurance on vehicles used to transport workers in an amount sufficient to comply with the Oregon Financial Responsibility Law (ORS 486.011 to 486.680).

(10) Except as provided in OAR 839-015-0141(2), show proof that worker's compensation insurance will be provided on each individual as required in ORS 658.415(2)(b) and 658.440(1)(j). If the applicant is relying on workers' compensation insurance coverage from a jurisdiction other than Oregon, the workers' compensation insurance coverage must satisfy Oregon's coverage requirements under ORS 656.

(11) In the case of a corporation, be authorized to do business in Oregon.

Stat. Auth.: ORS 651 & 658

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 2-1996, f. & cert. ef. 1-9-96; BLI 40-2007, f. 12-28-07, cert. ef. 1-1-08; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0141

Licensing Requirements for Employees of Contractor/ Indorsements

(1) The employee of a construction, farm or forest labor contractor who is licensed under ORS 658.405 to 658.503 may be licensed as a construction, farm or forest labor contractor subject to an employee indorsement if the employee continuously meets all of the following conditions:

(a) The employee's employer has filed with the Commissioner of the Bureau of Labor and Industries a signed statement, in a form required by the commissioner, agreeing to sponsor the application and to notify the commissioner promptly upon termination of the employment of the employee;

(b) The employee engages in activities that would require licensing as a construction, farm or forest labor contractor solely on behalf of the employer;

(c) The employee does not personally employ any workers and is not responsible for paying any workers;

(d) The employer maintains proof of financial responsibility pursuant to ORS 658.415(3);

(e) The employer's license remains in good standing;

(f) The employee meets all of the conditions for licensing as a construction, farm or forest labor contractor provided for in OAR 839-015-0140; and

(g) The employee is not otherwise licensed in any manner as a construction, farm or forest labor contractor under these rules.

(2) A construction, farm or forest labor contractor subject to an employee indorsement acting in compliance with section (1) of this rule need not comply with OAR 839-015-0140(7), (9) and (10) insofar as the employer has complied with these provisions.

(3) The license of a construction, farm or forest labor contractor subject to the employee indorsement shall state on its face the conditions contained in this rule and shall state further that the bearer of the license is licensed to act only as conditioned by this rule.

(4) The license of a construction, farm or forest labor contractor subject to an employee indorsement shall terminate immediately upon the termination of the employment relationship with the employer who sponsored the employee's application. The employee shall submit the license to the bureau forthwith.

(5) A license subject to an employee indorsement may be terminated either by the employee or by the sponsoring employer by notifying the bureau in writing that either wishes to terminate the license or that the conditions specified in section (1) of this rule are no longer met.

(6) The license subject to an employee indorsement terminates upon receipt by the bureau of notice referred to in section (5). The employer's joint and several liability for actions taken by the employee under color of the employee's license pursuant to Ch. 73, Sec. 3(6), 1995 Oregon Laws, extends to any actions taken by the employee before the original license is surrendered to the bureau.

Stat. Auth.: ORS 651 & 658.411

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 2-1996, f. & cert. ef. 1-9-96; BLI 13-2008(Temp), f. 5-2-08, cert. ef. 5-5-08 thru 11-1-08; BLI 18-2008, f. & cert. ef. 6-23-08; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0142

Use of Certain Agents Prohibited/Evidence of Sham or Subterfuge

(1) The Bureau may refuse to license or renew the license of any person who proposes to use any individual, partnership, association, corporation or other entity as such person's agent for the performance of any activity specified in ORS 658.405(4), when the proposed agent has, within the preceding three years, violated any section of 658.405 to 658.485.

(2) The Bureau may refuse to license or renew the license of any applicant where there is evidence of sham or subterfuge in the identity of the applying entity. The Bureau will regard as prima facie evidence of sham or subterfuge mere changes in business form in anticipation of or subsequent to denial, suspension, revocation or refusal to renew a license, where a relative by blood or marriage, or a person presently employed in an occupation, other than an occupation with a licensed construction, farm or forest labor contractor, makes application, including a renewal application, for a license and one or more of the following factors are present:

(a) A lack of adequate consideration or value given for the former business or its property;

(b) The use of the same real property, fixtures or equipment or use of a business name similar to that of the former business;

(c) A time period of less than one year elapsed between the former entity's receipt of notice of the Bureau's intent to deny, suspend, revoke or refuse to renew its license or application and the license application by the new business;

(d) A person financially interested in any capacity in the former business has a financial interest in any capacity in the new business;

(e) Assets or capital of the former business are commingled with assets or capital of the new business;

(f) The amount of capitalization is inadequate to meet current obligations of the new business; or

(g) The formalities of a partnership or a corporation are disregarded by the new business when such business is a partnership or corporation.

(3) When the factors outlined in section (2) of this rule are present, it shall be the burden of the applicant to provide evidence to the Bureau clearly indicating that such business form is not sham or subterfuge.

Stat. Auth.: ORS 651 & 658.415(14)

Stats. Implemented: ORS 658.425(3) & 658.440(3)(a)

Hist.: BL 16-1988, f. & cert. ef. 12-13-88; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0145

Character, Competence and Reliability

The character, competence and reliability contemplated by ORS 658.405 to 658.475 and these rules includes, but is not limited to, consideration of:

(1) A person's record of conduct in relations with workers, farmers and others with whom the person conducts business.

(2) A person's reliability in adhering to the terms and conditions of any contract or agreement between the person and those with whom the person conducts business.

(3) A person's timeliness in paying all debts owed, including advances and wages.

(4) Whether a person has unsatisfied judgments or felony convictions.

(5) Whether a person has been refused a bond.

(6) Whether a person has provided workers' compensation coverage for each worker or paid worker's compensation insurance premium payments when due.

ADMINISTRATIVE RULES

(7) Whether a person has violated any provision of ORS 658.405 to 658.503 or these rules.

(8) Whether a person has employed an agent who has had a construction, farm or forest labor contractor license denied, suspended, revoked or not renewed or who has otherwise violated any provisions of ORS 658.405 to 658.503 or these rules.

(9) Whether a person has notified the bureau of any change in the circumstances under which a license was issued.

(10) Whether a person has failed to comply with federal, state or local laws or ordinances relating to the payment of wages, income taxes, social security taxes, unemployment compensation tax, or any tax, fee or assessment of any sort.

(11) Whether a person, when required by law, has failed or refused to seek food, water, shelter, or medical attention, or to provide any other necessary goods or services required for the safety and health of workers.

(12) Whether a person has repeatedly failed to file or furnish all forms and other information required by ORS 658.405 to 658.503 and these rules.

(13) Whether a person has made a willful misrepresentation, false statement or concealment in the application for a license.

(14) Whether a person has willfully made or caused to be made to any person any false, fraudulent or misleading representation, or publish or circulate any false, fraudulent or misleading information concerning the terms, conditions, or existence of employment at any place or by any person.

(15) Whether a person failed to maintain the bond or cash deposit as required by ORS 658.405 to 658.503.

Stat. Auth.: ORS 651 & 658

Stats. Implemented ORS 659.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 2-1996, f. & cert. ef. 1-9-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 3-2006, f. 2-16-06, cert. ef. 3-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0150

Procedure for Obtaining a Temporary Permit

(1) A construction, farm or forest labor contractor may obtain a temporary permit by filing an application with any office of the Bureau. Forms for this purpose may be obtained from the office in which the application is filed.

(2) Temporary permits may be issued only under the following conditions:

(a) The application is complete on its face;

(b) Satisfactory evidence of insurance is certified to on the application;

(c) The applicant or any person financially interested in any manner in the applicant's operations as a construction, farm or forest labor contractor has not had an application denied or license revoked or suspended within the preceding three years. A refusal to renew a license or grant a temporary permit because the applicant therefore or any person financially interested in the applicant's business as a construction, farm or forest labor contractor has been denied a license or had a license revoked in Oregon or any other jurisdiction within the preceding three years, is considered the same as the revocation of the license or permit on the date of its expiration;

(d) Proof of financial ability to pay employees wages and advances from construction property owners, farmers or owners or lessees of land intended to be used for the production of timber is submitted with the application and is complete on its face;

(e) The appropriate fee is paid at the time the application is submitted.

(3) A temporary permit is valid for not more than 60 days. The permit immediately expires if the license application is rejected or a license issued.

(4) The labor contractor examination must be scheduled and taken within 45 days of the date a letter of authorization is issued by the License Unit. Failure to take and pass the examination prior to the expiration date of the temporary permit will result in denial of the license application.

(5) Only one temporary permit shall be issued in a 12-month consecutive period.

Stat. Auth.: ORS 164, 165, 651, 658.407(3) & 962

Stats. Implemented: ORS 658.425(1) - (3)

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0155

Procedure for Obtaining a License

Application for a license may be made as follows:

(1) File a completed application on forms supplied by the Bureau. In the case of a partnership, each partner must complete and file a separate application form.

(2) A construction, farm or forest labor contractor may apply for a license on behalf of an employee, providing that all of the requirements of OAR 839-015-0141 are met.

(3) At the time the application is filed, pay the maximum amount of the fees set out by ORS 658.413 for the type of work to be performed. For a construction labor license, pay a fee equal to that set out in 658.413(1)(b) for a farm labor contractor.

In the case of a partnership, each partner must pay the appropriate fee.

(4) File with the application proof of financial ability to pay wages and advances in the amount required by OAR 839-015-0210 on forms supplied by the bureau. Except as provided in 839-015-0157, in the case of a partnership, each partner must file such proof. Such proof may be a corporate surety bond, a cash deposit or a deposit the equivalent of cash.

(5) File any assumed business name and corporate name with the Office of the Secretary of State and submit proof of such filing with the application.

(6) If a corporation, show proof of being authorized to do business in Oregon.

(7) All forms, documents and other required information shall be filed with Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

Stat. Auth.: ORS 651.060(4), 658.407 & 658.413

Stats. Implemented: ORS 658.413 & HB 2113, 77th Leg. Reg. Session (OR 2013)

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 11-1993(Temp), f. 10-29-93, cert. ef. 11-3-93; BL 1-1994, f. & cert. ef. 5-3-94; BL 2-1996, f. & cert. ef. 1-9-96; BLI 12-1999, f. 9-28-99, cert. ef. 10-23-99; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 1-2014(Temp), f. & cert. ef. 1-21-14 thru 6-30-14; BLI 4-2014, f. & cert. ef. 4-10-14; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0157

Procedure for Obtaining Reduction in the Amount of Required Aggregate Bonding When More than One Individual is Required to Be Licensed in One Entity

(1) Construction, farm or forest labor contractors desiring to apply for a reduction in the required bond or deposit may do so by submitting an application to the Bureau of Labor and Industries.

(2) Applications shall be in writing and on forms provided by the bureau. All completed applications must be mailed or delivered to the Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

(3) No such application shall be considered unless the commissioner determines that:

(a) The application pertains to a single business entity; and

(b) More than one natural person is an owner or employee of the business entity; and

(c) Such persons engage in activities requiring a labor contractor's license; and

(d) Such persons engage in such activities solely for the business entity.

(4) In the case of a corporate surety bond, applications must be accompanied by a statement from the licensee's bonding agent or agents certifying the length of time the licensee has been bonded by the agent and that there have been no valid claims against the licensee's bond during that time. If the license utilized more than one bonding agent, a statement is required from each agent.

(5) No application may be granted unless the business entity has operated for at least one year without a valid claim in this or any other state against the bond or deposit.

(6) When the commissioner is satisfied that the business entity has presented adequate proof that it has operated for at least one year without a valid claim against its bond or deposit, and when the commissioner determines that the conditions set out in sections (3) and (5) of this rule are met, the commissioner may grant an application for a reduction in the aggregate amount of the required bond or deposit.

(7) In determining whether to grant the application, the commissioner shall consider the following circumstances:

(a) All matters contained in the application;

(b) The number of licensees;

(c) The type of business entity;

(d) The history of each licensee in complying with any law;

(e) Whether the licensees are dealing directly or indirectly with employees;

(f) The number of employees employed by the business entity;

(g) The character, competence or reliability of the licensees, as those terms are used in these rules;

(h) Other information bearing on the circumstances of the application.

ADMINISTRATIVE RULES

(8) When the commissioner determines to grant an application for lower aggregate bonding requirements for a business entity and its owners pursuant to sections (5) and (6) of this rule, the application will be granted to permit a total aggregate bond or deposit in the amount required by OAR 839-015-0210 for one licensee with a corresponding number of employees:

(9) When the commissioner grants an application for lower aggregate bonding requirements for a business entity and its owners, the required amount of aggregate bond or deposit may be divided among the licensees as they may agree, so long as each is obligated; in the absence of an agreement, the required amount shall be divided equally among them.

(10) Notwithstanding section (8) of this rule, when the commissioner determines to grant an application for lower aggregate bonding requirements for a business entity and its owners pursuant to section (6) of this rule, the entity must post an aggregate bond or deposit in the minimum amount specified in ORS 658.415 or 658.735, whichever is greater.

(11) The commissioner may specify conditions, if any, on the approval of the application.

(12) If the commissioner rejects the application, the reasons for the rejection will be specified.

(13) The commissioner may, for good cause shown, revoke the licensee's authorization to post a reduced bond or deposit. "Good cause" includes but is not limited to the following situations:

(a) A valid claim is filed against the bond or deposit of the business entity or licensee who is an owner or employee;

(b) The business entity ceases operating the business for which the bond or deposit was accepted;

(c) Failure to pay wages to the employees when due;

(d) Failure to pay advances made to or on behalf of the licensee by construction property owners, growers or producers of agricultural products or by owners or lessees of land intended to be used for the production of timber;

(e) The business entity, its licensees, its agents or employees during the course of their employment, cause damage to any person by reason of willful misrepresentation, fraud, deceit or other unlawful act or omission;

(f) The business entity, including any licensee, agent or employee, acting in the course of employment, has engaged in construction, forest or farm labor contracting activities on behalf of anyone other than the business entity.

Stat. Auth.: ORS 658.407(3), 658.415(14) & 658.820

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 3-1990, f. & cert. ef. 3-1-90; BL 11-1993(Temp), f. 10-29-93, cert. ef. 11-3-93; BL 1-1994, f. & cert. ef. 5-3-94; BL 2-1996, f. & cert. ef. 1-9-96; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0160

Procedure for Obtaining a Duplicate License

In the event a license is lost or stolen, the licensee shall submit a written request for a duplicate license. The licensee shall state the reasons for the request and the circumstances of the loss or theft. The new license will indicate the word "DUPLICATE" on the license above the number. The written request shall be made to the Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & cert. ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0165

Procedure for Issuing or Renewing License

(1) Each license shall be issued on the date all application requirements are met. Except as provided in section (2) of this rule, licenses are valid for one year.

(2) The expiration date of the license will be one year later, on the last day of the month in which the license was issued.

(3) Applications for renewal shall be made 30 days prior to the expiration date by filing a renewal application, paying the appropriate fees, and filing proof of financial ability to pay wages and certain advances.

(4) Each renewal application shall be accompanied by the work agreement between the contractor and the workers which is required by OAR 839-015-0360. The completed renewal application, renewal fee, and other information required in section (2) of this rule must be post-marked or received by the License Unit at least 30 days prior to the expiration date of the license.

(5) Applications, fees and other forms and documents must be filed with the Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & cert. ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0195

Alternative Methods of Examination

(1) An applicant for whom English is a second language may bring an interpreter to the examination to translate the examination questions. An interpreter may not assist an applicant in answering any question, but may translate the answers.

(2) Alternative methods of examination will be provided upon written request.

Stat. Auth.: ORS 164, 165, 651, 658.412 & 962

Stats. Implemented: ORS 658.412

Hist.: BL 3-1990, f. & cert. ef. 3-1-90; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0200

Proof Required/Forms to Be Used

(1) Every applicant for a construction, farm or forest labor contractor's license must, unless otherwise exempt, show proof of financial ability to promptly pay the wages of employees and any advances made to or on behalf of the contractor by construction property owners, farmers or owners or lessees of land intended to be used for the production of timber. Such proof must accompany the applicant's application and be on forms supplied by the bureau.

(2) The proof of financial ability to promptly pay the wages and advances referred to in section (1) of this rule shall be a properly executed corporate surety bond as evidenced by the completion of Form WH-157 or a deposit in cash or negotiable securities acceptable to the commissioner.

(3) The forms are available upon request from: Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

Stat. Auth.: ORS 658.407(3), 658.415(14) & 658.820

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & cert. ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 11-1993(Temp), f. 10-29-93, cert. ef. 11-3-93; BL 1-1994, f. & cert. ef. 5-3-94; BL 2-1996, f. & cert. ef. 1-9-96; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0230

Procedure for Obtaining Reduction in the Amount of Bond or Deposit Required

(1) In addition to the application for aggregate bond reduction provided in OAR 839-015-0157, construction, farm and forest labor contractors who have been licensed for at least two consecutive years may apply for a reduction in the bond or deposit required by ORS 658.415(3). Applications shall be in writing and on forms provided by the bureau. All completed applications should be mailed or delivered to the Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

(2) Construction, farm and forest labor contractors may apply for a reduction in the bond or deposit required at any time after the contractor has been licensed for no less than two consecutive years or at the time a construction, farm or forest labor contractor license renewal application is made, pursuant to ORS 658.435(2).

(3) The contractor must have prior approval from the Bureau of Labor and Industries before submitting a reduced bond or deposit.

(4) No application for a reduction in the bond or deposit will be considered by the commissioner in the case of a construction, farm or forest labor contractor license renewal application unless such completed application is received with a completed license renewal application at least 30 days prior to the expiration of the license.

(5) Applicants for a reduction in the bond or deposit will be notified in writing of the commissioner's disposition of the application by the License Unit of the bureau within 15 days of receipt of a completed application for a reduction.

(6) If application for a reduction in the bond or deposit is made less than 30 days prior to the expiration date of the labor contractor's license, the contractor must submit the bond or deposit required pursuant to ORS 658.415(3) without reduction along with the contractor's completed application for a bond or deposit reduction.

(7) If an application for a reduction in the bond or deposit is approved by the commissioner after the contractor has submitted an unreduced bond, an amended bond for the reduced amount approved will be accepted by the commissioner after approval of the reduced bond.

(8) If an application for a reduction in the bond or deposit is approved by the commissioner after the contractor has submitted an unreduced cash

ADMINISTRATIVE RULES

deposit, the commissioner will initiate a refund of the appropriate amount to the contractor within five working days after approval of the reduced deposit.

(9) If an application for a reduction in the bond or deposit is approved by the commissioner after the contractor has submitted an instrument the equivalent of cash, the contractor will be allowed to replace such instrument with an instrument in the approved lesser amount.

(10) No application for reduction in the required bond or deposit shall be approved unless the commissioner determines that:

(a) The applicant has operated as an Oregon licensed labor contractor without an employee indorsement for at least two years in compliance with ORS 658.405 to 658.503 and with any other laws pertaining to the conduct of labor contractors; and

(b) The applicant employs 21 or more employees; and

(c) No valid claims for unpaid wages have been made against the applicant during the qualifying period of time for a bond or deposit reduction.

(11) If the commissioner rejects the application, every reason for the rejection will be specified.

(12) The commissioner may, for good cause shown, revoke the licensee's authorization to post a reduced bond or deposit. "Good cause" includes, but is not limited to, the following situations:

(a) A valid claim is filed against the bond or deposit of the licensee;

(b) Failure to pay wages to employees when due;

(c) Failure to pay advances made to or on behalf of the licensee by growers or producers of agricultural products, by construction property owners, or by owners of lessees of land intended to be used for the production of timber;

(d) The licensee or its agents cause damage to any person by reason of willful misrepresentation, fraud, deceit or other unlawful act or omission;

(e) The licensee or its agents engage in construction, farm or forest labor contracting activities on behalf of anyone other than the business entity.

(f) Actions of the licensee demonstrate the licensee's character, reliability or competence make the licensee unfit to act as a contractor pursuant to OAR 839-015-0520(3).

(13) If the commissioner determines that the criteria in section (2) have been met by the applicant, the commissioner may reduce the amount of the bond or deposit that would otherwise be required pursuant to ORS 658.415(3) to an amount determined by the commissioner, but not less than the following:

(a) If the commissioner finds that the contractor has so operated for a period of at least five years, \$20,000; or

(b) If the commissioner finds that the contractor has so operated for a period of at least four years, \$22,500; or

(c) If the commissioner finds that the contractor has so operated for at least three years, \$25,000; or

(d) If the commissioner finds that the contractor has so operated for at least two years, \$27,500.

(14) If the applicant provided one or more corporate surety bonds as proof of financial responsibility during any of the qualifying period of time for which application for reduction is being made, the applicant must submit with the application a statement from the licensee's bonding agent or agents certifying the length of time the licensee has been bonded by the agent and that there have been no valid claims filed against the licensee's bond(s) during the qualifying period of time covered by the application. If the licensee utilized more than one bonding agent, a statement is required from each agent for the period of time covered by the application.

Stat. Auth.: ORS 651 & 658.415

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 2-1996, f. & cert. ef. 1-9-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0250

Protesting the Issuance of a License

Any individual may protest the issuance of a construction, farm or forest labor contractor's license to any applicant for such license. The protest may be made at any time after the license is actually issued as well as at any time prior to the issuance of the license.

Stat. Auth.: ORS 651 & 658.415(14)

Stats. Implemented: ORS 658.420(3)

Hist.: BL 6-1984, f. & ef. 4-27-84; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0300

"Wage Certification" Form

(1) Every construction, farm and forest labor contractor must, unless otherwise exempt, submit a certified true copy of all payroll records to the Wage and Hour Division when the contractor or the contractor's agent pays employees directly as follows:

(a) The first report is due no later than 35 days from the time the contractor begins work on each contract and must include whatever payrolls the contractor has paid out at the time of the report;

(b) The second report is due no later than 35 days following the end of the first 35 day period on each contract and must include whatever payrolls have been issued as of the time of the report;

(c) If the contract lasts more than 70 days, succeeding wage certification reports must include whatever payrolls the contractor has paid out at the time of the report, with the reports due at successive 35 day intervals, e.g. 105 days, 140 days from the time the contractor begins work on the contract.

(2) The certified true copy of payroll records may be submitted on Form WH-141. This form is available to any interested person. Any person may copy this form or use a similar form provided such form contains all the elements of Form WH-141.

(3) The wages paid to the officers of the corporation may be omitted from the Form WH-141 or the other records submitted under this rule.

(4) The certified true copy of payroll records shall be submitted to: Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

(5) Contractors who have recruited, solicited or supplied workers from the state of Oregon who are employed on construction, farm or reforestation/forestation contracts located outside the State of Oregon must comply with the provisions of this rule.

(6) For purposes of forest fire suppression by contract crew, the term "contract" as used in this rule means the acceptance of each dispatch order to a fire incident by a contractor supplying a contract crew to perform such work.

(7) The acceptance of a dispatch order for each separate crew will be deemed to constitute a separate and distinct contract such that the failure of a contractor to submit certified payrolls for each crew as required by this rule is a separate violation.

Stat. Auth.: ORS 658.407(3)

Stats. Implemented: ORS 658.440(1)(i)

Hist.: BL 7-1983(Temp), f. & ef. 8-5-83; BL 6-1984, f. & ef. 4-27-84; BL 16-1988, f. & cert. ef. 12-13-88; BL 2-1996, f. & cert. ef. 1-9-96; BL 5-1996, f. 6-14-96, cert. ef. 7-1-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 3-2006, f. 2-16-06, cert. ef. 3-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0310

Statement of Worker's Rights and Remedies

(1) Every construction, farm or forest labor contractor must furnish each worker with a written statement of the worker's rights and remedies under the Worker's Compensation Law, the Farm and Forest Labor Contractor Law, the Federal Service Contracts Act, the Federal Davis Bacon Act, the Federal and Oregon Minimum Wage Laws, Oregon Wage Collection Laws, Oregon Prevailing Wage Laws, Unemployment Compensation Laws, and Civil Rights Laws. The form must be written in English and in the language used by the contractor to communicate with the workers.

(2) The form must be given to the workers at the time they are hired, recruited or solicited by the contractor or at the time they are supplied to another by the contractor, whichever occurs first.

(3) The Commissioner has prepared Form WH-151 for use by contractors in complying with this rule. The form is in English and Spanish and is available at any office of the Bureau of Labor and Industries.

Stat. Auth.: ORS 651 & 658.407(3)

Stats. Implemented: ORS 658.440(1)(f)(I)

Hist.: BL 6-1984, f. & ef. 4-27-84; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0320

Form of License

In addition to the information required by ORS 658.430, the license form will contain such other information as the commissioner deems appropriate, including, but not limited to:

(1) The indorsement required by ORS 658.417, 658.715 and by OR Laws, Chap. 73, Sec. 3, 1995, where appropriate.

(2) A statement indicating whether the licensee is authorized to act as a construction labor contractor or a farm labor contractor or whether the licensee is authorized to act as both a farm labor contractor and a forest labor contractor or whether the licensee is authorized to act as a farmwork-camp operator.

ADMINISTRATIVE RULES

Stat. Auth.: ORS 164, 165, 651, 658 & 962
Stats. Implemented: ORS 658.405 - 658.503
Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0350

Work Agreements Between Labor Contractor and Farmers and Others

(1) Labor contractors are required to file information relating to their agreements with construction property owners or farmers with the Bureau.

(2) The Commissioner has developed Form WH-152 that may be used to comply with this rule. Labor contractors may use any form for filing the information so long as it contains all the elements of Form WH-152.

(3) Labor contractors must file this information with the Bureau by April 30 of each year. Amended or updated information may be filed at any time. All information must be filed with the Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

Stat. Auth.: ORS 164, 165, 651, 658.407(3) & 962

Stats. Implemented: ORS 658.440(1)(e)

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0360

Work Agreements Between Labor Contractors and Their Workers

(1) Labor contractors are required to file information relating to work agreements between the labor contractors and their workers with the bureau.

(2) The commissioner has developed Form WH-153 that, in conjunction with Form WH-151, Statement of Workers Rights and Remedies, may be used to comply with this rule. Labor contractors may use any form for filing the information so long as it contains all the elements of Form WH-153 and Form WH-151.

(3) Labor contractors must file the form or forms used to comply with this rule with the bureau at the same time that the contractors apply for a license renewal.

(4) Labor contractors are required to furnish their workers with a written statement disclosing the terms and conditions of employment, including all the elements contained in Form WH-151 and if they employ workers, to execute a written agreement with their workers prior to the starting of work. The written agreement must provide for all the elements contained in Form WH-153. A copy of the agreement and the disclosure statement must be furnished to the workers in English and in any other language used to communicate with the workers. The disclosing statement must be provided to the workers at the time they are hired, recruited or solicited or at the time they are supplied to another by that contractor, whichever occurs first. A copy of the agreement must be furnished to workers prior to the workers starting work.

(5) Written notification of any changes in the terms and conditions of employment must be provided any time any of the elements listed in the original statement change.

(6) Except as provided in sections (7) and (8) of this rule, if it is not feasible to provide written notice at the time changes to the terms and conditions of employment are made, written notice of such changes may be made as soon as practicable.

(7) Written notice of pay decreases must be provided either prior to or at the time such decrease is implemented.

(8) In the case of the notice required by ORS 658.440(1)(f) (G) of the name(s) and address(es) of the owner(s) of operations where workers are employed, so long as notice is provided no later than the next regularly scheduled payday following a change in the location of work, in addition to the notice provided in (10)(a) or (b), notice may be provided:

(a) To the Bureau of Labor and Industries in writing; or

(b) On any documents issued to workers such as picking tickets or itemized deduction statements provided to workers.

(9) Nothing in the written agreement relieves the contractor or any person for whom the contractor is acting of compliance with any representation made by the contractor in recruiting the workers.

(10) For purposes of these rules, "written" notice of changes in the terms and conditions of employment includes, but is not limited to the following:

(a) Issuance of an amended disclosure statement/agreement (with the information required in Form WH-153) including the specific change(s) in terms and conditions of employment; or

(b) Issuance of a written notice of any specific change(s) in the terms and conditions of employment.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503
Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BL 6-1996, f. & cert. ef. 1-9-96; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0370

Statement of Earnings; Statement of Prevailing Wage

(1) Labor contractors are required to furnish each worker, each time the worker receives a compensation payment from the contractor, a written itemized statement of earnings. The written itemized statement must include:

(a) The total gross payment being made;

(b) The amount and purpose of each deduction from the gross payment;

(c) The total number of hours worked during the time covered by the gross payment;

(d) The rate of pay;

(e) If the worker is paid on a piece rate, the number of pieces done and the rate of pay per piece done;

(f) The net amount paid after any deductions;

(g) The employer's name, address and telephone number;

(h) The pay period for which the payment is made.

(2) If the worker is being paid for work done under any law which requires the payment of a prevailing rate of wage (such as the Federal Service Contract Act, Davis-Bacon Act or state prevailing wage law), labor contractors must furnish the worker with a written statement specifying the amount of the prevailing wage rate required to be paid.

(3) The commissioner has prepared Form WH-154 which contains all the elements required by, and can be used to comply with, this rule. Labor contractors may use any form for furnishing this information to workers so long as it contains all the elements of Form WH-154.

Stat. Auth.: ORS 651 & 658

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 2-1996, f. & cert. ef. 1-9-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0400

Required Records

(1) All labor contractors shall make and maintain for a period of three years records necessary to determine their compliance with ORS 658.405 to 658.475 and these rules.

(2) Records necessary to determine compliance with ORS 658.405 to 658.475 and these rules include, but are not limited to records of:

(a) The name and address of each worker (address includes both the permanent and local addresses of the worker);

(b) The name and address of each subcontractor;

(c) The work classification of each employee;

(d) The rate of monetary wages and fringe benefits, if any, paid to each employee;

(e) The total compensation paid to each employee during each pay period and the date it was paid;

(f) The dates of each employee's employment;

(g) The daily and weekly hours worked by each employee;

(h) Any deductions taken from the employee's total compensation and an explanation thereof;

(i) The actual net wages paid to each employee during each pay period;

(j) The agreements required to be furnished to each worker pursuant to OAR 839-015-0360;

(k) The agreements between the contractor and any subcontractors;

(l) The statement of worker's rights and remedies as required by OAR 839-015-0310;

(m) The statement of earnings and the statement of prevailing wage given to each employee as required by OAR 839-015-0370;

(n) The agreements between the contractor and farmers or construction property owners;

(o) The contracts between the contractor and the owner or lessee of land intended to be used for the production of timber;

(p) Any advances and payments thereon made to the contractor by a construction property owner, farmer or owner or lessee of land intended to be used for the production of timber;

(q) Any payroll or other records pertaining to the contractor's business as a Labor Contractor and the manner in which the contractor conducts such business;

(r) The type and number of any identification the worker produced as evidence of his/her legal presence and legal employability in the United States.

Stat. Auth.: ORS 164, 165, 651, 658.407(3) & 962

Stats. Implemented: ORS 658.405 - 658.503

ADMINISTRATIVE RULES

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0410

Records Availability

Labor Contractors will make available to representatives of the Wage and Hour Division records necessary to determine compliance with ORS 658.405 to 658.475 and these rules. Records will be made available upon request of such representatives.

Stat. Auth.: ORS 651 & 658.407(3)

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0450

Notice of Compliance with Bond Requirements

(1) Every labor contractor is required to post a notice of compliance with bond requirements in English and in any language used by the contractor to communicate with the contractor's workers. The notice must be posted in a conspicuous place on the job site where the contractor's employees are working and must be easily accessible to them.

(2) The notice shall state that the contractor has complied with ORS 658.415 by obtaining a corporate surety bond or by making a deposit with the commissioner. The notice shall also indicate the amount of the surety bond or deposit and the expiration date of the bond or deposit, and that the surety bond or deposits are conditioned on the payment of wages and advances made by construction property owners, farmers or owners or lessees of land intended to be used for the production of timber.

(3) The notice shall contain the name and Oregon address of the surety on the bond, if applicable, or the address of the bureau when a deposit is made with the commissioner.

(4) The commissioner has prepared a notice (WH-155) in English and Spanish which complies with this rule. Contractors may use any form or notice so long as it contains all the elements of Form WH-155.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0500

Action Against the Bond or Deposit

(1) Any person not paid wages owed to him/her by a construction, farm or forest labor contractor or any construction property owner, farmer or owner or lessee of land intended to be used for the production of timber not paid advances due them by the farm or forest labor contractor has a right of action against the surety on the bond or deposit with the commissioner. The individual may exercise this right or may assign this right to another.

(2) The action on the bond or on the deposit held by the commissioner may not be joined in a suit or action on the bond or against the commissioner brought for any other claim.

(3) Any person seeking to recover on the bond or from the deposit with the commissioner must first establish the licensee's liability. The liability may be established in any of the following ways:

(a) A judgment of the court;

(b) A final administrative order issued pursuant to statute or rule;

(c) The acknowledgment of the contractor of such liability;

(d) Other satisfactory evidence of liability as may be shown which establishes the liability.

(4) Claims against the bond or deposit will not be paid unless, within six months of the end of the period during which the bond or deposit applies, the claimant or claimant's assignee gives notice of the claim by certified mail to the surety or the commissioner. Notice of claim shall be sufficient if it states that a wage claim is being made by the worker against the contractor, and it is not a defense to payment on the bond or deposit that the amount of the wage claim is not specified in the notice, or that the ultimate amount of wages found to be due is greater than the amount specified in the notice.

(5) Any claim or notice of claim filed pursuant to a claimant's right of action must be filed as follows:

(a) If the filing is against a surety bond, the claim or notice must be filed with the surety. The name and address of the surety may be obtained from the Bureau of Labor and Industries, Wage and Hour Division, License Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305;

(b) If the filing is against a deposit held by the commissioner, the claim or notice must be filed with the Bureau of Labor and Industries, Wage and Hour Division, Farm Labor Unit, 3865 Wolverine Street, NE, Bldg. E-1, Salem, OR 97305.

(6) Except as provided in section (8) of this rule, the commissioner and the surety shall make payments on the bond or deposit in the following priority:

(a) Payments on wage claims;

(b) Payments on advances made to or on behalf of the contractor by a construction property owner, farmer or an owner or lessee of land intended to be used for the production of timber;

(c) If there are insufficient funds to pay all wage claims in full, such claims will be paid in part;

(d) If there are insufficient funds to pay advances in full after all wage claims are paid, such advances will be paid in part.

(7) Except as provided in section (8) of this rule, in order to insure that all wage claims will be accorded priority treatment as required by ORS 658.415(9)(a), the commissioner may delay any payments for advances claimed, until the expiration of the time within which wage claims may be submitted. The commissioner may make conditional payment based upon adequate security that subsequent wage claims will be paid.

(8) Any person who suffers any loss of wages from the employer of the person or any other loss due to activities of an agricultural association or private nonprofit corporation as a farm labor contractor shall have a right of action against the surety upon the bond or against the deposit with the commissioner. The right of action is assignable and may not be included in any action against the agricultural association or private nonprofit corporation but shall be exercised independently after first procuring adequate proof of liability as provided in section (3) of this rule.

(9) A member of any agricultural association that is required to be licensed under ORS 658.410 shall be jointly and severally liable for any damages, attorney fees, or costs awarded to any person for actions taken by the association in its capacity as a farm labor contractor if such actions were required, authorized, approved or ratified by the member.

(10) The surety company or the commissioner shall make prompt and periodic payments on the agricultural association's or private nonprofit corporation's liability up to the extent of the total sum of the bond or deposit. Payments shall be made in the following manner:

(a) Payment based upon priority of wage claims over other liabilities;

(b) Payment in full of all sums due to each person who presents adequate proof of the claim; and

(c) If there are insufficient funds to pay in full the person next entitled to payment in full, payment in part to the person.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & ef. 4-27-84; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 7-2000, f. & cert. ef. 2-23-00; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0502

Travel of Workers Prior to the Availability of Employment/Provision of Food and Lodging

(1) When a worker is recruited or solicited for work and the worker is required to travel from one place to another before there is work available, the construction, farm or forest labor contractor shall furnish to the worker, at no cost to the worker, food and lodging until the work begins. The contractor shall provide, without cost to the worker, the following:

(a) Lodging facilities which comply with the provisions ORS Chapter 654 and the rules adopted thereunder; and

(b) An adequate supply of food to feed the worker at least twice in a 24 hour period.

(2) The lodging facilities and adequate supply of food referred to in section (1) of this rule shall be provided by the contractor to the worker at no cost to the worker for as long as the worker must wait for work to become available.

(3) The worker may not be charged the cost of food and lodging provided pursuant to section (1) of this rule before or after the worker starts work.

(4) As used in this rule an "adequate supply of food" means an amount and variety of food sufficient to meet commonly accepted daily nutritional requirements for adults, minors, males or females, as the case may be.

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0508

Violations for Which a Civil Penalty May Be Imposed

(1) Pursuant to ORS 658.453, the commissioner may impose a civil penalty for each of the following violations:

ADMINISTRATIVE RULES

(a) Recruiting, soliciting, supplying or employing workers without a license to act as a construction, farm or forest labor contractor in violation of ORS 658.410;

(b) Failing to carry a labor contractor's license at all times while acting as a labor contractor and exhibit it upon request to any person with whom the contractor intends to deal in the capacity of a labor contractor, in violation of ORS 658.440(1)(a);

(c) Failing to post a notice in English and in any other language used to communicate with workers that the contractor has a bond or deposit and where claims can be made against the bond or deposit in violation of ORS 658.415(15);

(d) Failing to file a change of address notice with the U.S. Post Office and the bureau in violation of ORS 658.440(1)(b);

(e) Failing to pay or distribute when due any money or other valuables entrusted to the contractor in violation of ORS 658.440(1)(c);

(f) Failing to comply with contracts or agreements entered into as a contractor in violation of ORS 658.440(1)(d);

(g) Failing to furnish each worker, at the time of hiring, recruiting, soliciting or supplying, whichever occurs first, a written statement that contains the terms and conditions described in ORS 658.440(1)(f);

(h) Failing to execute a written agreement between the worker and the labor contractor containing the terms and conditions described in ORS 658.440(1)(f), at the time of hiring and prior to the worker performing any work for the labor contractor;

(i) Failing to furnish each worker with an itemized deduction statement and statement as to the rate of wage to be paid and other information in violation of ORS 658.440(1)(h);

(j) Making misrepresentations, false statements or willful concealments on the license applications in violation of ORS 658.440(3)(a);

(k) Willfully making or causing to be made any false, fraudulent or misleading information concerning the terms, conditions or existence of employment in violation of ORS 658.440(3)(b);

(l) Soliciting or inducing or causing to be solicited or induced a violation of an existing employment contract in violation of ORS 658.440(3)(c);

(m) Knowingly employing an alien not legally employable or present in the United States in violation of ORS 658.440(3)(d);

(n) Assisting an unlicensed person to act as a contractor in violation of ORS 658.440(3)(e);

(o) Inducing in any manner whatsoever an employee or subcontractor to give up any part of the employee's or subcontractor's compensation to which they are entitled under an employment contract or under federal or state wage laws in violation ORS 658.440(3)(f);

(p) Soliciting, inducing, or causing to be solicited or induced, the travel of a worker from one place to another by representing to a worker that employment for the worker is available at the destination when employment for the worker is not available within 30 days after the date work was represented as being available, is in violation of ORS 658.440(3)(g);

(q) Discharging or in any other manner discriminating against employees in violation of ORS 658.452;

(r) Failing to provide lodging and food when required by ORS 658.440(2)(c) and these rules;

(s) Failing to carry the license in violation of ORS 658.440(1)(a);

(t) Failing to exhibit the license in violation of ORS 658.440(1)(a);

(u) Failing to provide certified true copies of payroll records in violation of ORS 658.440(1)(i);

(v) Failing to provide workers' compensation insurance in violation of ORS 658.440(1)(j).

(2) In the case of forest labor contractors, in addition to any other penalties, a civil penalty may be imposed for failing to obtain a special indorsement from the bureau to act as a forest labor contractor in violation of ORS 658.417(1).

(3) The commissioner may impose a civil penalty on a person to whom workers are to be provided, when the person or the person's agent allows work to be performed on any contract or agreement with an unlicensed labor contractor without first complying with the provisions of ORS 658.437(2).

Stat. Auth.: ORS 164, 165, 651, 658 & 962

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 11-1988(Temp), f. & cert. ef. 6-17-88; BL 16-1988, f. & cert. ef. 12-13-88; BL 3-1990, f. & cert. ef. 3-1-90; BL 2-1996, f. & cert. ef. 1-9-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 28-2005, f. 12-29-05, cert. ef. 1-1-06; BLI 40-2007, f. 12-28-07, cert. ef. 1-1-08; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0509

Inspection of Farm Labor Contractor's License or Temporary Permit

A person to whom an unlicensed labor contractor provides workers violates ORS 658.437(2) when the person or person's agent did not, prior to allowing work to be performed on any contract or agreement with the contractor:

(1) Inspect the contractor's apparently valid construction, farm or forest labor contractor's license or temporary permit that has not expired and identify the contractor providing the workers as the same individual whose photo appears on the license or temporary permit; and

(2) Retain a copy of the license or temporary permit provided to the person or the person's agent by the contractor.

Stat. Auth.: ORS 658.407

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BLI 40-2007, f. 12-28-07, cert. ef. 1-1-08; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0512

Schedule of Civil Penalties

(1) The civil penalty for any one violation shall not exceed \$2,000. The actual amount of the civil penalty will depend on all the facts and on any mitigating and aggravating circumstances.

(2) For purposes of this rule, "repeated violations" means violations of a provision of law or rule which have been violated on more than one contract within two years of the date of the most recent violation.

(3) When the Commissioner determines to impose a civil penalty for acting as a construction, farm or forest labor contractor without a valid license, the minimum civil penalty shall be as follows:

(a) \$500 for the first violation;

(b) \$1,000 for the first repeated violation;

(c) \$2,000 for the second and each subsequent repeated violation.

(4) The civil penalty for all other violations shall be set in accordance with the determinations and considerations referred to in OAR 839-015-0510.

(5) The civil penalties set out in this rule are in addition to any other penalty assessed by law or rule.

Stat. Auth.: ORS 658.407

Stats. Implemented: ORS 658.453

Hist.: BL 11-1988(Temp), f. & cert. ef. 6-17-88; BL 16-1988, f. & cert. ef. 12-13-88; BL 5-1996, f. 6-14-96, cert. ef. 7-1-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0520

Denying, Suspending, Revoking or Refusing to Renew License

(1) The following violations are considered to be of such magnitude and seriousness that the Commissioner may propose to deny or refuse to renew a license application or to suspend or revoke a license:

(a) Making a misrepresentation, false statement or certification or willfully concealing information on the license application;

(b) Causing an existing contract of employment to be violated;

(c) Knowingly employing an alien not legally present or legally employable in the United States;

(d) Assisting an unlicensed person to act as a construction, farm or forest labor contractor;

(e) In any way inducing an employee or subcontractor of the contractor to give up any part of the compensation to which the employee or subcontractor is entitled under a contract or under federal or state wage laws;

(f) Discharging or discriminating in any way against an employee in violation of ORS 658.452;

(g) Intentionally altering a license or permit, or using the license or permit of another;

(h) Knowingly permitting another to use the licensee's license or permit; or

(i) Acting as a construction, farm or forest labor contractor without a license.

(2) When the applicant for a license or a licensee demonstrates that the applicant's or licensee's character, reliability or competence makes the applicant or licensee unfit to act as a construction, farm or forest labor contractor, the Wage and Hour Division shall propose that the license application be denied or license of the licensee be suspended, revoked or not renewed.

(3) The following actions of a construction, farm or forest labor contractor license applicant or licensee or an agent of the license applicant or licensee demonstrate that the applicant's or the licensee's character, reliability or competence make the applicant or licensee unfit to act as a construction, farm or forest labor contractor:

(a) Violations of any section of ORS 658.405 to 658.485;

ADMINISTRATIVE RULES

(b) Conviction of a felony in connection with the applicant's or licensee's business operations as a construction, farm or forest labor contractor;

(c) Willful violation of the terms and conditions of any work agreement or contract;

(d) Failure to comply with federal, state or local laws or ordinances relating to the payment of wages, income taxes, social security taxes, unemployment compensation tax or any tax, fee or assessment of any sort;

(e) Knowing failure or refusal to seek food, water, shelter, or medical attention, or to provide any other necessary goods or services required by law for the safety and health of workers;

(f) Repeated failure to file or furnish all forms and other information required by ORS 658.405 to 658.503 or these rules;

(g) Failure to report any change in the circumstances under which the license was issued, including the failure to notify the Bureau of any change in the permanent or temporary address of the applicant or licensee;

(h) Willful misrepresentation, false statement or concealment in the application for a license;

(i) Willfully making or causing to be made to any person any false, fraudulent or misleading representation, or publishing or circulating any false, fraudulent or misleading information concerning the terms, conditions or existence of employment at any place or by any person;

(j) Failure to provide workers compensation coverage for each worker or to make worker's compensation insurance premium payments when due;

(k) Employing or using an agent who has had a construction, farm or forest labor contractor license denied, suspended, revoked or not renewed or who has otherwise violated ORS 658.405 to 658.503;

(l) Failure to maintain the bond or cash deposit as required by ORS 658.405 to 658.503 or these rules;

(m) A course of misconduct in relations with workers, farmers and others with whom the person conducts business;

(n) Failure to pay all debts owed, including advances and wages, in a timely manner;

(o) Failure to promptly satisfy any or all judgments levied against the applicant/licensee;

(p) Conduct of the applicant/licensee resulting in the inability to obtain a bond.

(4) When a construction, farm or forest labor contractor's license application is denied or a license is revoked or when the commissioner refuses to renew a license, the commissioner will not issue the applicant or licensee a license for a period of three (3) years from the date of the denial, refusal to renew or revocation of the license.

(5) Notwithstanding section (4) of this rule, the commissioner, for good cause shown, may issue a license to a contractor whose application has been previously denied or whose license was not renewed or was revoked before the expiration of three years, provided:

(a) The contractor submits a petition explaining each and every reason why the contractor should be licensed; and

(b) The contractor files a completed application with the petition and pays the appropriate fees.

(6) As used in section (5) of this rule, "good cause" means an excusable mistake or a circumstance beyond a person's control.

(7) The commissioner shall grant or deny the petition referred to in section (5) of this rule and in so doing shall consider the following factors:

(a) The magnitude and seriousness of the violation or violations which led to the denial, refusal to renew or revocation of the license;

(b) The petitioner's past history in taking all necessary measures to prevent or correct violations of statutes or rules;

(c) The petitioner's other prior violations of the statute or rules, if any;

(d) Other matters which indicate to the commissioner that the petitioner is not likely to violate ORS 658.405 to 658.475 and these rules in the future.

(8) Nothing in this rule shall preclude the commissioner from imposing a civil penalty in lieu of denying or refusing to renew a license application or in lieu of suspension or revocation of a license.

Stat. Auth.: ORS 651 & 658

Stats. Implemented: ORS 658.405 - 658.503

Hist.: BL 6-1984, f. & cf. 4-27-84; BL 11-1988(Temp), f. & cert. ef. 6-17-88; BL 16-1988, f. & cert. ef. 12-13-88; BL 2-1996, f. & cert. ef. 1-9-96; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

839-015-0605

Knowingly Using the Services of an Unlicensed Contractor

(1) Pursuant to ORS 658.465(1), any person who knowingly uses the services of an unlicensed construction, farm or forest labor contractor is personally, jointly and severally liable with the person acting as a con-

struction, farm or forest labor contractor to the same extent and same manner as provided in 658.453(4).

(2) A person knowingly uses the services of an unlicensed construction, farm or forest labor contractor in violation of ORS 658.465(1), if the person:

(a) Uses the services of a person acting as a construction, farm or forest labor contractor and the person actually knows that the contractor does not have a valid license to act as a construction, farm or forest labor contractor; or

(b) Allows work to be performed on any contract or agreement with an unlicensed construction, farm labor contractor without first complying with the provisions of ORS 658.437(2) and OAR 839-015-0509.

Stat. Auth.: ORS 651 & 658.407(3)

Stats. Implemented: ORS 658.465(1)

Hist.: BL 16-1988, f. & cert. ef. 12-13-88; BLI 12-2001, f. 8-31-01, cert. ef. 9-1-01; BLI 4-2008, f. & cert. ef. 3-10-08; BLI 13-2014, f. 11-14-14, cert. ef. 7-1-15

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

Rule Caption: Clarifies division policy for program delegation requirements.

Adm. Order No.: BCD 13-2014(Temp)

Filed with Sec. of State: 11-14-2014

Certified to be Effective: 11-14-14 thru 5-12-15

Notice Publication Date:

Rules Amended: 918-020-0090

Subject: This temporary rule clarifies division policy to require a municipality that administers and enforces a building inspection program to execute a memorandum of agreement and return a data request form as provided by the division annually.

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

918-020-0090

Program Standards

Every municipality that administers and enforces a building inspection program must establish and maintain the minimum standards, policies, and procedures set forth in this section.

(1) Administrative Standards. A building inspection program must:

(a) Provide adequate funds, equipment, and other resources necessary to administer and enforce the building inspection program in conformance with an approved operating plan;

(b) Document in writing the authority and responsibilities of the building official, plan reviewers, and inspectors based on an ordinance or resolution that authorizes the building official on behalf of the municipality to administer and enforce a building inspection program;

(c) Establish a local process to review appeals of technical and scientific determinations made by the building official regarding any provision of the specialty codes the municipality administers and enforces, to include a method to identify the local building official or designee and notify the aggrieved persons of the provisions of ORS 455.475;

(d) Account for all revenues collected and expenditures made relating to administration and enforcement of the building inspection program, and account for the electrical program revenues and expenditures separately when administered by the municipality.

(A) Prepare income and expense projections for each code program it will administer and enforce during the reporting period; and

(B) Describe how general administrative overhead costs and losses or surpluses, if any, will be allocated.

(e) Establish policies and procedures for the retention and retrieval of records relating to the administration and enforcement of the specialty codes it administers and enforces;

(f) Make its operating plan available to the public;

(g) Establish a process to receive public inquiries, comments, and complaints;

(h) Adopt a process to receive and respond to customers' questions regarding permitting, plan review, and inspections;

(i) Set reasonable time periods between 7 a.m. and 6 p.m. on days its permit office is open, weekends and holidays excluded, when it will receive and respond to customers' questions;

(j) Post its jurisdictional boundary, types of permits sold and hours of operation at each permit office it operates;

(k) Identify all persons in addition to the building official to whom notices issued pursuant to these rules should be sent;

ADMINISTRATIVE RULES

(l) Execute a memorandum of agreement with and as approved by the division upon initial delegation and assumption of a building inspection program or no later than December 1, 2014 unless otherwise approved by the division and thereafter during the reporting period referenced in OAR 918-020-0180; and

(m) Return a completed data request form to and as provided by the division annually.

(2) Permitting Standards. A building inspection program must:

(a) Provide at least one office within its jurisdictional boundary where permits may be purchased;

(b) Set reasonable time periods between 7 a.m. and 6 p.m. on days its permit office is open, weekends and holidays excluded, when it will make permits available for purchase;

(c) Establish policies and procedures for receiving permit applications, determining whether permit applications are complete and notifying applicants what information, if any, is required to complete an application;

(d) Set reasonable time periods within which the municipality will:

(A) Advise permit applicants whether an application is complete or requires additional information; and

(B) Generally issue a permit after an application has been submitted and approved.

(e) Establish policies and procedure for issuing permits not requiring plan review, emergency permits, temporary permits, master permits, and minor labels;

(f) Provide a means to receive permit applications via facsimile; and

(g) Require proof of licensing, registration, and certification of any person who proposes to engage in any activity regulated by ORS chapters 446, 447, 455, 479, 693, and 701 prior to issuing any permit.

(3) Plan Review Standards. A building inspection program must:

(a) Establish policies and procedures for its plan review process to:

(A) Assure compliance with the specialty codes it is responsible for administering and enforcing, including any current interpretive rulings adopted pursuant to ORS 455.060 or 455.475;

(B) Make available checklists or other materials at each permitting office it operates that reasonably apprises persons of the information required to constitute a complete permit application or set of plans;

(C) Inform applicants within three working days of receiving an application, whether or not the application is complete and if it is for a simple residential plan. For the purposes of this rule and ORS 455.467, a "complete application" is defined by the division, taking into consideration the regional procedures in OAR chapter 918, division 50. If deemed a simple residential plan, the jurisdiction must also inform the applicant of the time period in which the plan review will generally be completed;

(D) Establish a process that includes phased permitting and deferred submittals for plan review of commercial projects for all assumed specialty codes, taking into consideration the regional procedures in OAR chapter 918, division 50. The process may not allow a project to proceed beyond the level of approval authorized by the building official. The process must:

(i) Require the building official to issue permits in accordance with the state building code as defined in ORS 455.010 provided that adequate information and detailed statements have been submitted and approved with pertinent requirements of the appropriate code. Permits may include, but not be limited to: excavation, shoring, grading and site utilities, construction of foundations, structural frame, shell, or any other part of a building or structure.

(ii) Allow deferred submittals to be permitted within each phase with the approval of the building official; and

(iii) Require the applicant to be notified of the estimated timelines for phased plan reviews and that the applicant is proceeding without assurance that a permit for the entire structure will be granted when a phased permit is issued.

(E) Verify that all plans have been stamped by a registered design professional and licensed plan reviewer where required;

(F) Verify for those architects and engineers requesting the use of alternative one and two family dwelling plan review program that all plans have been stamped by a registered professional who is also a residential plans examiner. This process must require the building official to:

(i) Establish policies and procedures in their operating plan for this process;

(ii) Waive building inspection program plan review requirements for conventional light frame construction for detached one and two family dwellings; and

(iii) Establish an appropriate fee for processing plans submitted under this rule.

(G) Establish a process for plan review if non-certified individuals review permit applications under OAR 918-098-1010.

(b) Employ or contract with a person licensed, registered, or certified to provide consultation and advice on plan reviews as deemed necessary by the building official based on the complexity and scope of its customers' needs;

(c) Maintain a list of all persons it employs or contracts with to provide plan review services including licenses, registrations, and certifications held by each plan reviewer and evidence of compliance with all applicable statutory or professional continuing education requirements;

(d) Designate at least three licensed plan reviewers from whom the municipality will accept plan reviews when the time periods in subsection (e) of this section cannot be met; and

(e) Allow an applicant to use a plan reviewer licensed under OAR 918-090-0210 and approved by the building official when the time period for review of "simple one- or two-family dwelling plans" exceeds 10 days where the population served is less than 300,000, or 15 days where the population served is 300,000 or greater.

(4) For the purposes of these rules, "simple one- or two-family dwelling plans" must:

(a) Comply with the requirements for prescriptive construction under the Oregon Residential Specialty Code; or

(b) Comply with the Oregon Manufactured Dwelling Installation Specialty Code and the requirements in OAR chapter 918, division 500; and

(c) Be a structure of three stories or less with an enclosed total floor space of 4,500 square feet or less, inclusive of multiple stories and garage(s).

(5) "Simple one- or two-family dwelling plans" may:

(a) Include pre-engineered systems listed and approved by nationally accredited agencies in accordance with the appropriate specialty code, or by state interpretive rulings approved by the appropriate specialty board, that require no additional analysis; and

(b) Be designed by an architect or engineer and be considered a simple one- and two-family dwelling if all other criteria in this rule are met.

(6) The following are considered "simple one- or two-family dwelling plans":

(a) Master plans approved by the division or municipality or under ORS 455.685, which require no additional analysis; and

(b) Plans that include an engineering soil report if the report allows prescriptive building construction and requires no special systems or additional analysis.

(7) A plan that does not meet the definition of "simple" in this rule is deemed "complex". In order to provide timely customer service, a building official may accept a plan review performed by a licensed plan reviewer for a complex one- or two-family dwelling.

(8) Inspection Standards. A building inspection program must:

(a) Set reasonable time periods between 7 a.m. and 6 p.m. on days its permit office is open, weekends and holidays excluded, when it will provide inspection services or alternative inspection schedules agreed to by the municipality and permittee;

(b) Unless otherwise specified by statute or specialty code, establish reasonable time periods when inspection services will be provided following requests for inspections;

(c) Establish policies and procedures for inspection services;

(d) Leave a written copy of the inspection report on site;

(e) Make available any inspection checklists;

(f) Maintain a list of all persons it employs or contracts with to provide inspection services including licenses, registrations, and certifications held by persons performing inspection services and evidence of compliance with all applicable statutory or professional continuing education requirements;

(g) Vest the building official with authority to issue stop work orders for failure to comply with the specialty codes the municipality is responsible for administering and enforcing; and

(h) Require inspectors to perform license enforcement inspections as part of routine installation inspections.

(i) Where a municipality investigates and enforces violations under ORS 455.156 or in accordance with the municipality's local compliance program, the municipality's inspectors must require proof of compliance with the licensing, permitting, registration, and certification requirements of persons engaged in any activity regulated by ORS Chapters 446, 447, 455, 479, 693, and 701. Inspectors must report any violation of a licensing, permitting, registration, or certification requirement to the appropriate enforcement agency.

ADMINISTRATIVE RULES

(9) Compliance Programs. A municipality administering a building inspection program may enact local regulations to create its own enforcement program with local procedures and penalties; utilize the division's compliance program by submitting compliance reports to the division; elect to act as an agent of a division board pursuant to ORS 455.156; or develop a program that may include, but not be limited to, a combination thereof. A building inspection program must establish in its operating plan:

(a) Procedures to respond to public complaints regarding work performed without a license or permit or in violation of the specialty codes the municipality is responsible for administering and enforcing;

(b) Procedures requiring proof of licensure for work being performed under the state building code utilizing the approved citation process and procedures in OAR 918-020-0091.

(c) Policies and procedures to implement their compliance program;

(d) Policies and procedures regarding investigation of complaints, where the municipality chooses to investigate and enforce violations pursuant to ORS 455.156; and

(e) Policies and procedures regarding issuance of notices of proposed assessments of civil penalties, where the municipality chooses to act as an agent of a board pursuant to ORS 455.156. Penalties under such a program are subject to the limitations set in 455.156 and 455.895.

(10) Electrical Programs. Municipalities that administer and enforce an electrical program must demonstrate compliance with all applicable electrical rules adopted pursuant to ORS 479.855.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.030, 455.467, 455.469, 455.156, 183.355, 455.148, 455.150 & 455.062
Stats. Implemented: ORS 455.150, 455.467, 455.469, 455.156, 455.148 & 455.062
Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 16-2002, f. & cert. ef. 7-1-02; BCD 27-2002, f. & cert. ef. 10-1-02; BCD 6-2004, f. 5-21-04, cert. ef. 7-1-04; BCD 11-2004, f. 8-13-04, cert. ef. 10-1-04; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 1-2010, f. 3-1-10, cert. ef. 4-1-10; BCD 7-2013(Temp), f. 7-26-13, cert. ef. 8-1-13 thru 12-31-13; BCD 9-2013, f. 12-16-13, cert. ef. 1-1-14; BCD 13-2014(Temp), f. & cert. ef. 11-14-14 thru 5-12-15

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

Rule Caption: Reduces Money Transmitter hourly examination fee.

Adm. Order No.: FCS 7-2014

Filed with Sec. of State: 10-17-2014

Certified to be Effective: 10-17-14

Notice Publication Date: 9-1-2014

Rules Amended: 441-745-0340

Subject: The rule reduces the hourly examination fee payable by money transmitters to the hourly fee set in statute. In 2008, the Division of Finance and Corporate Securities updated hourly examination fees to be consistent throughout its programs. During the process, the hourly fee for money transmitter examinations was raised. The authorizing statute sets the hourly fee for an examiner at \$60. The division performs very few examinations of money transmitters because most are out-of-state businesses.

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

441-745-0340

Fees, Charges Money Transmitters Pay to the Director

(1) The rate of charge payable by a licensee is \$60 an hour per person payable by the licensee for the Director and each examiner or other division employee used in an examination conducted under ORS 717.255 and for extra services provided a license under 717.255(2).

(2) Notwithstanding the rate of charge fixed by section (1) of this rule:

(a) If an examiner or other division employee or the Director is required to travel out of state in conducting the examination or providing the extra services, the rate of charge payable by the licensee is \$60 an hour per person, plus actual cost of travel;

(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.

(3) As used in this rule:

(a) "Extra services" means any attention other than an annual examination given under ORS 717.255(1).

(b) 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.

Stat. Auth.: ORS 717.310
Stats. Implemented: ORS 717.255
Hist.: FCS 8-2000, f. & cert. ef. 6-27-00; FCS 8-2008, f. & cert. ef. 8-28-08; FCS 7-2014, f. & cert. ef. 10-17-14

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Rule Caption: Suspends rule allowing pawnbrokers to pass through certified mailing fees to pledgors.

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

Filed with Sec. of State: 11-6-2014

Certified to be Effective: 11-6-14 thru 5-4-15

Notice Publication Date:

Rules Suspended: 441-740-0015

Subject: These temporary rules suspend 441-740-0015, which allows pawnbrokers to pass through a "reasonable" fee for the preparation and posting of a notice through certified mail. In 2014, House Bill 4011 amended statutory language that a pledgor would bear postal costs and could be assessed a reasonable fee by a pawnbroker for preparing a notice to be delivered by certified mail. HB 4011 removed the requirement for certified mail and shifted the cost of postage from the pledgor to the pawnbroker. In order to comply with the new language of ORS 726.400(5), the division must suspend the rule pending the process to permanently repeal the rule.

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

441-740-0015

Fees Charged by Pawnbrokers to Pledgors

A pawnbroker may pass through to the pledgor "a reasonable fee" for preparing a notice for delivery by certified mail, return receipt requested. A fee not to exceed \$5 will be deemed reasonable. Postal costs may also be recovered. Mileage costs and employee time to travel to and from the post office are not considered "preparing the notice" and are not recoverable. A pawnbroker may not charge a fee for preparing and mailing a notice sent by regular mail.

Stat. Auth.: ORS 726.260
Stats. Implemented: ORS 726.340, 726.390, 726.395 & 726.400
Hist.: FCS 11-2008, f. & cert. ef. 11-13-08; FCS 5-2010, f. & cert. ef. 5-6-10; Suspended by FCS 8-2014(Temp), f. & cert. ef. 11-6-14 thru 5-4-15

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Department of Consumer and Business Services, Insurance Division Chapter 836

Rule Caption: Interim medical benefits; implementation of House Bill 4014 (2014)

Adm. Order No.: ID 18-2014

Filed with Sec. of State: 10-17-2014

Certified to be Effective: 1-1-15

Notice Publication Date: 8-1-2014

Rules Adopted: 836-053-0100, 836-053-0105

Subject: These rules implement the provisions of enrolled House Bill 4104 (2014 Legislative Session). The rules complement rules of the Workers' Compensation Division intended to facilitate better management and payment for interim medical benefits resulting from a work related injury or disease. These rules prohibit a carrier from imposing a waiver or exclusion in a health benefit plan for coverage of a service otherwise provided solely on the basis that the service is provided for a work-related injury or disease. The rules also establish an expedited preauthorization process for approving interim medical services. The rules also specify how payment is accomplished if a workers' compensation claim is approved or denied. Finally the rules clarify when a claim for interim medical benefits is deemed a "clean claim" for purposes of requirements in the Insurance Code that require prompt payment of claims.

As specified in House Bill 4104, these requirements apply to health benefit plan contracts entered into or renewed on or after January 1, 2015.

Rules Coordinator: Victor Garcia—(503) 947-7260

ADMINISTRATIVE RULES

836-053-0100

Work Related Injuries or Disease

A carrier may not impose an exclusion or waiver in a health benefit plan for coverage of any service otherwise provided under the plan solely on the basis that the service is provided for a work-related injury or occupational disease.

Stat. Auth: ORS 731.008, 731.016 & 731.244
Stat. Implemented: ORS 656.247, 731.008, 731.016, & 2014 OL Ch. 94, Sec. 2
Hist.: ID 18-2014, f. 10-17-14, cert. ef. 1-1-15

836-053-0105

Coordination of Payment for Interim Medical Services

(1) As used in this section:

(a) "Expedited preauthorization" means a determination by an insurer prior to provision of interim medical services that the insurer will provide reimbursement for the services.

(b) "Health benefit plan" does not include the Oregon Health Plan.

(c) "Interim medical benefits" are those benefits described in OAR 436-009-0035.

(d) "Interim medical services" means those services provided prior to claim acceptance or denial in accordance with ORS 656.247.

(e) "Worker" has the meaning given in ORS 656.005.

(2) A health benefit plan carrier that receives a request for expedited preauthorization under ORS 656.247(4) shall submit the expedited preauthorization to the medical provider who is proposing the treatment. The preauthorization shall be based on the terms, conditions and benefits of the health benefit plan.

(3) A carrier need only preauthorize medical services for which the health benefit plan requires a preauthorization and may exclude from the preauthorization any treatment otherwise provided by the carrier if that treatment is excluded under OAR 436-009-0010(12). A carrier must provide an expedited preauthorization not later than the third day after the date on which the request for expedited preauthorization is submitted to the carrier.

(4) If the workers' compensation insurer denies a claim and the insurer notifies the medical provider that the initial claim has been denied, the provider must forward a copy of the workers' compensation denial letter to the health benefit plan. Upon receipt of the denial letter, the health benefit plan carrier shall pay the provider in accordance with the expedited preauthorization issued to the provider at the time the interim medical services were provided. The carrier shall pay the claim in accordance with any other applicable requirements for payment of claims under the Insurance Code.

(5) For purposes of complying with ORS 743.911 and OAR 836-080-0080, payment for medical services under ORS 656.247 shall be considered a particular circumstance requiring special treatment that requires special handling and the claim will not be considered a clean claim until after the workers compensation insurer makes the determination to accept or deny the claim.

Stat. Auth: ORS 731.244
Stat. Implemented: ORS 656.247, 743.911 & 2014 OL Ch. 94, Sec. 2
Hist.: ID 18-2014, f. 10-17-14, cert. ef. 1-1-15

Rule Caption: Adding diagnostic codes from DSM-5 to definition of mental or nervous condition.

Adm. Order No.: ID 19-2014(Temp)

Filed with Sec. of State: 11-14-2014

Certified to be Effective: 11-14-14 thru 5-12-15

Notice Publication Date:

Rules Amended: 836-053-1404

Subject: Many health care providers and insurers are transitioning using classification codes found in the "Diagnostic and Statistical Manual of Mental Disorders, DSM-IV-TR, Fourth Edition" (DSM-IV) to the coding in the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition" (DSM-5). Until all users have transitioned entirely to the DSM-5, it is necessary to include applicable diagnostic codes from both versions in defining mental or nervous condition for purposes of the mandatory requirements of Oregon's mental health parity statute. These temporary rules add appropriate diagnostic codes from the DSM-5 to the rule.

Rules Coordinator: Victor Garcia—(503) 947-7260

836-053-1404

Definitions; Noncontracting Providers; Co-morbidity Disorders

(1) As used in ORS 743A.168, this rule and OAR 836-053-1405:

(a) "Mental or nervous conditions" means any of the following, dependent upon whether the diagnosis is made according to the "Diagnostic and Statistical Manual of Mental Disorders, DSM-IV-TR, Fourth Edition" (DSM-IV) or the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition" (DSM-5):

(A) If the condition is diagnosed under the DSM-IV, then all disorders listed in the DSM-IV except for:

(i) Diagnostic codes 317, 318.0, 318.1, 318.2, 319; Mental Retardation;

(ii) Diagnostic codes 315.00, 315.1, 315.2, 315.9; Learning Disorders;

(iii) Diagnostic codes 302.4, 302.81, 302.89, 302.2, 302.83, 302.84, 302.82, 302.9; Paraphilias; and

(iv) Diagnostic codes V15.81 through V71.09; "V" codes. This exception does not extend to children 5 years of age or younger for diagnostic codes V61.20; Parent-Child Relational Problem through V61.21; Neglect, Physical Abuse, or Sexual Abuse of Child, and V62.82; Bereavement.

(B) If the condition is diagnosed under the DSM-5, then all disorders listed in the DSM-5 except for:

(i) DSM-5 diagnostic code 319 Intellectual and Unspecified Intellectual Disabilities;

(ii) DSM-5 diagnostic codes 315.00, 315.1, 315.2, Specific Learning Disorders;

(iii) DSM-5 diagnostic code 315.9; Unspecified Neurodevelopmental Disorders;

(iv) DSM-5 diagnostic codes 302.4, 302.81, 302.89, 302.2, 302.83, 302.84, 302.82, 302.9; Paraphilia Disorders; and

(v) DSM-5 diagnostic codes V15.81 through V71.09; "V" codes. This exception does not extend to children 5 years of age or younger for DSM-5 diagnostic codes V61.20 through V61.21, and the DSM-5 diagnostic code V62.82; Uncomplicated Bereavement.

(b) "Chemical dependency" means an addictive relationship with any drug or alcohol characterized by a physical or psychological relationship, or both, that interferes on a recurring basis with an individual's social, psychological or physical adjustment to common problems.

(c) "Chemical dependency" does not mean an addiction to, or dependency on:

(A) Tobacco;

(B) Tobacco products; or

(C) Foods.

(2) A non-contracting provider must cooperate with a group health insurer's requirements for review of treatment in ORS 743A.168 (10) and (11) to the same extent as a contracting provider in order to be eligible for reimbursement.

(3) The exception of a disorder in the definition of "mental or nervous conditions" or "chemical dependency" in section (1) of this rule does not include or extend to a co-morbidity disorder accompanying the excepted disorder.

Stat. Auth.: ORS 731.244 & 743A.168

Stats. Implemented: ORS 743A.168

Hist.: ID 13-2006, f. 7-14-06 cert. ef. 1-1-07; ID 19-2012(Temp), f. & cert. ef. 12-20-12 thru 6-17-13; ID 3-2013, f. 6-10-13, cert. ef. 6-17-13; ID 19-2014(Temp), f. & cert. ef. 11-14-14 thru 5-12-15

Department of Consumer and Business Services, Oregon Occupational Safety and Health Division Chapter 437

Rule Caption: Adopt federal OSHA remand of portions of vertical tandem lifts standard in Marine Terminals.

Adm. Order No.: OSHA 4-2014

Filed with Sec. of State: 10-17-2014

Certified to be Effective: 10-17-14

Notice Publication Date: 9-1-2014

Rules Amended: 437-005-0002

Subject: This rulemaking is to keep Oregon OSHA in harmony with recent changes to Federal OSHA's standards.

Oregon OSHA adopts by reference the amendments to vertical tandem lifts as published in the April 21, 2014 Federal Register. Federal OSHA implemented a court-ordered remand of certain portions of the standard for vertical tandem lifts (VTLs). This rulemaking implements the remand by: limiting the application of the corner-casting and interbox-connector inspection requirements to shore-to-

ADMINISTRATIVE RULES

ship VTLs; and removing the tandem lifts of platform containers from the scope of the VTL standard.

No comments were received during the open comment period. Oregon OSHA makes this amendment to CFR 1917 Marine Terminals, 1917.71.

Please visit our website: www.orosha.org Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules.

Rules Coordinator: Sue C. Joye—(503) 947-7449

437-005-0002

Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, 29 CFR 1917, in the Federal Register:

- (1) Subdivision A:
 - (a) 29 CFR 1917.1 Scope and applicability, published 2/28/06, FR vol. 71, no. 39, p. 10100.
 - (b) 29 CFR 1917.2 Definitions, published 6/8/11, Federal Register, vol. 76, no. 110, p. 33590.
 - (c) 29 CFR 1917.3 Incorporation by reference, published 6/22/12, FR vol. 77, no. 121, p. 37587.
 - (d) 29 CFR 1917.5 Compliance duties owed to each employee, published 12/12/08, FR vol. 73, no. 240, pp.75568-75589
- (2) Subdivision B:
 - (a) 29 CFR 1917.11 Housekeeping, published 7/25/97, FR vol. 62, no. 143, p. 40196.
 - (b) 29 CFR 1917.12 Slippery conditions, published 7/5/83, FR vol. 48, p. 30909.
 - (c) 29 CFR 1917.13 Slinging, published 7/25/97, FR vol. 62, no. 143, p. 40197.
 - (d) 29 CFR 1917.14 Stacking of cargo and pallets, published 7/5/83, FR vol. 48, p. 30909.
 - (e) 29 CFR 1917.15 Coopering, published 7/5/83, FR vol. 48, p. 30909.
 - (f) 29 CFR 1917.16 Line handling, published 7/5/83, FR vol. 48, p. 30909.
 - (g) 29 CFR 1917.17 Railroad facilities, published 7/25/97, FR vol. 62, no. 143, p. 40197.
 - (h) 29 CFR 1917.18 Log handling, published 7/5/83, FR vol. 48, p. 30909.
 - (i) 29 CFR 1917.19 Movement of barges and rail cars, published 7/5/83, FR vol. 48, p. 30909.
 - (j) 29 CFR 1917.20 Interference with communications, published 7/25/97, FR vol. 62, no. 143, p. 40197.
 - (k) 29 CFR 1917.21 Open fires, published 7/5/83, FR vol. 48, p. 30909.
 - (l) 29 CFR 1917.22 Hazardous cargo (see 1917.2(p)), published 7/5/83, FR vol. 48, p. 30909.
 - (m) 29 CFR 1917.23 Hazardous atmospheres and substances (see 1917.2(p)), published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (n) 29 CFR 1917.24 Carbon monoxide, published 7/25/97, FR vol. 62, no. 143, p. 40197.
 - (o) 29 CFR 1917.25 Fumigants, pesticides, insecticides and hazardous preservatives (see 1917.2(p)), published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (p) 29 CFR 1917.26 First aid and lifesaving facilities, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (q) 29 CFR 1917.27 Personnel, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (r) 29 CFR 1917.28 Hazard communication (see also §1917.1(a)(2)(vi)), published 7/25/97, FR vol. 62, no. 143, p. 40198.
 - (s) 29 CFR 1917.29 Retention of DOT markings, placards and labels, published 7/19/94, Federal Register, vol. 59, no. 137, p. 36700.
 - (t) 29 CFR 1917.30 Emergency action plans, published 6/30/00, FR vol. 65, no. 127, p. 40938.
- (3) Subdivision C:
 - (a) 29 CFR 1917.41 House falls, published 7/5/83, FR vol. 48, p. 30909.
 - (b) 29 CFR 1917.42 Miscellaneous auxiliary gear, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (c) 29 CFR 1917.43 Powered industrial trucks, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (d) 29 CFR 1917.44 General rules applicable to vehicles, published 6/30/00, FR vol. 65, no. 127, p. 40938.

- (e) 29 CFR 1917.45 Cranes and derricks (see also §1917.50), published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (f) 29 CFR 1917.46 Load indicating devices, published 7/25/97, FR vol. 62, no. 143, p. 40199.
 - (g) 29 CFR 1917.47 Winches, published 7/5/83, FR vol. 48, p. 30909.
 - (h) 29 CFR 1917.48 Conveyors, published 7/25/97, FR vol. 62, no. 143, p. 40200.
 - (i) 29 CFR 1917.49 Spouts, chutes, hoppers, bins, and associated equipment, published 7/5/83, FR vol. 48, p. 30909.
 - (j) 29 CFR 1917.50 Certification of marine terminal material handling devices (see also Mandatory Appendix IV, Part 1918 of this chapter), published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (k) 29 CFR 1917.51 Hand tools, published 7/5/83, FR vol. 48, p. 30909.
- (4) Subdivision D:
 - (a) 29 CFR 1917.70 General, published 7/5/83, FR vol. 48, p. 30909.
 - (b) 29 CFR 1917.71 Terminals handling intermodal container or roll on roll off operations, published 4/21/14, FR vol. 79, no. 76, p. 22018.
 - (c) 29 CFR 1917.72 (Reserved)
 - (d) 29 CFR 1917.73 Terminal facilities handling menhaden and similar species of fish (see also §1917.2, definition of hazardous cargo, materials, substance, or atmosphere), published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (5) Subdivision E:
 - (a) 29 CFR 1917.91 Eye and face protection, published 9/9/09, FR vol. 74, no. 173, pp. 46350-46361.
 - (b) 29 CFR 1917.92 Respiratory protection, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (c) 29 CFR 1917.93 Head protection, published 6/22/12, FR vol. 77, no. 121, p. 37587.
 - (d) 29 CFR 1917.94 Foot protection, published 9/9/09, FR vol. 74, no. 173, pp. 46350-46361.
 - (e) 29 CFR 1917.95 Other protective measures, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (f) 29 CFR 1917.96 Payment for protective equipment, published 11/15/07, FR vol. 72, no. 220, p. 64342.
 - (6) Subdivision F:
 - (a) 29 CFR 1917.111 Maintenance and load limits, published 7/5/83, FR vol. 48, p. 30909.
 - (b) 29 CFR 1917.112 Guarding of edges, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (c) 29 CFR 1917.113 Clearance heights, published 7/5/83, FR vol. 48, p. 30909.
 - (d) 29 CFR 1917.114 Cargo doors, published 7/5/83, FR vol. 48, p. 30909.
 - (e) 29 CFR 1917.115 Platforms and skids, published 7/5/83, FR vol. 48, p. 30909.
 - (f) 29 CFR 1917.116 Elevators and escalators, published 7/13/84, FR vol. 49, p. 28551.
 - (g) 29 CFR 1917.117 Manlifts, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (h) 29 CFR 1917.118 Fixed ladders, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (i) 29 CFR 1917.119 Portable ladders, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (j) 29 CFR 1917.120 Fixed stairways, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (k) 29 CFR 1917.121 Spiral stairways, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (l) 29 CFR 1917.122 Employee exits, published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (m) 29 CFR 1917.123 Illumination, published 7/25/97, FR vol. 62, no. 143, p. 40201.
 - (n) 29 CFR 1917.124 Dockboards (car and bridge plates), published 6/30/00, FR vol. 65, no. 127, p. 40938.
 - (o) 29 CFR 1917.125 Guarding temporary hazards, published 7/5/83, FR vol. 48, p. 30909.
 - (p) 29 CFR 1917.126 River banks, published 7/25/97, FR vol. 62, no. 143, p. 40201.
 - (q) 29 CFR 1917.127 Sanitation, published 6/8/11, Federal Register, vol. 76, no. 110, p. 33590.
 - (r) 29 CFR 1917.128 Signs and marking, published 7/5/83, FR vol. 48, p. 30909.
 - (7) Subdivision G:

ADMINISTRATIVE RULES

(a) 29 CFR 1917.151 Machine guarding, published 6/30/00, FR vol. 65, no. 127, p. 40938.

(b) 29 CFR 1917.152 Welding, cutting and heating (hot work) (see also §1917.2, definition of hazardous cargo, materials, substance, or atmosphere), published 6/30/00, FR vol. 65, no. 127, p. 40938.

(c) 29 CFR 1917.153 Spray painting (see also §1917.2, definition of hazardous cargo, materials, substance, or atmosphere), published 6/30/00, FR vol. 65, no. 127, p. 40938.

(d) 29 CFR 1917.154 Compressed air, published 7/5/83, FR vol. 48, p. 30909.

(e) 29 CFR 1917.155 Air receivers, published 7/5/83, FR vol. 48, p. 30909.

(f) 29 CFR 1917.156 Fuel handling and storage, published 6/30/00, FR vol. 65, no. 127, p. 40938.

(g) 29 CFR 1917.157 Battery charging and changing, published 7/5/83, FR vol. 48, p. 30909; 7/25/97, FR vol. 62, no. 143, p. 40202.

(h) 29 CFR 1917.158 Prohibited operations, published 7/5/83, FR vol. 48, p. 30909.

These standards are available at the Department of Consumer and Business Services, Oregon Occupational Safety and Health Division, and the United States Government Printing Office.

Stat. Auth.: ORS 654.025(2) & 656.726(4)

Stats. Implemented: ORS 654.001 - 654.295

Hist.: OSHA 10-1992, f. 9-24-92, cert. ef. 11-1-92; OSHA 4-1994 f. & cert. ef. 8-4-94; OSHA 1-1995, f. & cert. ef. 1-19-95; OSHA 5-1995, f. & cert. ef. 4-6-95; OSHA 9-1997, f. & cert. ef. 12-31-97; OSHA 6-1999, f. & cert. ef. 5-26-99; OSHA 9-2000, f. & cert. ef. 10-10-00; OSHA 6-2006, f. & cert. ef. 8-30-06; OSHA 5-2008, f. 5-1-08, cert. ef. 5-15-08; OSHA 5-2009, f. & cert. ef. 5-29-09; OSHA 6-2009, f. & cert. ef. 6-5-09; OSHA 2-2010, f. & cert. ef. 2-25-10; OSHA 4-2011, f. & cert. ef. 12-8-11; OSHA 7-2012, f. & cert. ef. 12-14-12; OSHA 4-2014, f. & cert. ef. 10-17-14

Rule Caption: Adopt amendments to the Confined Spaces standard in general industry and construction.

Adm. Order No.: OSHA 5-2014

Filed with Sec. of State: 10-20-2014

Certified to be Effective: 1-1-15

Notice Publication Date: 8-1-2014

Rules Amended: 437-002-0146

Subject: Oregon OSHA in consultation with stakeholders, developed a rule proposal to amend our current general industry/construction standard OAR 437-002-0146 Confined Spaces, to clarify certain areas of concern in the state-initiated rule adopted in 2012. These amendments were proposed in July with one hearing held in August 2014.

Changes from the proposed rule to the adopted rule include:

The proposed rule contained requirements that employers identify all confined spaces. The final rule requires only that employers identify their permit-required confined spaces.

There was a typo in the proposed rule regarding the exemption for excavation work. The final rule reflects that excavation work is exempt from the confined space rules except when workers must bodily enter a sewer space.

An exemption was added for power generation work regulated by the newly adopted federal OSHA rules on power generation in the construction industry. While Oregon OSHA has yet to adopt these rules, it is highly unlikely that the referenced rule will change dramatically.

Language was added to clarify that, when energy isolation is used to isolate the hazards of a permit space, employers must follow all of the provisions of 1910.147 The Control of Hazardous Energy (Lockout/Tagout). A note was added in the section regarding alternate entry that tagout alone does not eliminate a hazard.

A written agreement with third party entry rescue service providers is no longer required. A note was added to remind employers who plan on using an off-site rescue service that they need to contact that service and coordinate the evaluations required by the rule, and that

simply posting a phone number or relying on emergency services is not adequate.

Language was added to clarify that retraining is necessary when previously unidentified hazards are discovered.

These rule amendments are adopted and will become effective for general industry on January 1, 2015, and for construction on March 1, 2015.

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Rules Coordinator: Sue C. Joye—(503) 947-7449

437-002-0146

Confined Spaces

(1) Purpose and application. This rule applies to all activities in confined spaces and provides requirements to protect employees from the hazards of entering and working in confined spaces.

(2) Exceptions. This standard does not apply to the following:

(a) Construction work regulated by Division 3/P Excavations, except for entry into sanitary sewer spaces that are large enough to bodily enter.

(b) Construction work regulated by Division 3/S Underground Construction, Caissons, Cofferdams and Compressed Air, except for sewers.

(c) Enclosed spaces regulated by 1910.269 in Division 2/R Electric Power Generation, Transmission and Distribution, except when that standard requires compliance with this standard.

(d) Enclosed spaces regulated by 1926.953 in Division 3/V Electric Power Generation, Transmission and Distribution, except when that standard requires compliance with this standard.

(e) Manholes and vaults regulated by 1910.268(o) in Division 2/R Telecommunications, unless the space cannot be made safe to enter even after following the requirements of 1910.268(o).

(f) Welding in confined spaces regulated by Division 2/Q Welding, Cutting & Brazing, when the only hazards are related to the welding process.

(g) Grain bins, silos, tanks, and other grain storage structures regulated by 1910.272, Grain Handling Facilities.

(h) Diving operations regulated by Division 2/T, Commercial Diving Operations.

(i) Except for (a) through (h) above, when any other applicable standard addresses work in confined spaces or additional hazards that may be present, you must comply with the provisions of that standard and this standard. Where the requirements of one standard are more restrictive than the other, follow the more stringent requirements.

(3) Definitions.

(a) Acceptable entry conditions: The conditions that must exist in a permit-required confined space to allow safe entry and work.

(b) Alternate entry — An alternative process for entering a permit space under very specific conditions. The space remains a permit space even when entered using alternate entry and even though no entry permit is required in those circumstances.

(c) Atmospheric hazard (see the definition of hazardous atmosphere).

(d) Atmospheric testing — see "Testing."

(e) Attendant — An individual stationed outside one or more permit spaces to monitor the authorized entrants and who performs all attendants duties assigned in the employer's permit space program.

(f) Authorized — Approved by the employer or controlling contractor.

(g) Authorized entrant — An employee who is authorized by the employer to enter a permit space.

(h) Barrier — A physical obstruction that blocks or limits access.

(i) Blanking or blinding — The absolute closure of a pipe, line, or duct by the fastening of a solid plate (such as a spectacle blind or a skillet blind) that completely covers the bore and that is capable of withstanding the maximum pressure of the pipe, line, or duct with no leakage beyond the plate.

(j) Calibration — The checking of a direct-reading instrument against an accurate standard (such as a calibration gas) to determine any deviation and correct for errors.

NOTE: A similar process may also be referred to as a "bump test" in which an instrument is tested with an accurate standard to ensure it is still reading correctly. For the purposes of this rule, a "bump test" performed in accordance with the manufacturer's instructions can be used to verify calibration.

(k) Confined space — A space that meets all of the following:

ADMINISTRATIVE RULES

(A) Large enough and so configured that an employee can fully enter the space and perform work.

(B) Has limited or restricted means for entry and/or exit.

(C) Is not designed for continuous human occupancy.

(l) Continuous system — a confined space that meets all of the following:

(A) Part of, and contiguous with, a larger confined space (for example, storm sewers, sanitary sewers, or steam tunnels).

(B) Subject to a potential release from the larger confined space that can overwhelm control measures and/or personal protective equipment, resulting in a hazard that is immediately dangerous to life and health.

(m) Control or controlling — Authority to regulate, direct or influence.

(n) Controlling contractor — The employer that has overall responsibility for construction at a worksite.

NOTE: A controlling contractor who owns or manages a property is both a controlling contractor and a host employer.

(o) Double block and bleed — The closure of a line, duct, or pipe by closing and locking or tagging two in-line valves and by opening and locking or tagging a drain or vent valve in the line between the two closed valves.

(p) Emergency — Any occurrence (including any failure of hazard control or monitoring equipment) or event internal or external to the permit space that could endanger entrants.

(q) Engulfment hazard — A physical hazard consisting of a liquid or flowable solid substance that can surround and capture an individual. Engulfment hazards may cause death or serious physical harm if: the individual inhales the engulfing substance into the respiratory system (drowning, for example); the substance exerts excessive force on the individual's body resulting in strangulation, constriction, or crushing; or the substance suffocates the individual.

(r) Entrant (see the definition of authorized entrant).

(s) Entry — The action by which any part of an employee's body breaks the plane of an opening into a confined space. Entry (or entry operations) also refers to the period during which an employee occupies a confined space.

(t) Entry Permit — Written authorization from the employer, controlling contractor, or host employer to enter a permit-required confined space and perform work.

(u) Entry supervisor — The person (such as the employer, foreman, or crew chief, or any other designated employee) responsible for:

(A) Determining if acceptable entry conditions are present at a permit space where entry is planned; and

(B) Authorizing entry and overseeing entry operations; and

(C) Terminating entry as required.

(v) Hazard — For the purpose of this rule, hazard means a physical hazard or hazardous atmosphere.

(w) Hazard control — The action taken to reduce the level of any hazard inside a confined space using engineering methods (for example, by isolation or ventilation), and then using these methods to maintain the reduced hazard level. Hazard control also refers to the engineering methods used for this purpose. Personal protective equipment is not a hazard control.

(x) Hazard elimination — The action taken to remove a hazard from the work environment. For confined spaces, this includes isolation. For a hazard to be eliminated, the conditions that create or cause the hazard no longer exist within the confined space.

(y) Hazardous atmosphere — An existing or potential atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to escape unaided from a permit space, injury, or acute illness from one or more of the following:

(A) A flammable gas, vapor, or mist in excess of 10 percent of its lower flammable limit.

(B) An airborne combustible dust at a concentration that meets or exceeds its lower explosive limit.

NOTE: This concentration may be approximated as a condition in which the dust obscures vision at a distance of 5 feet (1.52 meters) or less.

(C) An atmospheric oxygen concentration below 19.5 percent (oxygen deficient) or above 23.5 percent (oxygen enriched).

(D) An airborne concentration of a substance that exceeds the dose or exposure limit specified by an Oregon OSHA requirement.

NOTE: An atmospheric concentration of any substance that is not capable of causing death, incapacitation, impairment of ability to escape unaided, injury, or acute illness due to its health effects is not covered by this provision. You must still follow all other applicable Oregon OSHA requirements to protect employee health.

(E) An atmosphere that presents an immediate danger to life or health (IDLH).

(z) Host employer — An employer who owns or manages the property on which confined space work is taking place.

(aa) Immediately dangerous to life or health (IDLH) — Means any condition that poses an immediate or delayed threat to life or that would cause irreversible adverse health effects or that would interfere with an individual's ability to escape unaided from a permit space.

NOTE: Some materials — hydrogen fluoride gas and cadmium vapor, for example — may produce immediate transient effects that, even if severe, may pass without medical attention, but are followed by sudden, possibly fatal collapse 12–72 hours after exposure. The victim "feels normal" from recovery from transient effects until collapse. Such materials in hazardous quantities are considered to be "immediately" dangerous to life or health.

(bb) Inerting — The displacement of the atmosphere in a permit space by a noncombustible gas (such as nitrogen) to such an extent that the resulting atmosphere is noncombustible.

NOTE: This procedure produces an IDLH oxygen-deficient atmosphere.

(cc) Isolate or isolation — The elimination or removal of a physical or atmospheric hazard by preventing its release into a confined space. Isolation includes, but is not limited to, the following methods:

(A) Blanking and blinding;

(B) Misaligning or removing sections of lines, pipes, or ducts;

(C) A double-block-and-bleed system;

(D) Machine guarding;

(E) Blocking or disconnecting all mechanical linkages;

(F) Locking out or tagging out energy sources.

NOTE: When using lockout/tagout, you must follow all of the requirements of 1910.147, "The Control of Hazardous Energy".

(dd) Mobile worker — An employee who performs work in multiple locations such as customer sites, company offices, private homes, vendor offices, or construction sites.

(ee) Monitor or monitoring — The process used to identify and evaluate the atmosphere in a permit space after an authorized entrant enters the space. This is a process of checking for changes in the atmospheric conditions within a permit space and is performed in a periodic or continuous manner after the completion of the initial testing of that space. (See also "testing.")

(ff) Non-entry rescue — Retrieval of entrants from a permit space without entering the permit space.

(gg) Permit-required confined space (permit space) — A confined space that has one or more of the following characteristics:

(A) Contains, or has a potential to contain, a hazardous atmosphere.

(B) Contains a material that has the potential to engulf an entrant.

(C) Has an internal configuration such that an entrant could become trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section.

(D) Contains any other recognized serious safety or health hazard that can inhibit an entrant's ability to escape unaided.

(hh) Physical hazard — An existing or potential hazard that can cause death or serious physical harm in or near a confined space, or a hazard that has a reasonable probability of occurring in or near a confined space, and includes, but is not limited to:

(A) Explosives; mechanical, electrical, hydraulic, and pneumatic energy; radiation; temperature extremes; engulfment; noise; and inwardly converging surfaces; and

(B) Chemicals that can cause death or serious physical harm through skin or eye contact (rather than through inhalation).

(ii) Potential hazards — All reasonably anticipated conditions within the space and outside the space that can adversely affect conditions within the space.

(jj) Rescue — Retrieving employees who are unable to remove themselves from a permit space. Rescue can be entry or non-entry, and can be conducted by the employer's employees or a third-party.

(kk) Rescue service — The onsite or offsite personnel who the employer designates to engage in non-entry and/or entry rescue of employees from a permit space.

(ll) Retrieval system — The equipment, including mechanical retrieval devices, used for non-entry rescue of authorized entrants from a permit space.

(mm) Serious physical harm — An impairment in which a body part is made functionally useless or is substantially reduced in efficiency. Such impairment may include loss of consciousness or disorientation, and may be permanent or temporary, or chronic or acute. Injuries involving such impairment would usually require treatment by a physician or other licensed health-care professional while an illness resulting in serious phys-

ADMINISTRATIVE RULES

ical harm could shorten life or substantially reduce physical or mental efficiency by impairing a normal bodily function or body part.

(nn) Simulated Permit-Required Confined Space — Is a confined space or a mock-up of a confined space that has similar entrance openings, and is similar in size, configuration, and accessibility to the permit space the authorized entrants enter. A simulated space does not need to contain any physical or atmospheric hazards.

(oo) Testing — The process of identifying and evaluating the atmospheric hazards that entrants may be exposed to in a permit-required confined space. Testing includes specifying the initial tests that are to be performed in the permit space. (See also “monitor or monitoring”)

NOTE: Testing enables employers both to devise and implement adequate control measures for the protection of authorized entrants and to determine if acceptable entry conditions are present immediately prior to and during entry.

(pp) Ventilate or ventilation — Controlling an actual or potentially hazardous atmosphere using either powered equipment, such as fans and blowers, or reliable natural air flow, or a combination of the two, to reduce an otherwise hazardous atmosphere below the level that makes it a hazardous atmosphere. Ventilation is a method of hazard control, not hazard elimination.

(qq) You — The employer. You can use this table to determine which requirements to follow. Table.

(4) Evaluation.

(a) You must determine if any of your confined spaces are permit-required confined spaces. This evaluation must include:

(A) Any known or anticipated hazard.

NOTE: If the only hazard associated with a confined space is a fall hazard, it is not covered by the Confined Space rule. If the space contains other hazards that make it a permit space, the fall hazard must be addressed on the permit.

(B) The determination from any previous evaluation of that space.

(C) Any precautions and procedures previously implemented for entering the space.

(b) Exceptions:

(A) Employers of mobile workers (for example, contractors, electricians, plumbers) where they are not the property owner or controlling contractor are not required to perform this evaluation for the entire site. Mobile worker employers must evaluate the areas they are responsible for or where their employees will be working and must follow the requirements of (4)(e).

(B) Controlling contractors on sites with existing confined spaces are responsible for performing this determination only for the area under their control.

(C) On sites where confined spaces are being built, the host employer or controlling contractor is responsible for ensuring this determination is accomplished only when:

(i) Any of their employees enter that space.

(ii) An agent of the employer enters that space.

(iii) Employees of an employer accountable to that controlling contractor or host employer enter that space.

(iv) They assume control over that space.

(D) Before employees of another employer enter a confined space at your workplace that is under your control, and you have information related to paragraph (4)(a), you must provide it to that employer.

(c) When a space has hazards that make it a permit space:

(A) Develop and implement a means so employees can identify that space. Signs, labels, or tags are methods that can be used to accomplish this.

(B) Allow employees or their representatives to observe the evaluation or re-evaluation of the space.

(C) When conditions within a confined space or a permit space change, re-evaluate it.

(D) Take all necessary measures to prevent unauthorized employees from entering permit spaces.

(d) Prevent employees from entering any unevaluated confined space until it is fully evaluated.

(e) When your employees are mobile, you must determine if they will be exposed to permit-required confined spaces at their assigned work locations. This determination must include information, if any, from the host employer or controlling contractor.

(A) Identify any physical and atmospheric hazards that make the space a permit-required confined space.

(B) Allow employees or their representatives to observe the evaluation or re-evaluation of the space.

(C) When conditions within a confined space or a permit space change, re-evaluate it.

(D) Take all necessary measures to prevent unauthorized employees from entering permit spaces.

(E) Prevent employees from entering any unevaluated confined space until it is fully evaluated.

(5) Permit-Required Confined Space Entry Program and Permits.

(a) When employees must enter a permit space, develop and implement a written program that describes the means, practices, and procedures to safely identify and enter permit spaces.

(b) Include the following in the program:

(A) Documentation of entry permit procedures.

(B) Measures taken to prohibit unauthorized persons from entering permit spaces.

(C) Designation of employee roles, such as entrants, attendants, entry supervisors, rescuers, or those who test or monitor the atmosphere in a permit space.

(D) Identification of designated employee duties.

(E) Training on the written program and entry permits.

(F) Training employees on their designated roles.

(G) Instructions to identify and evaluate hazards.

(H) Methods to eliminate and/or control hazards.

(I) Instructions on equipment use and maintenance.

(J) Instructions to coordinate entry with another employer.

(K) Procedures necessary for concluding the entry and canceling the permit after entry operations have been completed.

(c) On fixed sites, include the following additional elements:

(A) The location of all permit spaces.

(B) The reason for the classification of each permit space or each type of permit space.

NOTE: Where there are multiple permit spaces of the same type that have the same hazards, such as sewers, water vaults, or valve pits, the exact location of each space does not need to be identified so long as there is enough information so that employees can readily identify each type of space and its hazards at each location.

(C) Exception: The locations of permit spaces at remote unmanned locations do not need to be added to the program until the first time employees go to that location after the effective date of this rule.

(d) Provide employees and their representatives access to the written program.

(e) Provide entrants or their authorized representatives access to the completed permit before entry so they can confirm that pre-entry preparations have been completed.

(f) Review the permit program when there is any reason to believe that employees are not adequately protected, and revise it as necessary.

(A) Situations that require this review include:

(i) Unauthorized entry of a permit space.

(ii) Discovery of a previously unrecognized hazard.

(iii) Existence of a condition prohibited by the permit or permit program.

(iv) An injury or near-miss during entry.

(v) An employee reports of concerns about the effectiveness of the program.

(vi) Any other condition that affects employee safety or health.

(B) When revising the permit program to correct hazard-related deficiencies, do not allow entries into affected permit spaces to be made until the revisions are complete.

(C) Provide employees and their representatives access to the revised permit program.

(g) Review permits within one year of their cancellation to evaluate:

(A) The permit program.

(B) The protection provided to employees entering permit spaces.

(6) Permit Entry.

(a) Develop and implement procedures for issuing permits. Procedures must include how to:

(A) Evaluate the hazards of the space.

(B) Evaluate hazards of the work to be performed.

(C) Identify safe entry conditions.

(b) Entry permits must include the following information:

(A) The space to be entered.

(B) The purpose of the entry.

(C) The date, start, and stop times of the permit.

(D) The hazards of the space.

(E) Acceptable entry conditions.

(F) Results of initial tests and periodic monitoring performed to evaluate and identify the hazards and conditions of the space, or the period for continuous monitoring, accompanied by the names or initials of the testers and by an indication of when the tests were performed.

ADMINISTRATIVE RULES

(G) Appropriate measures used before entry to isolate the space and eliminate or control hazards.

Examples of appropriate measures include the de-energizing and lockout or tagging of equipment, and procedures for purging, inerting, ventilating, and flushing permit spaces.

(H) Names of entrants and current attendants.

(I) The signature of the original supervisor authorizing entry.

(J) The current entry supervisor.

(K) Communication procedures for entrants and attendants to maintain contact during the entry.

(L) Equipment provided for safe entry, such as:

(i) Personal protective equipment (PPE).

(ii) Testing and monitoring equipment.

(iii) Communications equipment.

(iv) Alarm systems.

(v) Rescue equipment.

(M) Rescue services available, and how to contact them.

(N) Other information needed for safety in the particular permit space.

(O) Additional permits issued for work in the space, such as for hot work.

(P) Any problems, if any, encountered during the entry.

(c) Perform initial testing for atmospheric hazards, where necessary, before entry is made.

(d) Provide each entrant or their authorized representative with the results of any initial testing before they enter the space.

(e) Maintain safe entry conditions for the duration of the entry.

(A) When the space is too large to isolate, or is part of a continuous system, such as a sewer, ensure continuous monitoring where entrants are working for the duration of the entry.

(B) When an entrant or their authorized representative has reason to believe that the testing or monitoring was inadequate, re-test the space.

(f) Follow all actions and precautions identified on the permit.

(g) When conditions require the space to be evacuated, do not allow re-entry unless you:

(A) Re-assess the conditions of the space to ensure it is safe for re-entry and ensure the permit reflects the evacuation and subsequent re-assessment; or

(B) Issue a new permit.

(h) Allow entrants or their authorized representatives the opportunity to observe monitoring, testing, and all other actions taken to eliminate or control the hazards of the space.

(7) Equipment.

(a) When employees enter permit spaces, provide the following equipment as necessary:

(A) Testing and monitoring equipment.

(B) Ventilating equipment, when needed, used to obtain and maintain acceptable entry conditions.

(C) Communication equipment, such as a two-way radio, for effective communication between the attendant and all entrants and to initiate rescue when necessary.

(D) Lighting equipment needed to ensure employees can see well enough to work safely and exit the space quickly in the event of an emergency.

(E) Barriers or shields to protect entrants from external hazards, such as pedestrians and vehicles.

(F) Ladders or other equipment to safely enter and exit the space.

(G) Rescue and emergency equipment necessary to safely and effectively rescue entrants.

(H) Any other equipment necessary to safely enter and exit the space.

(I) Personal protective equipment as mandated by any applicable Oregon OSHA standard or as otherwise required by the employer's assessment of the hazards.

(b) Provide all necessary equipment at no cost to employees.

(c) Ensure all equipment is maintained and used in accordance with the instructions from the manufacturer.

(d) Train all employees who use equipment in the use of that equipment.

(8) Personnel.

(a) Before employees enter permit spaces, designate entrants, attendants, and entry supervisors.

NOTE: The entry supervisor can also be either the attendant or entrant.

(b) Entrants must:

(A) Know the hazards that may be faced during entry, including information on the type of hazard, as well as signs, symptoms, and consequences of exposure to those hazards.

(B) Communicate with the attendant as necessary so the attendant can monitor the entrant's status and to enable the attendant to alert entrants of the need to evacuate the space.

(C) Alert the attendant whenever the entrant detects a dangerous or hazardous condition or warning sign or symptom of exposure to a dangerous situation.

(D) Exit from the permit space as quickly as possible whenever:

(i) An order to evacuate is given by the attendant or the entry supervisor, or

(ii) The entrant recognizes any warning sign or symptom of exposure to a dangerous situation, or

(iii) The entrant detects a dangerous or hazardous condition, or

(iv) An evacuation alarm is activated.

(c) Attendants must:

(A) Know the hazards that may be faced during entry, including information on the type of hazard, as well as signs, symptoms, and consequences of exposure to those hazards.

(B) Be aware of possible behavioral effects of hazard exposure in authorized entrants.

(C) Continuously maintain an accurate count of authorized entrants in the permit space and ensure that the means used to identify authorized entrants accurately identifies who is in the permit space.

(D) Remain outside the permit space during entry operations until relieved by another attendant.

(E) Communicate with authorized entrants as necessary to monitor entrant status and to alert entrants of the need to evacuate the space.

(F) Monitor activities inside and outside the space to determine if it is safe for entrants to remain in the space and order the authorized entrants to evacuate the permit space immediately under any of the following conditions:

(i) If the attendant detects a dangerous or hazardous condition;

(ii) If the attendant detects the behavioral effects of hazard exposure in an authorized entrant;

(iii) If the attendant detects a situation outside the space that could endanger the authorized entrants; or

(iv) If the attendant cannot effectively and safely perform all the duties required of the attendant.

(G) Summon rescue and other emergency services as soon as the attendant determines that authorized entrants may need assistance to escape from permit space hazards.

(H) Take the following actions when unauthorized persons approach or enter a permit space while entry is underway:

(i) Warn the unauthorized persons that they must stay away from the permit space;

(ii) Advise the unauthorized persons that they must exit immediately if they have entered the permit space; and

(iii) Inform the authorized entrants and the entry supervisor if unauthorized persons have entered the permit space.

NOTE: The employer can give the attendant the authority to remove unauthorized individuals who enter or who attempt to enter the permit space during entry operations, so long as the attendant does not enter the space.

(I) Perform non-entry rescues as specified by the employer's rescue procedure; and

(J) Perform no duties that might interfere with the attendant's primary duty to monitor and protect any authorized entrant.

NOTE: An attendant may monitor more than one space at a time, but the duties in relation to one space may not interfere with the duties for any other spaces. If an attendants' attention is focused on one space, such as to initiate the rescue procedures, all other spaces that the attendant is monitoring must be evacuated or another attendant must take over those duties first.

(d) Entry supervisors must:

(A) Know the hazards that may be faced during entry, including information on the type of hazard, as well as signs, symptoms, and consequences of exposure to those hazards.

(B) Understand the means and methods to control and/or eliminate the hazards of the permit space.

(C) Verify, by checking that the appropriate entries have been made on the permit, that all tests specified by the permit have been conducted and that all procedures and equipment specified by the permit are in place before endorsing the permit and allowing entry to begin.

(D) Inform entrants and attendants of the hazards and conditions associated with the space and the methods used to eliminate and/or control those hazards.

(E) Terminate the entry and cancel the permit as required by the permit entry program.

ADMINISTRATIVE RULES

(F) Verify that rescue services are available and that the means for summoning them are operable.

(G) Remove unauthorized individuals who enter or who attempt to enter the permit space during entry operations.

(H) Reevaluate the conditions within the space whenever responsibility for a permit space entry operation is transferred and at intervals dictated by the hazards and operations performed within the space.

(9) Rescue.

(a) Before employees enter a permit space, develop and implement procedures to remove entrants in the event of an emergency or when they are unable to evacuate without outside assistance. These procedures must include:

(A) The process for summoning rescue services.

NOTE: At a minimum, if an off-site rescue service is being considered, the employer must contact the service to plan and coordinate the evaluations required by the standard. Merely posting the service's number or planning to rely on the 911 emergency phone number to obtain these services at the time of a permit space emergency would not comply with the rescue requirements of the standard.

(B) The process for summoning emergency medical services or transporting injured entrants to a medical facility.

(C) If an injured entrant is exposed to a substance for which a Safety Data Sheet (SDS) or other similar written information is required to be kept at the worksite, that SDS or written information must be made available to the medical facility treating the exposed entrant.

(b) Ensure rescue personnel can respond to a rescue call in a timely manner. Timeliness is based on the identified hazards of the space. Rescuers must be able to reach potential victims within an appropriate time frame based on the identified hazards of the permit space.

NOTE: When there are multiple entrants in a permit space, the rescue plan needs to address how all entrants will be removed in a timely manner.

(c) Ensure all rescuers, including non-entry, entry, and third-party, are knowledgeable in basic first aid and cardiopulmonary resuscitation (CPR). At least one member must be certified in first aid and CPR.

NOTE: Additional medical training, such as oxygen administration, the use of automated external defibrillators (AEDs), and personnel decontamination should be considered.

(d) Rescuers must practice performing permit space rescues prior to entry and no more than 12 months before an entry.

(A) The practice rescue must include every type of space in which the rescue team may perform rescues.

(B) The practice rescue must include removing persons, dummies, or manikins from the actual permit spaces, or representative spaces (simulated permit-required confined spaces) that have similar opening size, configuration, and accessibility issues as the actual permit spaces where rescue may be performed.

NOTE: Reliance upon "self rescue" does not constitute an acceptable rescue program.

(e) Where feasible, use non-entry retrieval systems or methods whenever an authorized entrant enters a permit space, unless it would increase the overall risk to the entrant or would not contribute to the rescue of the entrant.

(A) Non-entry Rescue. Use a retrieval system that meets the following requirements.

(i) Each authorized entrant must use a chest or full body harness, with a retrieval line attached at the center of the entrant's back near shoulder level, above the entrant's head, or at another point which you can establish presents a profile small enough for the successful removal of the entrant. Wristlets or ankle straps or other equally effective means may be used in lieu of the chest or full body harness if you can demonstrate that the use of a chest or full body harness is infeasible or creates a greater hazard and that the use of other methods are the safest and most effective alternative.

(ii) Attach the other end of the retrieval line to a mechanical device or fixed point outside the permit space so that rescue can begin as soon as the attendant becomes aware that rescue is necessary. Ensure a mechanical device is available to retrieve personnel from vertical type permit spaces more than 5 feet (1.52 m) deep.

(B) Entry Rescue.

(i) Where non-entry rescue is not feasible or would increase the overall risk to the entrant, designate a rescue team before employees enter any permit space.

(ii) Ensure the rescue team:

(I) Can efficiently rescue employees from permit spaces.

(II) Has the appropriate equipment to rescue employees from all permit spaces employees enter.

(iii) Inform each rescue team or service about the hazards they may confront when called to perform rescue.

(iv) Provide the rescue team or service with access to all permit spaces from which rescue may be necessary.

(v) Provide rescue team members with personal protective equipment (PPE) needed for safe entry and any other equipment required to safely conduct rescues.

(vi) Rescue team personnel must have the same training and proficiencies as a permit space entrant, attendant, and/or entry supervisor.

(vii) When a third-party rescue service is used, ensure that the service is:

(I) Aware that they are so designated and agree to it prior to entry.

(II) Capable of performing all required rescue operations.

(III) Knowledgeable in first aid and CPR, and at least one member is certified in first aid and CPR.

(10) Alternate Entry.

(a) Permit spaces may be entered without a permit when:

(A) All hazards have been eliminated; or

(B) All physical hazards, if any, have been eliminated and all atmospheric hazards are controlled with continuous ventilation.

NOTE: For purposes of this rule, tagout alone does not eliminate a hazard.

NOTE: Continuous ventilation does not eliminate atmospheric hazards. It only controls the hazards.

(b) Exception: Alternate entry cannot be used to enter a continuous system unless you can isolate the area to be entered from the rest of the space, can demonstrate that the conditions that caused the hazard or potential hazard no longer exist within the system during the entry, or can demonstrate that engulfment cannot occur and continuous ventilation in the area to be entered is sufficient to control atmospheric hazards. (c) When employees enter permit spaces under alternate entry, you do not need to comply with the requirements of paragraphs (5), (6), (8), (9), (12), and (13) of this rule for those entries.

(d) Develop and implement procedures for each space that can be entered with alternate entry procedures. These procedures must address:

(A) Who can authorize alternate entry procedure and is responsible for ensuring safe entry conditions.

(B) The hazards of the space.

NOTE: When fall hazards (if any) have been addressed and all other physical hazards, if any, have been eliminated and all atmospheric hazards have been eliminated, or are controlled with continuous ventilation, alternate entry is allowed.

(C) The methods used to eliminate hazards.

(D) The methods used to ensure that the hazards have been eliminated.

(E) The methods used to test the atmosphere within the space, where applicable, for all atmospheric hazards.

(F) The methods used to determine if unsafe conditions arise before or during entry.

(G) The criteria and conditions for evacuating the space during entry.

(H) The methods for training employees in these procedures.

(I) The methods for ensuring employees follow these procedures.

(e) When using ventilation to control atmospheric hazards:

(A) Use only properly calibrated direct-reading meters to test the atmosphere.

(B) Test the atmosphere for all identified atmospheric hazards before entering the space.

(C) Do not allow employees to enter until testing verifies that all identified atmospheric hazards are adequately controlled by the ventilation.

(D) Perform continuous monitoring for all atmospheric hazards during the entry.

(E) Immediately evacuate the space:

(i) When monitoring indicates the return of atmospheric hazards.

(ii) Upon any failure with the direct-reading instrument.

(iii) Upon any failure with the ventilation.

(iv) When a new hazard is introduced or conditions within the space change.

(f) Provide all employees who will conduct the entry or their representatives the opportunity to observe all activities used to comply with this section.

(g) Provide all employees who conduct entry an effective means of communication, such as a two-way radio, cell phone, or voice if other employees are present, to summon help while within the space.

(h) When a space is evacuated, it cannot be re-entered as an alternate entry unless:

(A) The conditions that necessitated the evacuation are corrected; and

(B) The re-entry is treated and documented as a new entry.

(i) Document each entry. This documentation must include:

(A) The location of the space.

ADMINISTRATIVE RULES

- (B) The hazards of the space.
- (C) The measures taken to eliminate the hazards.
- (D) When applicable, the measures used to control the atmospheric hazards.

(E) When applicable, the identity of the direct-reading instruments used to test the atmosphere.

(F) When applicable, the results of the atmospheric testing.

(G) The date of the entry.

(H) The duration of the entry.

(I) When applicable, any and all conditions that required the evacuation of the space.

(J) The name, title, and signature of the person responsible for ensuring the safe entry conditions.

(j) Maintain this documentation for the duration of the entry at the location of the entry.

NOTE: Additional record retention requirements may apply under 1910.1020. "Access to Employee Medical and Exposure Records."

(11) Training.

(a) Train each employee involved in permit space activities so they acquire the understanding, knowledge, and skills necessary to safely perform their duties, according to their assigned responsibilities.

(A) Provide training:

(i) For all new employees.

(ii) Before an employee is assigned permit space duties.

(iii) Before there is a change in an employee's assigned duties.

(iv) When there is a hazard for which the employee hasn't already been trained, or when there is a change in the hazards of an existing confined space.

(v) When there are changes to the permit program.

(vi) When the permit audit shows deficiencies.

(vii) Whenever there is a deviation from the established procedures or employee knowledge of the procedures is inadequate.

(B) Document employee training. Ensure the documentation:

(i) Contains the employee's name, the name and signature of the trainer, and the date of training.

(ii) Contains the responsibilities for which they were trained.

(iii) Is available for inspection by employees and their authorized representative.

(b) Ensure each employee is proficient in their assigned duties.

(c) Awareness training:

(A) Provide all employees whose work operations are or may be in an area where permit spaces are present with a basic overview of:

(i) The permit space program.

(ii) The entry permit system.

(iii) The alternate entry procedures, if used.

NOTE: Awareness training is not required for employees whose exposure is negligible, such as office workers who walk in a parking lot that has a sewer manhole or workers entering a building with a baghouse near it, as long as those employees have no other exposures to permit spaces. Similarly, when all permit spaces cannot be accessed or opened by employees, awareness training is not required. An example of this are spaces that are locked or require a specialized tool, access to the key or tool is controlled, and access without the key or tool would require extraordinary means (such as a chop saw or cutting torch).

(B) Provide this training:

(i) For all new affected employees.

(ii) For all employees whose duties change to include work in areas with permit spaces.

(iii) When inadequacies in an employee's knowledge indicate that the employee has not retained the requisite understanding.

(iv) When there is a change in the permit program.

(v) When there are new or previously unidentified permit spaces.

(C) Ensure all employees understand how to recognize permit spaces in their work area.

(12) Multi-employer worksites.

(a) Unless you fall within an exemption under paragraph (4)(b), before employees of another employer enter permit spaces under your control, you must:

(A) Inform the employer and their employees:

(i) That the workplace contains permit spaces and can be entered only when the applicable requirements of this rule are met.

(ii) Of the identified hazards and your experience with each permit space they will enter.

(iii) Of any precautions or procedures you require to protect employees in or near spaces where the work will be performed.

(B) Coordinate entry operations with the employer, when employees of different employers will be working in or near the same permit spaces.

(C) Discuss entry operations with the employer after they are complete. This discussion must include:

(i) The program followed during permit space entry, and

(ii) Any hazards confronted or created.

(b) When your employees enter a permit space under the control of another entity, at the conclusion of entry operations, inform the controlling contractor and host employer about the precautions and procedures you followed and any hazards that were present or that developed during entry operations.

(13) Records. Keep cancelled permits for at least one year from the date the permit expires for review (see paragraph (5)(g)).

NOTE: Additional record retention requirements may apply under 1910.1020 "Access to Employee Medical and Exposure Records."

(14) Effective dates. For work covered under Division 3, Construction, these rules are effective as of March 1, 2015.

Stat. Auth.: ORS 654.025(2) & 656.726(4)

Stats. Implemented: ORS 654.001 - 654.295

Hist.: OSHA 6-2012, f. 9-28-12, cert. ef. 4-1-13; OSHA 5-2014, f. 10-20-14, cert. ef. 1-1-15

Rule Caption: Adopt Oxygen-fuel gas standards in general industry and construction.

Adm. Order No.: OSHA 6-2014

Filed with Sec. of State: 10-28-2014

Certified to be Effective: 5-1-15

Notice Publication Date: 4-1-2014

Rules Adopted: 437-002-2101, 437-002-2253

Rules Amended: 437-002-0100, 437-002-0280, 437-002-2102, 437-003-0001

Rules Repealed: 437-002-0290, 437-002-0291, 437-002-0292, 437-002-0293, 437-002-0294, 437-002-0295, 437-002-0296

Subject: Oregon OSHA has adopted OAR 437-002-2253, the Oxygen-Fuel Gas Welding and Cutting Standard for general industry employers and construction employers when welding, cutting, brazing, soldering, and flame coating is performed using a combination of oxygen and a fuel-gas. This rulemaking combines the existing Division 2 and Division 3 Oxygen-Fuel Gas Welding and Cutting rules, making one rule applicable to general industry and construction. Agriculture, Maritime and Forest Activities are not included. For the purpose of rule consistency, Oregon OSHA amended OAR 437-002-2102 Acetylene and repealed 1910.101 Compressed Gases (General Requirements). Oregon OSHA adopted a new rule, OAR 437-002-2101 Compressed Gases (General Requirements) to replace the repealed 1910.101 Compressed Gases (General Requirements).

Twelve related Division 2 rules and a single Division 3 rule were amended, adopted, or repealed in the creation of OAR 437-002-2253.

OAR 437-002-2253 involved in the processes of welding, cutting, brazing, soldering, and thermal coating when using a combination of oxygen and a fuel-gas. It provides definitions for key words and terms relevant to processes covered by the rule. It creates a user friendly format by taking separate rules that had multiple requirements and consolidating them into a single rule with easy to understand sections, sections that can be used as a template for training.

The rule establishes a requirement for the training of employees to be performed by a competent person prior to allowing them to work independently.

Additionally, the rule prohibits the use of passenger vehicle trunks for transportation of cylinders and establishes requirements to perform leak tests prior to each placement of a cylinder into an enclosed vehicle.

It establishes requirements to perform drop tests on cylinders and associated equipment and explains how to perform a drop test for those instances when it is required.

Cylinders in storage must not be exposed to temperatures of 125°F or greater.

Noncombustible barriers used to separate cylinders in storage were addressed. New barrier installations, horizontal and/or vertical measurements, must include an 18-inch protective buffer. Modifications

ADMINISTRATIVE RULES

to existing barriers can not degrade the overall barrier's fire resistance rating.

The rule permits employers to follow manufacturer's recommendations when installing reverse flow check valves (back flow) and flashback arrestors (flashback preventers).

Finally, it updates language in the rule to reflect contemporary American Society of Mechanical Engineers (ASME) requirements, Association for Rubber Product Manufacturers (ARPM) requirements, Compressed Gas Association (CGA) requirements, and National Fire Protection Association (NFPA) requirements.

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Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules.

Rules Coordinator: Sue C. Joye—(503) 947-7449

437-002-0100

Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, 29 CFR 1910, in the Federal Register:

(1) 29 CFR 1910.101 Compressed gases (General requirements). Repealed. Oregon OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15. In Oregon, OAR 437-002-2101 applies.

(2) 29 CFR 1910.102 Acetylene. Repealed. Oregon OSHA Admin. Order 1-2010, f. 2/19/10, ef. 2/19/10. In Oregon, OAR 437-002-2102 applies.

(3) 29 CFR 1910.103 Hydrogen, published 12/14/07, FR vol. 72, no. 240, p. 71061.

(4) 29 CFR 1910.104 Oxygen, published 3/7/96, FR vol. 61, no. 46, p. 9237.

(5) 29 CFR 1910.105 Nitrous oxide, published 3/7/96, FR vol. 61, no. 46, p. 9237.

(6) 29 CFR 1910.106 Flammable and combustible liquids, published 3/26/12, FR vol. 77, no. 58, p. 17574.

(7) 29 CFR 1910.107 Spray finishing using flammable and combustible materials, amended with AO 3-2003, removed 1910.107, and Oregon note added, f. and ef. 4/21/03.

(8) 29 CFR 1910.108 Reserved. Published 3/23/99, Federal Register, vol. 64, no. 55, p. 13909.

(9) 29 CFR 1910.109 Explosives and blasting agents, published 6/18/98, FR vol. 63, no. 117, p. 33466.

(10) 29 CFR 1910.110 Storage and handling of liquefied petroleum gases, published 12/14/07, FR vol. 72, no. 240, p. 71061.

(11) 29 CFR 1910.111 Storage and handling of anhydrous ammonia, published amended with AO 12-2001, Oregon note added, f. and ef. 10/26/01; 12/14/07, FR vol. 72, no. 240, p. 71061.

(12) Reserved for 29 CFR 1910.112 (Reserved)

(13) Reserved for 29 CFR 1910.113 (Reserved)

(14) 29 CFR 1910.114 Removed. Published 3/7/96, Federal Register, vol. 61, no. 46, p. 9238.

(15) 29 CFR 1910.115 Removed. Published 3/7/96, Federal Register, vol. 61, no. 46, p. 9238.

(16) 29 CFR 1910.116 Removed. Published 3/7/96, Federal Register, vol. 61, no. 46, p. 9238.

(17) 29 CFR 1910.119 Process safety management of highly hazardous chemicals, amended 2/8/13, FR vol. 78, no. 27, p. 9311.

(18) 29 CFR 1910.120 Hazardous waste operations and emergency response, amended 2/8/13, FR vol. 78, no. 27, p. 9311.

(19) 29 CFR 1910.121 Reserved. Published 3/23/99, Federal Register, vol. 64, no. 55, p. 13909.

(20) 29 CFR 1910.122 Table of contents. Repealed with OR-OSHA Admin. Order 9-2007, f. and ef. 12/3/07.

(21) 29 CFR 1910.123 Dipping and coating operations: Coverage and definitions. Repealed with OR-OSHA Admin. Order 9-2007, f. and ef. 12/3/07.

(22) 29 CFR 1910.124 General requirements for dipping and coating operations. Repealed with OR-OSHA Admin. Order 9-2007, f. and ef. 12/3/07.

(23) 29 CFR 1910.125 Additional requirements for dipping and coating operations that use flammable or combustible liquids. Repealed with OR-OSHA Admin. Order 9-2007, f. and ef. 12/3/07.

(24) 29 CFR 1910.126 Additional requirements for special dipping and coating applications. Repealed with OR-OSHA Admin. Order 9-2007, f. and ef. 12/3/07.

These standards are on file with the Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, and the United States Government Printing Office.

Stat. Auth.: ORS 654.025(2) & 656.726(4)
Stats. Implemented: ORS 654.001 - 654.295

Hist.: APD 19-1988, f. & ef. 11-17-88; APD 12-1989, f. & ef. 7-14-89; OSHA 22-1990, f. 9-28-90, cert. ef. 10-1-90; OSHA 3-1992, f. & cert. ef. 2-6-92; OSHA 3-1993, f. & cert. ef. 2-23-93; OSHA 6-1994, f. & cert. ef. 9-30-94; OSHA 3-1995, f. & cert. ef. 2-22-95; OSHA 4-1997, f. & cert. ef. 4-2-97; OSHA 3-1998, f. & cert. ef. 7-7-98; OSHA 2-1999, f. & cert. ef. 4-30-99; OSHA 8-1999, f. & cert. ef. 8-6-99; OSHA 12-2001, f. & cert. ef. 10-26-01; OSHA 4-2002, f. & cert. ef. 5-30-02; OSHA 3-2003, f. & cert. ef. 4-21-03; OSHA 4-2004, f. & cert. ef. 9-15-04; OSHA 4-2005, f. & cert. ef. 12-14-05; OSHA 4-2006, f. & cert. ef. 7-24-06; OSHA 9-2007, f. & cert. ef. 12-3-07; OSHA 7-2008, f. & cert. ef. 5-30-08; OSHA 1-2010, f. & cert. ef. 2-19-10; OSHA 5-2012, f. & cert. ef. 9-25-12; OSHA 6-2012, f. 9-28-12, cert. ef. 4-1-13; OSHA 4-2013, f. & cert. ef. 7-19-13; OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15

437-002-0280

Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, 29 CFR 1910, in the Federal Register:

(1) 29 CFR 1910.251 Definitions. Repealed. Oregon OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15. In Oregon, OAR 473-002-2253 applies.

(2) 29 CFR 1910.252 General Requirements, published 3/26/12, FR vol. 77, no. 58, p. 17574.

(3) 29 CFR 1910.253 Oxygen-Fuel Gas Welding and Cutting. Repealed. Oregon OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15. In Oregon, OAR 473-002-2253 applies.

(4) 29 CFR 1910.254 Arc Welding and Cutting, published 9/13/05, FR vol. 70, no. 176, p. 53925.

(5) 29 CFR 1910.255 Resistance Welding, published 4/11/90, Federal Register, vol. 55, no. 70, pp. 13710-13711.

These rules are on file with the Oregon Occupational Safety and Health Division, Department of Consumer and Business Services, and the United States Government Printing Office.

Stat. Auth.: ORS 654.025(2) & 656.726(4)
Stats. Implemented: ORS 654.001 - 654.295

Hist.: OSHA 232-1990, f. 9-28-90, cert. ef. 12-1-90; OSHA 4-1997, f. & cert. ef. 4-2-97; OSHA 3-1998, f. & cert. ef. 7-7-98; OSHA 4-2005, f. & cert. ef. 12-14-05; OSHA 7-2008, f. & cert. ef. 5-30-08; OSHA 2-2010, f. & cert. ef. 2-25-10; OSHA 1-2012, f. & cert. ef. 4-10-12; OSHA 5-2012, f. & cert. ef. 9-25-12; OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15

437-002-2101

Compressed Gases (General Requirements)

(1) Inspection of compressed gas cylinders. Each employer must conduct a visual inspection of compressed gas cylinders under their control to determine they are in a safe condition. Visual and other inspections must be conducted as prescribed in the Hazardous Materials Regulations of the Department of Transportation (49 CFR Parts 171-179 and 14 CFR Part 103). Where those regulations are not applicable, visual and other inspections must be conducted in accordance with Compressed Gas Association (CGA) Pamphlet C-6 2013, 11th Edition, Standard for Visual Inspection of Steel Compressed Gas Cylinders and CGA Pamphlet C-8 2005, Reaffirmed 2010, 7th Edition, Standard for Requalification of DOT-3HT, CTC-3HT, and TC-3HTM Seamless Steel Cylinders.

(2) Compressed gases. The handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks must be in accordance with Compressed Gas Association Pamphlet P-1 2008, 11th Edition, Safe Handling of Compressed Gases in Containers.

(3) Safety relief devices for compressed gas containers. Compressed gas cylinders, portable tanks, and cargo tanks must have pressure relief devices installed and maintained in accordance with Compressed Gas Association CGA S-1.1 2011 14th edition and, CGA S-1.2 2009 9th edition.

Stat. Auth.: ORS 654.025(2), 656.726(4).

Stats. Implemented: ORS 654.001 - 654.295

Hist.: OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15

437-002-2102

Acetylene

(1) Cylinders.

(a) Employers must ensure that the manufacturing, in-plant transfer, transportation, handling, storage, and use of acetylene in cylinders comply with this rule and the provisions of Compressed Gas Association (CGA) Pamphlet G-1-2009 ("Acetylene") (Compressed Gas Association, Inc., 12th ed., 2009).

(b) Definitions.

ADMINISTRATIVE RULES

(A) Confined space: A space that meets all of the following:
(i) Large enough and configured so that an employee can fully enter the space and perform work.

- (ii) Has limited or restricted means for entry and/or exit.
(iii) Is not designed for continuous human occupancy.

(B) Enclosed space — Spaces that are surrounded by something, and the only openings are access openings, for example, drawers, closets, unventilated cabinets, automobile trunks, unventilated cylinder compartments, or toolboxes.

(C) Handling — Moving, connecting, or disconnecting a compressed gas container under normal conditions.

(D) PSIG (Gauge Pressure) — Pressure above or below local atmospheric pressure displayed as pounds per square inch.

(E) Secure — Arrange to prevent movement (including lashing and chaining), or a minimum of three points of contact with other cylinders or walls.

(F) Use — Withdrawing and using the gas in a non-recoverable manner for applications other than manufacturing or repackaging of compressed gasses.

(c) Acetylene Cylinders General Requirements.

(A) You must:

(i) Store and use cylinders valve end up.

NOTE: Gas suppliers and distributors may store secured containers in a horizontal position.

(ii) Secure cylinder(s) to prevent falling or movement.

(iii) Use a cylinder cart or cylinder pallet to move acetylene cylinders.

NOTE: This rule does not apply to acetylene fill plants, handling, distribution, and maintenance processes where cylinders are tilted and rolled on their bottom edge only the minimal distance necessary to get them on and off carts or pallets.

(iv) Attach the cylinder to a pressure reducing regulator or blow back manifold before opening the cylinder valve.

(v) Remove pressure regulators before moving cylinders unless they are secured in an upright position on a cylinder cart.

(vi) Back out regulator adjusting screws before opening cylinder valves.

(vii) Protect cylinders from contact with welding spatters and cutting or burning slag.

(viii) Install reverse flow check valves and flashback arresters according to manufacturer recommendation.

(B) You must not:

(i) Drop cylinders.

(ii) Drag cylinders.

(iii) Apply a torch to the side of a cylinder.

(iv) Hoist cylinders using lifting magnets, slings, ropes, chains, or any other device where the cylinders form a part of the carrier.

(v) Handle cylinders so that the bottom fusible metal pressure relief device can strike an object.

(vi) Expose any part of your body to the line of discharge of a fusible metal pressure relief device.

(vii) Use acetylene at a pressure exceeding 15 psig.

(viii) Exceed an acetylene withdrawal rate of one-seventh of the cylinder capacity per hour for welding, cutting, and allied processes.

(d) Transporting Acetylene Cylinders (additional requirements).

(A) You must protect cylinders and attached regulators:

(i) From damage when being transported by any vehicle.

(ii) From abnormal mechanical shock that is likely to damage the cylinder, valve, or fusible metal pressure relief device.

(B) You must not transport cylinders in enclosed spaces.

(C) You must ensure that cylinders are leak checked prior to each placement into the vehicle. Cylinders left in vehicles overnight must be leak checked at the end of the day and again prior to transporting.

(e) Acetylene Cylinder Storage.

(A) You must store cylinders:

(i) In assigned locations.

(ii) In areas posted with signs prohibiting smoking and open flame.

(iii) In well-ventilated locations.

(iv) Away from heat sources.

(v) Where they are protected from corrosion.

NOTE: Cylinders with or without regulators, kept in or on vehicles due to their frequency of use will not be considered as stored when a leak test is performed at the end of the day. When cylinders are used during multiple shifts, they must be leak tested at the end of each shift.

(B) You must not store cylinders:

(i) Where they contact electrical welding equipment or electrical circuits.

NOTE: All high and low pressure cylinders in contact with or secured to a conductive table or column without being isolated from electrical current can become part of an electrical circuit.

(ii) Where they can be struck by heavy objects.

(iii) In enclosed spaces.

(iv) In confined spaces.

(v) Within 20 feet of oxygen unless they are separated by a noncombustible partition. Partitions must:

(I) vertically extend at least 18 inches above the tallest container and not less than 5 feet.

(II) laterally extend at least 18 inches beyond the sides of the containers.

(III) have a fire resistance rating of at least one-half hour.

NOTE 1: (paragraph 1)(e)(B)(v)): Single cylinders of acetylene and oxygen can be stored secured on a cart or used adjacent to each other without a partition.

NOTE 2: (paragraph 1)(e)(B)(v)): Single cylinders of acetylene and oxygen secured at a work station without attached pressure reducing regulators are considered to be in use.

(vi) With full and empty cylinders grouped together.

NOTE: (paragraph 1)(e)(B)(vi)): This does not apply to the cylinder distribution process.

(f) Connecting and Disconnecting Acetylene Cylinders for Use.

(A) You must:

(i) Return cylinders with contaminated valves (mud, oil, grease, and similar material) to the supplier.

(ii) Secure the cylinder(s) where it can not contact any electrical circuit or electrical welding equipment.

NOTE: All high and low pressure cylinders in contact with or secured to a conductive table column without being isolated from electrical current can become part of an electrical circuit.

(iii) Inspect hoses before each shift.

(iv) Remove damaged hoses from service.

(v) Check pressurized cylinder valves, fuse plugs and all connections for leaks prior to use.

(vi) Use industry approved leak detection solution or oil free soapy water.

(vii) Notify the gas supplier of any leaking cylinder and follow the supplier's instruction for returning the cylinder.

(viii) Back out the regulator adjusting screws before opening cylinder valves.

(ix) Close the system valves and release all gas from the regulators before removing the regulator from a cylinder.

(x) Keep the cylinder key used for opening the cylinder valve on the valve spindle when the cylinder is in use.

(B) You must not attempt to repair or alter cylinders or valves.

(2) Piped Systems.

(a) Employers must comply with Chapter 9 ("Acetylene Piping") of NFPA 51A-2006 ("Standard for Acetylene Charging Plants") (National Fire Protection Association, 2006 ed., 2006).

(b) When employers can demonstrate that the facilities, equipment, structures, or installations used to generate acetylene or to charge (fill) acetylene cylinders were installed prior to February 16, 2006, these employers may comply with the provisions of Chapter 7 ("Acetylene Piping") of NFPA 51A-2001 ("Standard for Acetylene Charging Plants") (National Fire Protection Association, 2001 ed., 2001).

(c) The provisions of 437-002-2102(2)(b) also apply when the facilities, equipment, structures, or installation used to generate acetylene or to charge (fill) acetylene cylinders were approved for construction or installation prior to February 16, 2006, but constructed and installed on or after that date.

(d) For additional information on acetylene piping systems, see CGA G-1.2-2006, Part 3 ("Acetylene piping") (Compressed Gas Association, Inc., 3rd ed., 2006).

(3) Generators and filling cylinders.

(a) Employer must ensure that facilities, equipment, structures, or installations used to generate acetylene or to charge (fill) acetylene cylinders comply with the provisions of NFPA 51A-2006 ("Standard for Acetylene Charging plants") (National Fire Protection Association, 2006 ed., 2006).

(b) When employers can demonstrate that the facilities, equipment, structures, or installations used to generate acetylene or to charge (fill) acetylene cylinders were constructed or installed prior to February 16, 2006, these employers may comply with the provisions of NFPA 51A-2001 ("Standard for Acetylene Charging Plants") (National Fire Protection Association, 2001 ed., 2001).

(c) The provisions of 437-002-2102(3)(b) also apply when the facilities, equipment, structures, or installation were approved for construction or installation prior to February 16, 2006, but constructed and installed on or after that date.

Stat. Auth.: ORS 654.025(2) & 656.726(4)

Stats. Implemented: ORS 654.001 - 654.295

Hist.: OSHA 1-2010, F. & cert. ef. 2-19-10; OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15

ADMINISTRATIVE RULES

437-002-2253

Oxygen-fuel Gas Welding and Cutting

(1) Scope and Application.

These rules apply to safe practices for users of oxy-fuel gas for welding, cutting, soldering, brazing, flame coating (thermal spraying), related materials and equipment, in general industry and construction. This rule does not apply to agriculture, forest activities, or maritime industries.

(2) Definitions.

(a) Apparatus — Includes regulators, hoses, connections (fittings), torches, manifolds and safety devices.

(b) Approved — Means listed or approved by a nationally recognized testing laboratory. Refer to 1910.7 for definitions and requirements for a nationally recognized testing laboratory.

(c) Attended — When a trained employee or qualified person is within sight of and can maintain control of the torch.

(d) Brazing — Is a metal joining process where filler metal is heated to join two or more close-fitting metal parts. It is similar to soldering but the temperatures used to melt the filler metal are at or above 800oF.

(e) Burners — A type of torch system usually designed for stationary use at the bench or lathe. The material being worked, such as glass, is moved into and around the flame. Flame size is determined by valves that adjust the flow and mix of fuel gas and oxygen.

(f) Check valve (reverse flow check valve) — A device designed to prevent the unintentional backflow of gases.

NOTE: Reverse flow check valves alone will not stop a flashback in the system.

(g) Compartment (inside) — Is within an enclosed vehicle and opens to the inside.

(h) Compartment (outside) — Is recessed or built into an enclosed vehicle but opens to the outside of the enclosed vehicle. This compartment seals the compressed gases from entering the vehicle compartment and is vented to the outside of the vehicle.

(i) Competent person — one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

(j) Confined space — A space that meets all of the following:

(A) Large enough and so configured that an employee can fully enter the space and perform work.

(B) Has limited or restricted means for entry or exit.

(C) Is not designed for continuous human occupancy.

(k) Containers (compressed, liquefied and dissolved gas) — Cylinders, portable tanks, non-refillable cylinders, or stationary tanks, consisting of various shapes and sizes that are designed and constructed to meet ASME, TC or DOT specification.

(l) Crack (Cracking) — Opening a cylinder valve slightly and immediately closing it prior to attaching a pressure reducing regulator. This is an approved process that applies only to oxygen cylinders.

(m) Cutting (oxy-fuel cutting) — A process where a cutting torch is used to heat metal to kindling temperature. A stream of oxygen is then trained on the metal, and metal burns in that oxygen and then flows out of the cut.

(n) Cylinder(s) — An approved DOT portable container used for transportation and storage of compressed gas. Generally a cylinder is a compressed gas container having a maximum water capacity of 454 kg (1000 lbs).

(o) Drop Test — A method using compressed gas cylinder (container) pressure to test connected regulators, hoses, torch and connections for leaks.

(p) Enclosed space — Spaces that are surrounded by something and the only openings are access openings, for example, drawers, closets, unventilated cabinets, automobile trunks, unventilated cylinder compartments or toolboxes.

(q) Enclosed vehicle — Includes but is not limited to the interior of automobiles, automobile trunks, vans, or in any enclosed truck or trailer.

(r) Flame coating (thermal spraying) — The use of oxygen and fuel gases to apply fine metallic or nonmetallic materials in a molten or semi-molten condition to form a coating. The coating material may be in the form of powder, ceramic-rod, wire, or molten materials.

(s) Flashback (flame) arrestor — A device that prevents the propagation of a flame upstream.

(t) Fuel Gas — A flammable product or mixture of products used in welding, cutting and heating processes. Commonly used fuel gases are available in compressed gases, liquefied and liquefied mixtures, acetylene dissolved, and gasoline.

(u) Handling — Moving, connecting, or disconnecting oxygen and fuel gas containers under normal conditions.

(v) Leak test — The application of a liquid solution, or the use of other methods, to verify that oxygen and fuel gas cylinders and apparatus do not leak. Solutions must be compatible with the gas being used.

(w) Manifold — An apparatus designed to connect two or more cylinders for use. In construction this may mean that two cylinders or more are connected by pigtailed to form a manifold.

(x) Moving cylinders — The movement of a cylinder(s) from one location to another at the worksite or place of business.

(y) Periodic Inspection — An inspection that is made at least once per quarter.

(z) Portable Cylinder banks — Multiple cylinders manifolded together on a portable frame.

(aa) PSIG (Gauge Pressure) — Pressure above or below local atmospheric pressure displayed as pounds per square inch.

(bb) Secure — Arrange to prevent movement (including lashing and chaining), or a minimum of three points of contact with other cylinders or walls.

(cc) Special truck — A vehicle or cart that is designed for the specific purpose of moving compressed, dissolved and liquefied gas cylinders in a stable manner.

(dd) Stored — Cylinders without attached regulators, cylinders not secured to a workstation, or cylinders that have not been used for 24 hours or more will be considered stored. This does not include cylinders secured on a cart.

NOTE 1: No more than one additional set of cylinders may be secured to a workstation.

NOTE 2: Cylinders, with or without regulators, kept in or on vehicles due to their frequency of use will not be considered as stored when a leak test is performed at the end of the day. When cylinders are used during multiple shifts, they must be leak tested at the end of each shift.

(ee) Soldering — Is a metal joining process where filler metal is heated to join two or more close-fitting metal parts. It is similar to brazing but the temperatures used to melt the filler metal are below 800oF.

(ff) Supervisory personnel (supervisor) — An agent of the employer such as a manager, superintendent, foreperson, or person in charge of all or part of the place of employment who directs the work activities of one or more employees.

(gg) Torches:

(A) (Pre-mix) — Oxygen and fuel gases are mixed in a chamber within the torch body.

(B) (Surface-mix) — Oxygen and fuel gases are mixed at the torch tip.

(hh) Transporting cylinders — Any cylinder movement by a vehicle to a worksite or place of business.

NOTE 1: A cylinder(s) loaded into a vehicle for movement to a worksite or place of business is not in storage.

NOTE 2: Requirements for the separation of oxidizers and fuel gases do not apply when cylinders are being transported to a work site or place of business.

(ii) Use — Withdrawing and using the gas in a non-recoverable manner for applications other than manufacturing or repackaging of compressed gasses.

(jj) Valve end up — The tops of all acetylene cylinders are elevated so that the cylinders are inclined at an angle of not less than 30 degrees from horizontal (to protect against loss of acetone).

(kk) Welder and welding operator — One who operates electric or gas welding and cutting equipment.

(ll) Welding (oxy-fuel welding) — A process using fuel gases and oxygen to weld metals. Welded metal occurs when two pieces are heated to a temperature that produces a shared pool of molten metal. The molten pool is generally supplied with additional metal called filler. Filler material depends upon the metals to be welded.

(3) Training and Evaluation.

(a) You must provide training by a competent person that covers:

(A) Procedures, practices and requirements for representative tasks employees are expected to perform.

(B) Instructions for safe use, operation and maintenance of tools, equipment and machinery.

(C) Manufacturer's operating and maintenance instructions, warnings and precautions.

(D) Work performance expectations in a language or manner that employees are able to understand.

(E) Hazards associated with expected tasks.

(F) Ways to prevent or control identified hazards.

NOTE: A new employee does not need to be retrained in all of (3)(a)(A)-(F) if you are able to determine through discussion and observations that they received adequate training prior to employment with you. Retraining is required if the employee fails to demonstrate the knowledge and experience to safely perform the expected tasks.

ADMINISTRATIVE RULES

(b) You must evaluate employee's ability to adequately perform the expected tasks prior to allowing them to work independently.

(4) General Requirements.

(a) You must:

(A) Guard against mixtures of fuel gases and air or oxygen that may be explosive.

(i) Use approved apparatus such as torches, regulators, or pressure reducing valves, hoses and connections, protective equipment, acetylene generators, and manifolds.

(ii) Install and use reverse flow check valves and flashback arrestors according to torch manufacturers' recommendations unless they are not required by the manufacturer.

(B) Use cylinders that meet the Department of Transportation requirements published in 49 CFR Part 178.

(C) Use portable cylinders for the storage and shipment of compressed gases that are constructed and maintained in accordance with the U.S. Department of Transportation regulations, 49 CFR Parts 171-179.

(D) Use compressed gas cylinders equipped with connections complying with Compressed Gas Association (CGA) Pamphlet V-1 1994, 7th Edition, Standard for Compressed Gas Cylinder Valve Outlet and Inlet Connections.

(E) Use compressed gas cylinders whose contents are legibly marked with:

(i) The chemical or trade name of the gas in conformance with Compressed Gas Association (CGA) Pamphlet C-7 2011, 9th Edition, Guide to Preparation of Precautionary Labeling and Marking of Compressed Gas Containers, and

(ii) Stenciling, stamping, or labeling that is not readily removable.

(F) Protect against oil and grease hazards.

(i) Keep cylinders, cylinder valves, couplings, regulators, hose, and apparatus free from oily or greasy substances.

(ii) Keep oxygen cylinders away from contacting oil and grease.

(G) Follow the requirements of OAR 437-002-2253(13) Service Piping, OAR 437-002-2253 (14) Acetylene Generators, OAR 437-002-2253 (15) Calcium Carbide Storage when generating acetylene for immediate use at the work location.

(H) Make readily available the rules and instructions covering the operation and maintenance of oxygen or fuel-gas supply equipment including generators, and oxygen or fuel-gas distribution piping systems.

(b) You must not:

(A) Remove any product or shipping hazard labels.

(B) Deface any product or shipping hazard labels.

(C) Use liquid acetylene.

(D) Generate acetylene at a pressure in excess of 15 psig (30 psia).

(E) Pipe or use acetylene at a pressure in excess of 15 psig unless it is in an approved manifold.

NOTE 1: This requirement does not apply to storage of acetylene dissolved in a suitable solvent in cylinders manufactured and maintained according to U.S. Department of Transportation requirements, or to acetylene for chemical use.

NOTE 2: Due to the instability of acetylene, the 15 psig (30 psia) limit is intended to prevent unsafe use of acetylene in pressurized chambers such as caissons, underground excavations, or tunnel construction.

(F) Use any device or attachment facilitating or permitting mixtures of air or oxygen with flammable gases prior to consumption, except at the burner or in a standard torch, unless approved for the purpose.

(G) Attempt to mix gases in a cylinder unless you are a gas supplier.

(H) Refill a cylinder unless you are:

(i) The owner of the cylinder, or

(ii) Authorized by the owner of the cylinder.

(I) Use a cylinder's contents for purposes other than those intended by the supplier.

(J) Use a damaged cylinder.

(K) Repair or alter cylinders or valves.

(L) Tamper with the numbers and markings stamped into cylinders.

(M) Handle oxygen cylinders, cylinder caps and valves, couplings, regulators, hoses, and apparatus with oily hands or gloves.

(N) Permit a jet of oxygen to:

(i) Strike an oily surface.

(ii) Strike greasy clothes.

(iii) Enter a fuel oil or other storage tank.

(O) Blow off clothing with oxygen.

(P) Use oxygen in pneumatic tools, in oil preheating burners, to start internal-combustion engines, to blow out pipelines, to create pressure, or for ventilation.

(5) Transportation of Compressed, Liquefied and Dissolved Gas Cylinders.

(a) When transporting cylinders in vehicles you must:

(A) Secure cylinders from moving.

(B) Keep valve protection caps in place on cylinders when regulators are not attached.

NOTE: This applies to cylinders designed to accept valve caps.

(C) Protect cylinder valves and regulators when regulators are attached.

(D) Keep acetylene gas cylinders with valve(s) end up.

(E) Keep liquid cylinder valve(s) vertical.

(F) Keep oil residue from contacting oxygen cylinders.

(b) When transporting cylinders in enclosed vehicle(s) you must:

NOTE: This rule does not apply to cylinders transported in an unoccupied enclosed truck or trailer compartment with a shippers' certificate meeting the code for Hazardous Materials Regulations CFR 49 part 172.204.

(A) Ensure that cylinders are leak checked prior to each placement into the vehicle. Cylinders left in vehicles overnight must be leak checked at the end of the day and again prior to transporting.

(B) Cap cylinders.

(C) Secure cylinders from movement.

(D) Isolate fuel gas cylinders from sources of ignition.

(E) Maintain vehicle temperatures below 125 degrees.

NOTE: Temperatures in vehicles can exceed 125 F during sunny or warm weather. This may affect your decision to leave cylinders in vehicles for periods of time when temperatures may climb.

(F) Remove cylinders from the "inside vehicle compartment" to the outside of the vehicle prior to use.

(G) Open "outside vehicle compartment" doors when withdrawing product from cylinders.

(H) Ensure that all outside cylinder compartment(s) are sealed to prevent leakage to the inside of the vehicle. Outside compartment doors must open to the outside of the vehicle.

(I) Ensure the interior of any cylinder compartment containing oxidizers does not contain petroleum products or materials that have contacted petroleum products.

(c) When transporting cylinders in vehicles you must not put them in the trunks of passenger vehicles.

(6) Storage of Oxygen and Fuel Gas Cylinders.

(a) You must store oxygen and fuel gas cylinders in locations:

(A) Specifically assigned.

(B) Well ventilated.

(C) That avoids prolonged exposure to damp environments.

(D) Away from heat sources.

(E) Posted with signs prohibiting smoking and open flame within 20 feet.

(F) Where the temperature does not exceed 125°F (52°C).

(G) Where sparks, hot slag, or flame will not reach them.

(H) Where they will not contact electrical welding equipment or electrical circuits.

NOTE: All high and low pressure cylinders in contact with or secured to a conductive table or column without being isolated from electrical current can become part of an electrical circuit.

(I) Where they are protected from corrosion.

(J) Where they cannot be knocked over.

(K) Where they cannot be damaged by passing or falling objects.

(L) Where they will not be tampered with by unauthorized persons.

(M) Where they will not be struck by heavy objects.

(N) Away from inside or outside exit routes or other areas normally used or intended for safe travel of personnel.

(O) Where they will not be subject to unventilated enclosed spaces.

(P) That are not identified as confined spaces.

(Q) With prominent signs posted identifying the names of the gasses stored.

(b) You must store cylinders in the following manner:

(A) With valve caps in place.

NOTE: This applies to cylinders designed to accept valve caps.

(B) Valve end up and secured from movement.

(C) Liquefied gas cylinders and acetylene cylinders with valve end up.

NOTE: Liquefied petroleum gas cylinders used on forklifts may be stored either horizontally or vertically.

(D) Refrigerated liquid cylinders in a vertical position.

(E) With all individual oxygen and flammable gas cylinder valves on portable cylinder banks closed.

(c) You must separate oxygen cylinders from fuel-gas cylinders or combustible materials (especially oil or grease) and any other substance likely to cause or accelerate fire by:

(A) A minimum distance of 20 feet, or

(B) A noncombustible barrier that:

ADMINISTRATIVE RULES

(i) Vertically extends 18 inches above the tallest cylinder(s) and is at least 5 feet high.

(ii) Laterally extends 18 inches beyond the sides of the cylinders.

(iii) Has a fire-resistance rating of at least one-half hour.

NOTE 1: If you have a preexisting noncombustible barrier used to separate oxygen from combustible materials or fuel gases other than acetylene, the barrier must be a minimum of 5 feet high and have a minimum fire resistance rating of one-half hour. Noncombustible barriers built after May 1, 2015, must comply with the 18 inch dimensions found in 437-002-2253(6)(c)(B)(i) and (ii).

NOTE 2: 437-002-2102 Acetylene, requires noncombustible partitions used for oxygen and acetylene separation to extend 18 inches horizontally and vertically.

(d) You must separate oxygen and fuel gas cylinders secured on a cart from assigned cylinder storage areas by a minimum of 20 feet or a non combustible barrier.

NOTE 1: Single cylinders of oxygen and fuel gas can be secured on a cart or used adjacent to each other without being separated by a partition.

NOTE 2: An additional set of cylinders secured at a workstation without attached pressure reducing regulators will be considered in use and not in storage.

(e) You must limit cylinders, except those in actual use or attached ready for use, stored inside buildings to a total gas capacity of 2,000 cubic feet or 300 pounds of liquefied petroleum gas.

(f) Store cylinders of fuel gases in excess of 2,000 cubic feet total gas capacity or 300 pounds of liquefied petroleum gas (LPG), or any LPG mixture where LPG is the primary gas, (this does not apply to cylinders in actual use or attached ready for use) in the following manner:

(A) Outside, or

(B) In a separate room, compartment or special building with interior walls, partitions, floors, and ceilings that:

(i) Are constructed with noncombustible material having a fire-resistance floor to ceiling

(ii) Are securely anchored

(iii) Have at least one wall of the room that is an exterior wall

(C) The room must have a swinging type, self-closing fire door for a Class B opening and have a rating of at least 1 hour if there are openings to other parts of the building.

(D) The room must have wired glass windows mounted with approved metal frames and fixed sashes where windows are used. They must be installed in accordance with the Standard for the Installation of Fire Doors and Windows, NFPA 80-1970.

(g) You must comply with the provisions of the Compressed Gases and Cryogenic Fluid Code, NFPA No. 55-2010 when a liquid oxygen system is to be used to supply gaseous oxygen that has a storage capacity of more than 20,000 cubic feet of oxygen (measured at 14.7 psia (101 kPa) and 70° F (21.1° C)), connected in service or ready for service, or unconnected reserves on site.

(h) The handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tank cars, or motor vehicle cargo tanks must be in accordance with Compressed Gas Association (CGA) Pamphlet P-1 2008, 11th Edition, Safe Handling of Compressed Gases in Containers.

(7) Handling of Oxygen and Fuel Gas Cylinders.

(a) When handling or moving cylinders you must:

(A) Provide adequate access for cylinder handling.

(B) Remove regulators and ensure any required valve protection is in place before moving unsecured cylinders.

(C) Move cylinders using a special truck, a cylinder hand truck, a cart or cylinder pallet.

NOTE: This rule does not apply to acetylene manufacturers, cylinder fill plants and distributors of compressed gases and acetylene. (7)(a)(C) does not apply to the movement of individual fuel gas cylinders of 40 cubic feet (b-tank) or less.

(D) Leave the valve protection cap and valve seal outlet in place until the cylinder has been secured in place and is ready to be connected to a regulator or manifold.

NOTE: This does not apply to manufacturers and distributors of compressed gases and acetylene plants where cylinders are connected and disconnected to cylinder manifolds.

(E) Use warm, not boiling, water to thaw frozen cylinders loose from the ground or if otherwise fixed.

(b) When moving cylinders by a crane or derrick you must:

(A) Use a cradle, boat, or suitable platform that secures cylinders.

(B) Install valve-protection caps on cylinders, including those cylinders with a water weight capacity of over 30 lbs., designed to accept a cap.

(C) Not use slings or electric magnets for this purpose.

(c) Before moving a portable bank or cylinder cradles you must:

(A) Close all individual oxygen and flammable gas cylinder valves on portable cylinder banks when in storage.

(B) Restrict manual movement of portable cylinder banks to clean, smooth, level stationary surfaces.

(C) Stay out of the portable-bank's travel path when moving manually.

(d) When moving a portable bank or cylinder cradles with a forklift you must secure them to the forklift.

(e) When moving a portable bank or cylinder cradles with a crane you must use the lifting hook attached to the cradles or other appropriate moving equipment.

(f) When lifting liquid cylinders you must:

(A) Lift by using the cylinder lift eyes.

(B) Use a lifting device designed for the lift and rated for the weight.

(g) Before moving cylinders to storage you must:

(A) Close the cylinder valve.

(B) Replace and secure any valve outlet seals.

(C) Properly install the cylinder cap.

(h) When handling or moving cylinders you must not:

(A) Repair or alter cylinders or valves.

(B) Place bars under valves or valve protection caps to pry cylinders loose when frozen to the ground or otherwise fixed.

(C) Use valve protection caps for lifting or lowering cylinders manually or with a crane from one position or location to another.

(D) Drag or slide cylinders.

(E) Lift liquid cylinders by the cylinder grab ring.

(F) Drop cylinders or permit them to strike each other violently.

(G) Subject any cylinder to mechanical shocks that may damage the valve.

(H) Use cylinders as rollers for moving material or other equipment.

(I) Permit oil, grease or other combustible substances to contact cylinders, valves, or other apparatus.

(J) Attempt to catch a falling cylinder.

(K) Place cylinders where they can become part of an electrical circuit.

NOTE: All pressurized cylinders in contact with or secured to a conductive table or column without being isolated from electrical current can become part of an electrical circuit.

(i) When connecting cylinders for use you must:

(A) Use a pressure-reducing regulator or separate control valve to discharge gas from a cylinder.

(B) Use regulators approved for the specific gas.

(C) Loosen the valve outlet seal slowly when preparing to connect a cylinder.

(D) Back out the regulator adjusting screws before opening cylinder valves.

(E) Open oxygen cylinder valves slowly and slightly (called cracking) for an instant and then close before attaching a regulator. Stand with the cylinder valve between you and the valve outlet connection so the outlet connection is facing away from your body when cracking an oxygen cylinder.

NOTE: Cracking is an approved process that applies only to oxygen cylinders.

(F) Open acetylene cylinder valves no more than one and one half turns.

NOTE: It is preferable to open the acetylene valve no more than three-fourths of a turn.

(G) Return cylinders with contaminated valves (mud, oil, grease, and similar material) to the supplier.

(H) Use acetylene tank keys or wrenches designed to open acetylene stem type valves.

(I) Notify the supplier if cylinder valves cannot be opened by hand.

(J) Stand with the cylinder valve between you and the regulator so your body, the cylinder valve, and regulator form a straight line when opening the cylinder valve.

(K) Open cylinder valves slowly and carefully after the cylinder has been connected to the process.

(L) Ensure that cylinder valves, pressure-reducing regulators, hoses, torches and all connections do not leak.

(i) Perform a drop test

(I) Ensure that both the oxygen and fuel control valves on the torch handle are closed.

(II) With the oxygen cylinder valve open, adjust the oxygen regulator to deliver a minimum of 20 PSIG (10kPa).

(III) With the fuel cylinder valve open, adjust the fuel regulator to deliver a minimum of 10 PSIG (70kPa).

(IV) Close both the oxygen and fuel cylinder valves.

(V) Turn the adjusting screws counterclockwise to relieve regulator pressure.

(VI) Observe the gauges on both regulators for a minimum of five minutes. If the gauge readings do not change, then the system is leak tight. If there is a leak, use an approved leak detection method to locate it.

ADMINISTRATIVE RULES

(ii) If the pressure drops during the drop test, perform a leak test to identify all leaks.

(iii) Use industry approved oil free leak detection solution.

(iv) Perform a leak test on cylinder pressure relief and safety devices, valves and regulator connections after the cylinder valve is open and connected to the pressure reducing regulator.

(v) Remove from service any cylinder that leaks at the valve, safety device or fittings that cannot be stopped by closing the valve. Isolate the cylinder away from ignition sources.

NOTE: Remove leaking cylinders to a safe outside location whenever possible. A warning should be placed near cylinders with leaking fuse plugs or other leaking safety devices not to approach them with a lighted cigarette or other source of ignition.

(vi) Promptly notify the supplier of any leaking cylinder or trouble with any cylinder valve and follow their instructions.

(vii) Tag cylinders having leaking fuse plugs or other leaking safety devices.

(M) Keep the cylinder key used for opening stem type cylinder valves on the valve spindle.

(N) Allow each gas to flow through its respective hose for a few seconds to purge the hose of any mixture of gases:

(i) After connecting welding, cutting or heating apparatus to oxygen and fuel-gas cylinders.

(ii) When starting to reuse the apparatus after an interval of a half hour or more.

(j) When connecting cylinders you must not:

(A) Open cylinder valves (other than cracking oxygen) until a regulator has been attached.

(B) Stand or have any body part in front or behind the pressure reducing regulator when opening cylinder valves.

(C) Use a hammer or wrench to open hand wheel cylinder valves.

(k) When removing regulators from cylinders you must:

(A) Ensure that oxygen and fuel gas cylinder valves are closed.

(B) Visually check the low pressure delivery gauges and high pressure supply gauge to ensure there is no pressure remaining in the system.

(C) Use the appropriate wrench to disconnect the regulator.

(D) Place disconnected regulators, hoses, and torches where they will not come into contact with dust and oily or greasy substances.

(8) Use of Oxygen and Fuel Gas Cylinders.

(a) When using cylinders you must:

(A) Secure from movement with valve end up.

(B) Perform a drop test as defined in (7)(i)(L)(i) at the beginning of each shift to verify no leaks exist.

(C) Close cylinder or manifold valves:

(i) Before moving cylinders.

(ii) At the end of the shift or when work is finished.

(iii) When cylinders are empty.

(D) Place cylinders far enough away from the actual welding or cutting operation to:

(i) Ensure sparks, hot slag, or flame will not reach them, or

(ii) Protect them with fire resistant shields.

(E) Keep cylinders away from radiators, piping systems, layout tables, etc., that may be used for grounding electric circuits such as for arc welding machines.

(F) Keep keys, handles or nonadjustable wrenches on valve stems of cylinders not having fixed hand wheel while these cylinders are in service.

(G) Keep one key or handle on valve stems for each in service manifold in multiple cylinder installations.

(H) Allow each gas to flow through its respective hose for a few seconds to purge the hose of any mixture of gases before using a torch assembly that has been shutdown for an interval of one half hour or more.

(I) Follow the apparatus manufacturer's operating sequence when lighting, adjusting, and extinguishing torch flames.

(J) Close the torch handle valves on oxygen and/or fuel gas when the welding and cutting equipment is unattended for only a few minutes.

NOTE: This does not apply to jeweler's torches or other torches similar in size when placed in proper holders.

(K) Completely shut down a torch system (refer to (8)(a)(C)) in the following order:

(i) Close and drain the oxygen system before the closing and draining of the fuel gas system.

(ii) Open the torch valves momentarily after closing the cylinder valves to release all gas pressure from the hoses and regulators; then close the torch valves.

(iii) Turn the regulator pressure adjusting screws counter clockwise to release all spring pressure.

(iv) Visually check the low pressure delivery gauge and high pressure supply gauge to ensure there is no pressure remaining in the system.

(b) When using cylinders you must not:

(A) Place a cylinder where it might become part of an electric circuit.

(B) Tap an electrode against a cylinder to strike an arc.

(C) Use a cylinder as a roller or support.

(D) Attempt to mix gases in a cylinder unless you are the gas supplier.

(E) Refill a cylinder unless you are the owner of the cylinder or a person authorized by the owner.

(F) Use a cylinder's contents for purposes other than those intended by the supplier.

(G) Tamper with safety devices on cylinders or valves.

(H) Drop or handle cylinders roughly.

(I) Put down a lighted torch unless the torch or torch assembly is placed in a holder and secured from unintended movement.

(J) Use the regulator adjusting screw as a shut-off mechanism.

(K) Place anything on top of any cylinder when in use which may damage the safety device or interfere with the quick closing of the valve.

(L) Take cylinders containing oxygen or acetylene or other fuel gas into confined spaces.

(9) Pressure Reducing Regulators.

(a) When using pressure reducing regulators you must:

(A) Use them with cylinder and piping outlets to ensure suitable working pressure for fuel gas and oxygen-fuel gas applications.

(B) Use them for the gas and pressures for which they are intended.

(C) Ensure that regulator inlet connections are marked with an identifying Compressed Gas Association (CGA) number.

NOTE: The CGA numbers identify the cylinder valve and gas service for which an inlet connection is designed.

(D) Ensure that inlet connections of regulators intended for attachment to gas storage cylinders comply with the requirements of Compressed Gas Association (CGA) Pamphlet V-1 1994, 7th Edition, Standard for Compressed Gas Cylinder Valve Outlet and Inlet Connections and Compressed Gas Association (CGA) Pamphlet V-7 2009, 5th Edition, Standard Method of Determining Cylinder Valve Outlet Connections for Industrial Gas Mixtures.

(E) Ensure that regulators or parts of regulators, including gauges, are repaired only by skilled mechanics who have been properly instructed.

(F) Use oxygen regulators that are marked with "USE NO OIL."

(G) Use acetylene regulator with a delivery pressure gauge that graphically indicates the maximum 15 psig working pressure.

(H) Inspect regulator union nuts and connections to detect faulty seats before the regulators are attached to the cylinder valves.

(I) Fully turn the regulator pressure-adjusting screw counter clockwise before slowly opening the cylinder valve.

(J) Keep pressure-reducing regulators in good repair.

(K) Replace cracked, broken or otherwise defective parts (including gauge glasses).

(b) When using pressure reducing regulators you must not:

(A) Use the regulator adjusting screw as a "shut-off" mechanism.

(B) Use oxygen and/or fuel gases from cylinders, piping, or manifolds through torches or other devices equipped with shutoff valves without using a pressure reducing regulator.

(10) Hose and Hose Connections

(a) When using fuel gas and oxygen hoses you must:

(A) Use hoses that comply with the Compressed Gas Association (CGA) Pamphlet E-1 2009, 6th Edition, Standard for Rubber Welding Hose and Hose Connections for Gas Welding, Cutting, and Allied Processes and Association for Rubber Products Manufacturers (ARPM) Publication IP-7 2011, 10th Edition.

NOTE: This standard does not apply to liquefied petroleum gas hose covered under NFPA 58, Liquefied Petroleum Gas Code applicable to the propane industry.

(B) Use fuel gas and oxygen hoses that are easily distinguishable from each other.

NOTE: The contrast may be made by different colors or by surface characteristics readily distinguishable by the sense of touch. Use red for fuel gases, green for oxygen, and black for inert gas.

(C) Use "Grade T" hose for most fuel gases to include acetylene.

NOTE: Grade R or RM hose may only be used with acetylene. Do not use with any other fuel gas.

(D) Use oil free air or an oil free inert gas to test hoses.

(E) Keep hoses and couplings (connectors) free from oily or greasy substances.

(F) Visually inspect each hose for leaks, burns, worn places, bulges, cracks, crimps, multiple splices, cuts, oil and grease, damaged or worn fittings, and other defects rendering it unfit for service:

(i) At the beginning of each task, the portion of hose intended for use,

or

ADMINISTRATIVE RULES

(ii) At the end of each working shift, the portion of hose used before storing it on a cart or hose reel.

(G) Perform inspections on hoses and hose connections following any failed drop test to determine the cause of the failure.

(H) Test hose to twice the normal pressure it will be subjected to but in no case less than 300 psi. when it:

- (i) Has been subject to flashback, or
- (ii) Shows evidence of severe wear or damage.

(I) Repair or replace hoses that have defects rendering them unfit for service.

(J) Protect hoses from damage by physical hazards, hot objects, or kinking.

(K) Keep hoses, cables, and other equipment clear of passageways, ladders and stairs.

(L) Use manifold hose connections, including both ends of the supply hose that lead to the manifold, with hose that cannot be interchanged between fuel gas and oxygen manifolds and supply header connections. You must not use adapters to permit the interchange of hose.

(M) Cap manifold and header hose connections when not in use.

(N) Store gas hoses in ventilated boxes.

(b) When using fuel gas and oxygen hoses you must not:

(A) Route in such a manner that severely bends the hose at the hose coupling (connector).

(B) Pull or drag welding equipment with the hose assembly.

(C) Drag or rest hoses on materials that are not fully cooled.

(D) Drag hoses across potential puncture or abrading points.

(E) Handle oxygen hoses with oily hands or oily gloves.

(F) Tape together more than 4 inches out of 12 inches of parallel sections of oxygen and fuel gas hose.

(G) Use a single hose having more than one gas passage.

(H) Repair damaged hoses with tape.

(I) Use a defective hose.

(c) Hose connections must:

(A) Comply with Compressed Gas Association (CGA) Pamphlet E-1 2009, 6th Edition, Standard for Rubber Welding Hose and Hose Connections for Gas Welding, Cutting, and Allied Processes, (3) Connections.

(B) Clamp or securely fasten in a manner that will withstand twice the pressure to which they are normally subjected, and in no case less than a pressure of 300 psi, for one (1) minute, without leakage.

(C) Use oxygen and fuel gas connection fittings that are different in size and prevent the intermixing of connections, or

(D) Be marked in a manner to identify the oxygen and fuel gas hose.

(E) Use hose couplings that cannot be unlocked or disconnected by means of a straight pull without rotary motion.

(d) When using hose connections you must not use adapters that permit the interchange of manifold hose connections.

(11) Torches used with Oxygen and Fuel Gas.

(a) When using oxygen and fuel gas torches you must:

(A) Follow the manufacturer's recommendation for the use of torch handles with internal check valves and flashback arrestors.

(B) Keep torches free from oily or greasy substances.

(C) Clean clogged torch tip openings with suitable:

(i) Cleaning wires.

(ii) Drills.

(iii) Devices designed for such purposes.

(D) Inspect torches following any failed drop test to determine the cause of the failure prior to using. Check:

(i) Shut-off valves.

(ii) Hose couplings.

(iii) Tip connections.

(E) Only light torches with friction lighters, stationary pilot flames or other approved devices.

(b) You must not:

(A) Use defective torches.

(B) Light a torch:

(i) With matches.

(ii) From hot work.

(iii) With other hand held open flame.

(12) Manifolds with Oxygen and Fuel Gas.

(a) When working with oxygen and fuel gas manifolds you must:

(A) Label each manifold with the name of the product they contain in letters at least 1-inch high:

(i) Use permanent signage, or

(ii) Use painted letters.

(B) Place oxygen and fuel gas manifolds in safe, well ventilated and accessible locations.

(C) Use manifolds that are either approved separately for each component part or as an approved assembled unit.

(D) Limit the total capacity of fuel-gas cylinders connected to one manifold inside a building. The total capacity must not exceed 300 pounds (135.9 kg) of liquefied petroleum gas or 3,000 cubic feet (m³) of other fuel-gas, except as provided for in paragraph (a)(F).

(E) Separate more than one manifold connected to cylinders located in the same room by:

(i) At least 50 feet, or

(ii) A noncombustible partition that:

(I) Extends at least 18 inches above the tallest container and is not less than 5 feet high.

(II) Extends laterally at least 18 inches beyond the sides of the containers.

NOTE 1: If you have a preexisting noncombustible barrier used to separate oxygen from combustible materials or fuel gases other than acetylene, the barrier must be a minimum of 5 feet high and have a minimum fire resistance rating of one-half hour. Noncombustible barriers built after May 1, 2015, must comply with the 18 inch dimensions found in 437-002-2253(12)(a)(E)(ii)(I) and (II).

NOTE 2: 437-002-2102 Acetylene, requires noncombustible partitions used for oxygen and acetylene separation to extend 18 inches horizontally and vertically.

(III) Has a fire-resistance rating of at least one-half hour.

(F) Locate fuel-gas cylinders connected to one manifold having an aggregate capacity exceeding 300 pounds of liquefied petroleum gas or 3,000 cubic feet of other fuel-gas:

(i) Outdoors, or

(ii) In a separate building or room constructed in accordance with the rules on acetylene generators (14)(d)(H)(i), (d)(H)(ii), and (d)(H)(iii) and (14)(d)(I)(i), (d)(I)(ii), and (d)(I)(iii).

(G) Ensure that separate manifold buildings or rooms used for storage of calcium carbide and cylinders containing fuel gases:

(i) Are well-ventilated.

(ii) Do not have open flames for heat or lighting.

(iii) Are in compliance with Storage (6)(f)(B) when cylinders exceed 2000 cubic feet or 300 pounds of liquefied petroleum gas.

(H) Use approved pressure regulating devices on high-pressure fuel-gas manifolds.

(I) Use manifold hose connections that are not interchangeable on all ends of the supply hose that leads to the manifold.

(J) Keep hose connections free of grease and oil.

(K) Cap manifold and header hose connections when not in use.

(b) When working with oxygen and fuel gas manifolds you must not:

(A) Locate oxygen and fuel gas manifolds in enclosed or confined spaces.

(B) Use adapters that permit the interchange of manifold hose connections.

(C) Place anything on top of a manifold when in use which will:

(i) Damage the manifold

(ii) Interfere with the quick closing of the manifold valve(s).

(c) When using high-pressure oxygen manifolds (for use with cylinders having a Department of Transportation service pressure above 200 psig (1.36 MPa)) you must:

(A) Use manifolds that are either approved separately for each component part or approved as an assembled unit.

(B) Separate oxygen manifolds from fuel-gas cylinders or combustible materials (especially oil or grease) by a:

(i) Minimum distance of 20 feet, or

(ii) Noncombustible partition that complies with Compressed Gas Association (CGA) Pamphlet P-1 2008, 11th Edition, Safe Handling of Compressed Gases in Containers:

(I) Extends at least 18 inches above the tallest container and is not less than 5 feet high.

(II) Extends laterally at least 18 inches beyond the sides of the containers.

NOTE 1: If you have a preexisting noncombustible barrier used to separate oxygen from combustible materials or fuel gases other than acetylene, the barrier must be a minimum of 5 feet high and have a minimum fire resistance rating of one-half hour. Noncombustible barriers built after May 1, 2015, must comply with the 18 inch dimensions found in 437-002-2253(12)(c)(B)(ii)(I) and (II).

NOTE 2: 437-002-2102 Acetylene, requires noncombustible partitions used for oxygen and acetylene separation to extend 18 inches horizontally and vertically.

(III) Has a fire-resistance rating of at least one-half hour.

(C) Limit oxygen cylinders connected to one manifold to a total gas capacity of 6,000 cubic feet except as provided in paragraph (c)(E).

(D) Separate manifolds by:

(i) At least 50 feet, or

ADMINISTRATIVE RULES

(ii) A noncombustible partition that complies with Compressed Gas Association (CGA) Pamphlet P-1 2008, 11th Edition, Safe Handling of Compressed Gases in Containers:

(I) Extends at least 18 inches above the tallest container and not less than 5 feet high.

(II) Extends laterally at least 18 inches beyond the sides of the containers.

NOTE 1: If you have a preexisting noncombustible barrier used to separate oxygen from combustible materials or fuel gases other than acetylene, the barrier must be a minimum of 5 feet high and have a minimum fire resistance rating of one-half hour. Noncombustible barriers built after May 1, 2015, must comply with the 18 inch dimensions found in 437-002-2253(12)(c)(D)(ii)(I) and (II).

NOTE 2: 437-002-2102 Acetylene, requires noncombustible partitions used for oxygen and acetylene separation to extend 18 inches horizontally and vertically.

(III) Has a fire-resistance rating of at least one-half hour.

(E) Locate an oxygen manifold inside a building having other occupancy, with an aggregate cylinder capacity of more than 6,000 cubic feet of oxygen, in a separate room that is:

(i) Of noncombustible construction having a fire-resistance rating of at least one-half hour, or

(ii) A noncombustible partition that complies with Compressed Gas Association (CGA) Pamphlet P-1 2008, 11th Edition, Safe Handling of Compressed Gases in Containers:

(I) Extends at least 18 inches above the tallest container and is not less than 5 feet high.

(II) Extends laterally at least 18 inches beyond the sides of the containers.

NOTE 1: If you have a preexisting noncombustible barrier used to separate oxygen from combustible materials or fuel gases other than acetylene, the barrier must be a minimum of 5 feet high and have a minimum fire resistance rating of one-half hour. Noncombustible barriers built after May 1, 2015, must comply with the 18 inch dimensions found in 437-002-2253(12)(c)(E)(ii)(I) and (II).

NOTE 2: 437-002-2102 Acetylene, requires noncombustible partitions used for oxygen and acetylene separation to extend 18 inches horizontally and vertically.

(III) Has a fire-resistance rating of at least one-half hour.

(F) Comply with NFPA 55, 2010 Edition, Compressed Gases and Cryogenic Fluid Code, when an oxygen manifold or oxygen bulk supply system has more than 20,000 cubic feet of oxygen (measured at 14.7 psia (101 kPa) and 700 F (21.1oC)), connected in service, ready for service, or unconnected reserves on hand at the site.

(G) Use approved pressure regulating devices on high-pressure oxygen manifolds.

(d) When using high pressure oxygen manifolds you must not locate them in an acetylene generator room.

(e) When using low-pressure oxygen manifolds with cylinders having a Department of Transportation service pressure not exceeding 200 psig (1.36 Mpa) you must:

(A) Use manifolds that:

(i) Are constructed for use with oxygen at a pressure of 250 psig.

(ii) Have a minimum bursting pressure of 1,000 psig.

(iii) Are protected by a safety relief device that will relieve at a maximum pressure of 500 psig.

NOTE: DOT-4L200 cylinders safety device relieve at a maximum pressure of 250 psig, or 235 psig if vacuum insulation is used.

(B) Use hose and hose connections subject to cylinder pressure that have a bursting pressure of 1,000 psig.

(C) Test and prove manifolds are gas-tight at a pressure of 300 psig.

(D) Use oil-free non-combustible fluid for testing oxygen manifolds.

(E) Locate manifolds to comply with paragraphs (c)(B), (C), (D), (E), and (F) and all their parts.

(F) Post the following sign at each manifold:

Low-Pressure Manifold
Do Not Connect High-Pressure Cylinders
Maximum Pressure — 250 psig

(f) When using portable outlet headers you must:

(A) Equip each outlet on the service piping from which oxygen or fuel-gas is withdrawn, to supply a portable outlet header, with a readily accessible shutoff valve.

(B) Use hose and hose connections that comply with paragraph (a)(I) of this section when connecting the portable outlet header to the service piping.

(C) Provide master shutoff valves for both oxygen and fuel-gas at the entry end of the portable outlet header.

(D) Provide a hydraulic back-pressure valve, installed at the inlet and preceding the service outlets, on portable fuel-gas service outlet headers unless one of the following is installed at each outlet and approved for use:

(i) Pressure-reducing regulator,

(ii) Back-flow check valve, or

(iii) Hydraulic back-pressure valve.

(E) Provide oxygen service header outlets with pressure reducing regulators or direct hose connections.

(F) Provide each valve assembly with a detachable outlet seal cap, chained or otherwise attached to the body of the valve on the portable header service outlet.

(G) Use materials and fabrication procedures for portable outlet headers that comply with the rule on Service Piping Systems paragraphs (13)(a)(A)–(L), (13)(b)(A)–(E), and (13)(f)(A)–(C).

(H) Provide frames for portable outlet headers that will:

(i) Secure the equipment in the correct operating position.

(ii) Protect them from damage during handling and operation.

(g) When using portable outlet headers you must not use them indoors except for temporary service when a direct supply outlet located on the service piping system cannot be accessed.

(h) To comply with manifold operation procedures you must:

(A) Ensure that cylinder manifolds are installed under the supervision of someone familiar with the proper practices with reference to their construction and use.

(B) Ensure all manifolds and parts used in methods of manifolding are used only for the gas or gases for which they are approved.

(C) Install approved flash arresters between each acetylene cylinder and the coupler block.

NOTE: For outdoor use only, and when the number of cylinders coupled does not exceed three, one flash arrester installed between the coupler block and regulator is acceptable.

(D) Install manifold acetylene and liquefied fuel-gas cylinders in a vertical position.

(E) Maintain approximately equal pressure in the gas cylinders connected to and discharged simultaneously through a common manifold.

(i) To comply with manifold operation procedures you must not connect more than 3,000 cubic feet of aggregate capacity of fuel-gas cylinders to a portable manifold inside a building.

(13) Service piping systems materials and designs.

(a) Service piping systems must use:

(A) Piping and fittings that comply with section 2, Industrial Gas and Air Piping Systems, of the American National Standard Code for Power Piping ASME B31.1 2010.

(B) At least Schedule 40 pipe and use fittings that are at least standard weight in sizes up to and including 6-inch nominal.

(C) Copper tubing that is Type K or L and complies with the Standard Specification for Seamless Copper Water Tube, ASTM B88-66a.

(D) Steel, wrought iron, brass or copper pipe, or seamless copper, brass or stainless steel tubing, except when stated otherwise.

(E) Stainless steel or copper alloys for oxygen piping and fittings when pressures exceed 700 psi.

(F) Hose connections and hose to connect the outlet of a manifold pressure regulator to piping, provided that the working pressure of the piping is 250 psi or less and they comply with the rules for hose and hose connections found in paragraphs (10) (a)(A), (10) (a)(K), (10) (b)(G), (10)(c)(A), and (10)(c)(B).

(G) Hose(s) that do not exceed 5 feet in length to connect manifold pressure regulators to piping.

(H) Hose that has a minimum bursting pressure of 1,000 psig (6.8 MPa).

(I) A piping system with a minimum design pressure of 250 psig when oxygen is supplied from a low-pressure oxygen manifold without an intervening pressure regulating device.

(J) Pressure regulating devices at each station outlet when the connected equipment is for use at pressures less than 250 psig (1.7 MPa).

(K) Steel or wrought iron piping for acetylene or acetylenic compounds.

(L) Unalloyed copper for acetylene or acetylenic compounds only with equipment listed as appropriate for its use.

(b) Piping joints must be treated as follows. You must:

(a) Weld, thread or flange joints in steel or wrought iron piping.

NOTE: Fittings, such as ells, tees, couplings, and unions, may be rolled, forged or cast steel, malleable iron or nodular iron.

(b) Weld, braze, thread, or flange brass or copper pipe joints.

(C) Braze socket type joints with silver-brazing alloy or similar high melting point (not less than 800° F (427° C)) filler metal.

(D) Braze joints or use approved gas tubing fittings in seamless copper, brass, or stainless steel tubing.

(E) Prohibit the use of gray or white cast iron fittings on piping joints.

(c) When installing piping systems you must:

(A) Internally examine and remove scale and dirt from fittings and lengths of pipe before assembly.

ADMINISTRATIVE RULES

(B) Wash out oxygen pipe and fittings with a suitable solution which will effectively remove grease and dirt but will not react with oxygen.

NOTE: Hot water solutions of caustic soda or trisodium phosphate are effective cleaning agents for this purpose. Rinse and dry piping thoroughly after cleaning.

(C) Install and maintain distribution lines in a safe operating condition.

(D) Run all piping as directly as practicable.

(E) Protect piping against physical damage.

(F) Make allowances for piping expansion, contraction, jarring and vibration.

(G) Locate pipe laid underground below the frost line.

(H) Protect against corrosion.

(I) Weld or braze piping that is installed in tunnels, trenches or ducts.

(J) Install shutoff valves outside of tunnels, trenches or ducts.

(K) Provide good natural or forced ventilation when oxygen piping is installed in the same tunnel, trench or duct with fuel-gas pipelines.

(L) Drain low points in piping that carries moist gas into drip pots, constructed to permit pumping or draining out the condensate, at necessary intervals.

(M) Install drain valves having outlets normally closed with screw caps or plugs for draining low points in piping systems.

(N) Case or jacket pipes leading to the surface of the ground where necessary to prevent loosening or breaking.

(O) Install gas cocks or valves for all buildings at points where they will be readily accessible for shutting off the gas supply to these buildings in an emergency.

(P) Install a shutoff valve in the discharge line from the generator, gas holder, manifold or other source of supply.

(Q) Thoroughly blow out assembled piping with air, nitrogen or carbon dioxide to remove foreign materials.

(R) Blowout oxygen piping using oil-free air, oil-free nitrogen, or oil-free carbon dioxide:

NOTE: Air or inert gas may be used with other piping.

(S) Purge oxygen lines, using oil-free air, oil-free nitrogen, or oil-free carbon dioxide.

(T) Use pressure relief devices set to function at not more than the design pressure of the systems and that discharge upwards to a safe location.

(d) When installing piping systems you must not:

(A) Install shutoff valves in safety relief lines in such a manner that the safety relief device can be rendered ineffective.

(B) Have uncapped openings of flammable gas lines or other parts of equipment being purged of air or gas near open lights or other sources of ignition.

(C) Use open end valves or petcocks except when drips are located outdoors, underground, and not readily accessible.

(D) Use valves outdoors, underground or in areas not readily accessible unless they are equipped with a means to secure them in the closed position.

(E) Weld or cut an acetylene or oxygen pipeline, including the attachment of hangers or supports, until the line has been purged.

(e) When painting and marking piping systems you must ensure that:

(A) Underground pipe and tubing and outdoor ferrous pipe and tubing is covered or painted with a suitable material for protection against corrosion.

(B) Aboveground piping systems are marked in accordance with the American National Standard Scheme for the Identification of Piping Systems, ASME A13.1 2007.

(C) Station outlets are marked with the name of the gas.

(f) When testing piping systems you must:

(A) Test and prove they are gas-tight at 1-1/2 times their maximum operating pressure.

(B) Thoroughly purge them of air before placing them in service.

(C) Use oil free and noncombustible material to test oxygen lines.

(g) When testing piping systems you must not:

(A) Use flames to detect leaks.

(B) Purge flammable gas lines or other parts of equipment of air or gas when uncapped openings are near sources of ignition.

(h) When installing protective equipment, hose and regulators in service piping systems you must:

(A) Install and use equipment in the service for which it was approved and as recommended by the manufacturer.

(B) Install the protective equipment shown in Figures Q-1, Q-2, and Q-3 in portable outlet headers and fuel-gas and oxygen piping systems to prevent:

NOTE: When only a portion of a fuel-gas system is to be used with oxygen, only that portion need comply with paragraph (h)(A), Figures Q-1, Q-2, Q-3

(i) Backflow of oxygen into the fuel-gas supply system.

(ii) Passage of a flash back into the fuel-gas supply system.

(iii) Excessive back pressure of oxygen in the fuel-gas supply system.

NOTE: The three functions of the protective equipment may be combined in one device or may be provided by separate devices.

(C) Locate protective equipment:

(i) As in Figure Q-1 in the main supply line, Figure Q-1, or

(ii) As in Figure Q-2 at the head of each branch line, or

(iii) As in Figure Q-3 at each location where fuel-gas is withdrawn.

(iv) As in Figure Q-2 or Figure Q-3 where branch lines are of 2 inch pipe size or larger or of substantial length.

(D) Install flash-back protection that will prevent flame from passing into the fuel-gas system.

(E) Provide an approved back-pressure relief device set at a pressure not greater than the pressure rating of the backflow or the flashback protection device, whichever is lower.

(F) Locate pressure-relief devices on the downstream side of back-flow and flashback protection devices.

(G) Install pressure-relief device vents that are at least as large as the relief device inlet.

(H) Install pressure-relief vents without low points that may collect moisture.

(I) Install drip pots with drains closed with screw plugs or caps at the low points if low points are unavoidable.

(J) Install the vent end so it:

(i) Does not endanger personnel or property through gas discharge.

(ii) Is located away from ignition sources.

(iii) Terminates in a hood or bend.

(K) Maintain liquid levels when using a liquid in the pipeline protective equipment.

NOTE: Suitable antifreeze may be used to prevent freezing.

(L) Withdraw fuel-gas for use with equipment not requiring oxygen upstream of the piping protective devices.

(i) Station outlet protective equipment must:

(A) Have a check valve, pressure regulator, hydraulic seal, or combination of these devices at each station outlet, including those on portable headers.

(B) Have these devices as shown in Figures Q-1, Q-2, and Q-3 and designated as SF and SO.

(C) Use approved pipeline protective equipment (designated PF) located at the station outlet as in Figure Q-3, or an additional check valve, pressure regulator, or hydraulic seal is required.

(D) Have a shutoff valve (designated VF and VO) installed at each station outlet.

(E) Have a shutoff valve located on the upstream side of other station outlet equipment.

(F) Terminate the station outlet in a union connection that complies with the Compressed Gas Association (CGA) Pamphlet E-1 2009, 6th Edition, Standard for Rubber Welding Hose and Hose Connections for Gas Welding, Cutting, and Allied Processes and Compressed Gas Association (CGA) Pamphlet E-4 2010, 6th Edition, Standard for Gas Pressure Regulators if the outlet is equipped with a detachable regulator.

(G) Terminate in a union connection complying with the Compressed Gas Association (CGA) Pamphlet E-1 2009, 6th Edition, Standard for Rubber Welding Hose and Hose Connections for Gas Welding, Cutting, and Allied Processes if it is connected directly to a hose.

(H) Terminate in pipe threads to which permanent connections are to be made, such as to a machine.

(I) Have station outlets equipped with a detachable outlet seal cap secured in place.

(J) Use this cap to seal the outlet except when a hose, a regulator, or piping is attached.

(K) Be equipped with station outlets with approved backflow and flash-back protective devices when four or less torches are supplied from one station outlet through rigid piping provided:

(i) Each outlet from this piping is equipped with a shutoff valve, and

(ii) The fuel-gas capacity of any one torch does not exceed 15 cubic feet (0.42m³) per hour.

(14) Acetylene generators.

(a) When using acetylene generators you must:

(A) Use those that are of approved construction.

(B) Ensure they are plainly marked with:

(i) Maximum weight and size of carbide necessary for a single charge.

(ii) Manufacturer's name and address.

(iii) Name or number of the type of generator.

(iv) Size of the carbide to be used on the generator nameplate.

ADMINISTRATIVE RULES

(v) Rating and pressure limitations.

(C) Limit the total hourly output rate for which it is approved and marked. Unless specifically approved for higher ratings, carbide-feed generators must be rated at 1 cubic foot (0.028 m³) per hour per pound of carbide required for a single complete charge.

(D) Require regular operating of relief valves.

(E) Set relief valves to open at a pressure not in excess of 15 psig.

(F) Set hydraulic back pressure valves to open at a pressure not in excess of 20 psig.

(G) Locate the generator where the operator can maintain ample free, unobstructed operation and maintenance space around the generator to permit ready adjustment and charging.

(H) Ensure that all non-automatic generator water overflows are visible.

(I) Ensure that non-automatic generators are not used to generate acetylene at pressures exceeding 1 psig.

(b) When using stationary acetylene generators (automatic and non-automatic) you must:

(A) Place on a foundation where:

(i) The generator(s) is level.

(ii) No excessive strain will be placed on the generator or its connections.

(B) Ensure the generator(s) is grounded.

(C) Place generators where water will not freeze.

(D) Ensure there are no prohibited sources of ignition in outside generator houses or inside generator rooms unless the generators are prepared in accordance with paragraph (h)(H)(i) through (iv) of this section:

(E) Ensure that when a non-continuous connection to the water supply is used the supply line must terminate at a point not less than 2 inches above the regularly provided opening for filling so that the water can be observed as it enters the generator.

(F) Discharge generators through an open connection into a suitably vented outdoor receptacle or residue pit.

NOTE: An open connection for the sludge draw off is desirable to enable the generator operator to observe leakage of generator water from the drain valve or sludge cock.

(G) Provide a vent pipe for each generator.

(H) Rigidly install the escape or relief pipe:

(i) Without traps.

(ii) So condensation will drain back to the generator.

(I) Carry the full size escape or relief pipe to a suitable point outside the building.

(J) Terminate the escape or relief pipe in a hood or bend located at least 12 feet (3.7m) above the ground.

NOTE: It is preferable to terminate the escape or relief pipe above the roof, and as far away as practicable from windows or other openings into buildings and as far away as practicable from sources of ignition such as flues or chimneys and tracks used by locomotives.

(K) Route the generating chamber relief pipes separately to the outside so they are unobstructed by rain, snow, ice, insects, or birds.

(L) Locate the end of the relief pipes at least 3 feet (0.9 m) from combustible construction.

(M) Use gas holders constructed on the gasometer principle that has the bell suitably guided.

(N) Ensure the gas bell moves freely without tendency to bind and it has at least 2 inches (5 cm) clearance from the shell.

(O) Provide a compressor or booster cutoff at a point 12 inches (0.3 m) or more above the landing point of the bell.

(P) Ventilate the room in accordance with paragraph (d)(J) of this section when the gas holder is located indoors.

(Q) Heat and light the room in accordance with paragraphs (d)(K) and (d)(L), (M), (N), (O), and (R) of this section when the gas holder is located indoors.

(R) Protect gas holder seals against freezing when the gas holder is not located within a heated building.

(S) Provide means to stop the generator-feeding mechanism before the gas holder reaches the upper limit of its travel.

(T) Ensure that the gas capacity of the gas holder is not less than one-third of the hourly rating of the generator when the holder is connected to only one generator.

(U) Ensure if acetylene is used from the gas holder without increase in pressure at some points, but with increase in pressure by a compressor or booster pump at other points, then you must:

(i) Install approved piping protective devices in each supply line.

(ii) Locate a low-pressure protective device between the gas holder and the shop piping.

(iii) Locate the medium-pressure protective device between the compressor or booster pump and the shop piping (see Figure 1).

NOTE 1: Approved protective equipment (designated PF) is used to prevent back-flow of oxygen into the fuel-gas supply system, passage of a flashback into the fuel-gas supply system; and excessive back pressure of oxygen in the fuel-gas supply system.

NOTE 2: The three functions of the protective equipment may be combined in one device or may be provided by separate devices. Figure 1.

(V) Use approved compressor or booster systems only.

(W) Ensure that wiring and electrical equipment in compressor or booster pump rooms or enclosures conform to the provisions of Subdivision S, Electrical, Class I, Division 2.

(X) Locate compressors and booster pump equipment:

(i) In well-ventilated areas and

(ii) Away from ignition sources including, but not limited to, open flames, electrical or mechanical sparks.

(Y) Provide compressor or booster pumps with pressure relief valves which will relieve pressure exceeding 15 psig:

(i) To a safe outdoor location as provided in paragraph (b)(G), (H), (I), (J), (K), and (L) of this section, or

(ii) By returning the gas to the inlet side or to the gas supply source.

(Z) Provide compressor or booster pump discharge outlets with approved protective equipment. (See Service Piping Systems (h) and (i)).

(c) When using stationary acetylene generators (automatic and non-automatic) you must not:

(A) Use common salt (sodium chloride) or other corrosive chemicals for protection against freezing.

(B) Supply water through a continuous connection to the generator unless the generator is provided with an:

(i) Adequate open overflow, or

(ii) Automatic water shutoff which will effectively prevent overfilling the generator.

(C) Fit generators with continuous drain connections leading to sewers unless otherwise specifically approved.

(D) Interconnect generating chamber relief pipes.

(d) When outside generator houses and inside generator rooms for stationary acetylene generators are used, you must:

(A) Ensure that the walls, floors, and roofs of outside generator houses are of noncombustible construction.

(B) Separate the storage or manifolding of oxygen cylinders from the generator or carbide storage section by partition walls continuous from floor to roof or ceiling, of the type of construction stated in paragraph (d)(H)(i) thru (iii) of this section.

(C) Ensure that separation walls are:

(i) Without openings.

(ii) Joined to the floor, other walls and ceiling or roof in a manner to create a permanent gastight joint.

(D) Locate exit doors so they are readily accessible in case of emergency.

(E) Provide explosion venting:

(i) For outside generator houses and inside generator rooms in exterior walls or roofs.

(ii) In areas equal to not less than 1 square foot (0.09 m²) per 50 cubic feet (1.4 m³) of room volume.

(iii) That consists of one or any combination of the following:

(I) Walls of light, noncombustible material preferably single-thickness,

(II) Single-strength glass;

(III) Lightly fastened hatch covers;

(IV) Lightly fastened swinging doors in exterior walls opening outward;

(V) Lightly fastened walls or roof designed to relieve at a maximum pressure of 25 pounds per square foot (0.001 MPa).

(F) Restrict the installation of acetylene generators inside buildings to buildings not exceeding one story in height.

NOTE: This does not prohibit such installation on the roof or top floor of a building exceeding such height.

(G) Enclose generators installed inside a building in a separate room.

(H) Ensure that the walls, partitions, floors, and ceilings of inside generator rooms:

(i) Are constructed from noncombustible materials having a fire-resistance rating of at least 1 hour floor to ceiling.

(ii) Are securely anchored.

(iii) Have at least one wall of the room be an exterior wall.

(I) Protect openings from an inside generator room to other parts of the building:

ADMINISTRATIVE RULES

(i) By a swinging type, self-closing fire door for a Class B opening and having a rating of at least 1 hour.

(ii) With wired glass windows in partitions that are in approved metal frames with fixed sash.

(iii) By completing Installation in accordance with the Standard for the Installation of Fire Doors and Windows, NFPA 80-1970.

NOTE: Inside generator rooms built after July 1, 2014 must comply with NFPA 80-2013.

(J) Ventilate inside generator rooms or outside generator houses with vents located at floor and ceiling levels.

(K) Heat by steam, hot water, enclosed electrically heated elements or other indirect means.

(L) Ensure that generator houses or rooms have natural light during daylight hours.

(M) Restrict installation of electric lamps to fixed position where artificial lighting is necessary.

(N) Provide lamps with enclosures of glass or other noncombustible material so designed and constructed to prevent gas vapors from reaching the lamp or socket and to resist breakage.

(O) Use rigid conduit with threaded connections.

(P) Install lamps outside of wired-glass panels in gas-tight frames in the exterior walls or roof of the generator house or room.

(Q) Locate electric switches, telephones, and all other electrical apparatus which may cause a spark, outside the generator house or in a room or space separated from the generator room by a gas-tight partition, except:

(i) If they are specifically approved for use inside acetylene generator room.

(ii) Where the generator system is designed so that no carbide fill opening or other part of the generator is open to the generator house or room during the operation of the generator, and

(iii) When residue is carried in closed piping from the residue discharge valve to a point outside the generator house or room, and

(iv) Where electrical equipment in the generator house or room must conform to the provisions of Subpart S for Class I, Division 2 locations.

(R) Ensure that unauthorized persons do not enter outside generator houses or inside generator rooms.

(e) When outside generator houses and inside generator rooms for stationary acetylene generators are used, you must not:

(A) Locate openings in any outside generator house within 5 feet (1.5m) of any opening in another building.

(B) Use flames or fire to heat outside generator houses or inside generator rooms, or in any enclosure communicating with them.

(f) When using portable acetylene generators you must:

(A) Use those that are approved for portable use.

(B) Use them further than 10 feet (3m) from combustible materials other than the floor.

(C) Protect them against freezing.

(D) Clean and recharge them and blow off the air mixture outside of buildings.

(E) Anchor them to the vehicles they are to be transported and used on.

(F) Turn off the vehicle motor during charging, cleaning, and generating processes.

(G) Locate portable generators at a safe distance from the welding position so they will not be exposed to sparks, slag, and misdirection of the torch flame or over heating from hot materials or processes.

(g) When using portable acetylene generators you must not:

(A) Use them in rooms with:

(i) A total volume less than the total gas-generating capacity per charge of all generators in the room (to obtain the gas-generating capacity in cubic feet per charge, multiply the pounds of carbide per charge by 4.5).

(ii) A ceiling height less than 10 feet (3 m).

(B) Use salt or other corrosive chemical to prevent freezing.

(C) Move those charged with carbide by crane or derrick.

(D) Store those not in use in rooms where open flames are used unless the:

(i) Generator contains no carbide.

(ii) Generator has been thoroughly purged of acetylene.

(iii) Rooms are well ventilated.

(h) When providing maintenance and operating acetylene generators you must:

(A) Post operating instructions in a conspicuous place near the generator or keep those in a suitable place available for ready reference.

(B) Follow the order of operations specified in the manufacturer instructions when recharging generators.

(C) Flush out batch-type generators with water:

(i) When the charge of carbide is exhausted.

(ii) Before additional carbide is added to the generating chamber, and

(D) Renew the water supply according to instruction card furnished by the manufacturer.

(E) Add enough carbide each time the generator is recharged to refill the space provided for carbide without ramming the charge.

(F) Keep the generator water chambers filled to the proper level at all times except while draining during the recharging operation.

(G) Fill the water chamber to the proper level whenever:

(i) Repairs are to be made.

(ii) The generator is to be charged.

(iii) Carbide is to be removed.

(H) Do the following before making repairs involving welding, soldering, or other hot work or other operations which produce a source of ignition:

(i) Completely remove the carbide charge and feed mechanism.

(ii) Expel all acetylene by completely flooding the generator shell with water.

(iii) Disconnect the generator from the piping system.

(iv) Keep the generator filled with water, if possible, or positioned to hold as much water as possible.

(i) When maintaining or operating acetylene generators you must not:

(A) Discharge water-carbide residue from the generator:

(i) Into sewer pipes, or

(ii) Store in areas near open flames.

NOTE: Clear water from residue settling pits may be discharged into sewer pipes.

(B) Use steel or ferrous tools while distributing the charge.

(C) Make hot repairs in a room where there are other generators unless all the generators and piping have been purged of acetylene.

(15) Storing of calcium carbide.

(a) Packaging of calcium carbide must:

(A) Be in containers that are:

(i) Constructed from metal having sufficient strength to prevent rupture.

(ii) Equipped with a screw top or equivalent.

(iii) Constructed to be water-and-air-tight.

(iv) Soldered in a manner that the package will not fail if exposed to fire.

(B) Ensure that the packages are conspicuously marked "Calcium Carbide — Dangerous If Not Kept Dry" or with equivalent warning.

(C) Make known this caution: "Metal tools, even the so-called spark resistant type may cause ignition of an acetylene and air mixture when opening carbide containers".

(b) When storing calcium carbide indoors you must:

(A) Store in dry, waterproof, well-ventilated locations when quantities of 600 pounds or less are being stored.

(B) Keep packages of calcium carbide sealed, except one of each size may be open.

(C) Store calcium carbide exceeding 600 pounds (272.2 kg) but not exceeding 5,000 pounds (2,268 kg):

(i) In accordance with paragraph (b)(D)(i), (ii), (I) through (III) of this section;

(ii) In an inside generator room or outside generator house; or

(iii) In a separate room in a one-story building which may contain other occupancies, but without cellar or basement beneath the carbide storage section. Such rooms must be constructed in accordance with paragraphs (d)(H)(i) through (iii) and (d)(I)(i) and (ii) of this section and ventilated in accordance with paragraph (d)(J) of this section. These rooms must be used for no other purpose.

(D) Store calcium carbide in excess of 5,000 pounds (2,268 kg) in:

(i) An outside generator houses, or

(ii) A one story building without cellar or basement and used for no other purpose:

(I) If the storage building is of noncombustible construction, it may adjoin other one-story buildings if they are separated by unpierced firewalls.

(II) If the storage building is detached and less than 10 feet (3 m) from a building or buildings, there must not be an opening in any of the mutually exposing sides of such buildings within 10 feet (3 m).

(III) If the storage building is of combustible construction, it must be at least 30 feet (9.1 m) from any other building exceeding two stories.

(c) When storing calcium carbide indoors you must not:

(A) Store more than 600 pounds of calcium carbide in the same room with fuel-gas cylinders.

(B) Break the seals when there is carbide in excess of 1 pound (0.5 kg) in any other unsealed package of the same size of carbide in the room.

ADMINISTRATIVE RULES

- (C) Store in rooms with sprinkler systems.
 - (d) When storing calcium carbide outdoors you must:
 - (A) Examine carbide containers to make sure they are in good condition.
 - (B) Place the bottom tier of each row on wooden planking or equivalent so containers will not contact the ground or ground water.
 - (C) Periodically re-examine carbide containers for rusting or other damage that might affect its water or air tightness.
 - (D) Ensure the carbide containers that are stored the longest are used first.
 - (E) Only store in unopened air and water tight metal containers.
 - (F) Store only those containers that are unopened.
- Stat. Auth.: ORS 654.025(2) & 656.726(4)
Stats. Implemented: ORS 654.001 - 654.295
Hist.: OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15

437-003-0001

Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, in the Federal Register:

- (1) Subdivision A — GENERAL:
 - (a) 29 CFR 1926.1 Purpose and Scope, published 4/6/79, FR vol. 44, p. 20940.
 - (b) 29 CFR 1926.2 Variances from safety and health standards, published 4/6/79, FR vol. 44, p. 20940.
 - (c) 29 CFR 1926.3 Inspections – right of entry, published 4/6/79, FR vol. 44, p. 20940.
 - (d) 29 CFR 1926.4 Rules of practice for administrative adjudications for enforcement of safety and health standards, published 4/6/79, FR vol. 44, p. 20940.
 - (e) 29 CFR 1926.6 Incorporation by reference, published 6/13/13, FR vol. 78, no. 114, p. 35559; 11/6/13, FR vol. 78, no. 215, p. 66641.
- (2) Subdivision B — GENERAL INTERPRETATIONS:
 - (a) 29 CFR 1926.10 Scope of subpart, published 4/6/79, FR vol. 44, p. 20940.
 - (b) 29 CFR 1926.11 Coverage under section 103 of the act distinguished, published 4/6/79, FR vol. 44, p. 20940.
 - (c) 29 CFR 1926.12 Reorganization plan No. 14 of 1950, published 4/6/79, FR vol. 44, p. 20940.
 - (d) 29 CFR 1926.13 Interpretation of statutory terms, published 4/6/79, FR vol. 44, p. 20940.
 - (e) 29 CFR 1926.14 Federal contracts for ‘mixed’ types of performance, published 4/6/79, FR vol. 44, p. 20940.
 - (f) 29 CFR 1926.15 Relationship to the service contract act; Walsh-Healey Public Contracts Act, published 4/6/79, FR vol. 44, p. 20940.
 - (g) 29 CFR 1926.16 Rules of construction, published 4/6/79, FR vol. 44, p. 20940.
- (3) Subdivision C — GENERAL SAFETY AND HEALTH PROVISIONS:
 - (a) 29 CFR 1926.20 General safety and health provisions, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.
 - (b) 29 CFR 1926.21 Safety training and education, published 4/6/79, FR vol. 44, p. 20940; amended with Oregon OSHA AO 6-2012, repealed (b)(6), f. 9/28/12, ef. 4/1/13.
 - (c) 29 CFR 1926.22 Recording and reporting of injuries (Reserved)
 - (d) 29 CFR 1926.23 First aid and medical attention, published 4/6/79, FR vol. 44, p. 20940.
 - (e) 29 CFR 1926.24 Fire protection and prevention, published 4/6/79, FR vol. 44, p. 20940.
 - (f) 29 CFR 1926.25 Housekeeping, published 4/6/79, FR vol. 44, p. 20940.
 - (g) 29 CFR 1926.26 Illumination, published 4/6/79, FR vol. 44, p. 20940.
 - (h) 29 CFR 1926.27 Sanitation, published 4/6/79, FR vol. 44, p. 20940.
 - (i) 29 CFR 1926.28 Personal protective equipment. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
 - (j) 29 CFR 1926.29 Acceptable certifications, published 4/6/79, FR vol. 44, p. 20940.
 - (k) 29 CFR 1926.30 Shipbuilding and ship repairing, published 3/7/96, FR vol. 61, no. 46, p. 9249.
 - (l) 29 CFR 1926.31 (Reserved).

- (m) 29 CFR 1926.32 Definitions, published 6/30/93, FR vol. 58, no. 124, p. 35078.
- (n) 29 CFR 1926.33 Access to employee exposure and medical records, published 6/20/96, FR vol. 61, no. 46, p. 31427.
- (o) 29 CFR 1926.34 Means of egress, published 6/30/93, Federal Register, vol. 58, no. 124, p. 35083.
- (4) Subdivision D — OCCUPATIONAL HEALTH AND ENVIRONMENTAL CONTROLS:
 - (a) 29 CFR 1926.50 Medical services and first aid, published 6/18/98, FR vol. 63, no. 117, p. 33469.
 - (b) 29 CFR 1926.51 Sanitation, published 6/30/93, FR vol. 58, no. 124, p. 35084.
 - (c) 29 CFR 1926.52 Occupational noise exposure, published 4/6/79, FR vol. 44, p. 20940.
 - (d) 29 CFR 1926.53 Ionizing radiation, published 4/6/79, FR vol. 44, p. 20940.
 - (e) 29 CFR 1926.54 Nonionizing radiation, published 4/6/79, FR vol. 44, p. 20940.
 - (f) 29 CFR 1926.55 Gases, vapors, fumes, dusts, and mists, published 1/10/97, FR vol. 62, no. 7, p. 1619.
 - (g) 29 CFR 1926.56 Illumination, published 4/6/79, FR vol. 44, p. 20940.
 - (h) 29 CFR 1926.57 Ventilation, published 1/8/98, FR vol. 63, no. 5, p. 1295.
 - (i) 29 CFR 1926.58 Reserved, §1926.58, Asbestos, tremolite, anthophyllite and actinolite is redesignated as §1926.1101, Asbestos, and §1926.58 is reserved (8/10/94, FR vol. 59, no. 153, pp. 41131-62).
 - (j) 29 CFR 1926.59 Hazard Communication, published 6/20/96, FR vol. 61, p. 31427.
 - (k) 29 CFR 1926.60 Methylenedianiline (MDA), published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.
 - (l) 29 CFR 1926.61 Retention of DOT markings, placards and labels, published 6/20/96, FR vol. 61, p. 31427.
 - (m) 29 CFR 1926.62 Lead, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.
- NOTE:** Cadmium has been redesignated as §1926.1127.
- (n) 29 CFR 1926.65 Hazardous Waste Operations and Emergency Response
NOTE: Division 2/H, 1910.120, Hazardous Waste Operations and Emergency Response, applies to Construction.
- (5) Subdivision E — PERSONAL PROTECTIVE AND LIFE SAVING EQUIPMENT:
 - (a) 29 CFR 1926.95 Criteria for personal protective equipment. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
 - (b) 29 CFR 1926.100 Head protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
 - (c) 29 CFR 1926.101 Hearing protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
 - (d) 29 CFR 1926.102 Eye and face protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
 - (e) 29 CFR 1926.103 Respiratory protection, published 1/8/98, FR vol. 63, no. 5, p. 1297.
NOTE: 29 CFR 1926.104 Removed, 8/9/94, FR vol. 59, no. 152, p. 40729.
 - (f) 29 CFR 1926.105 Reserved, 8/9/94, FR vol. 59, no. 152, p. 40729.
 - (g) 29 CFR 1926.106 Working over or near water, published 4/6/79, FR vol. 44, p. 20940.
 - (h) 29 CFR 1926.107 Definitions applicable to this subpart, published 8/9/94, FR vol. 59, no. 152, p. 40729.
- (6) Subdivision F — FIRE PROTECTION AND PREVENTION:
 - (a) 29 CFR 1926.150 Fire protection, published 4/6/79, FR vol. 44, p. 20940.
 - (b) 29 CFR 1926.151 Fire prevention, published 7/11/86, FR vol. 51, p. 25318.
 - (c) 29 CFR 1926.152 Flammable and combustible liquids, published 6/30/93, FR vol. 58, no. 124, p. 35162.
 - (d) 29 CFR 1926.153 Liquefied petroleum gas (LP-Gas), published 6/30/93, FR vol. 58, no. 124, p. 35170.
 - (e) 29 CFR 1926.154 Temporary heating devices, published 4/6/79, FR vol. 44, p. 20940.
 - (f) 29 CFR 1926.155 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.
- (7) Subdivision G — SIGNS, SIGNALS, AND BARRICADES:

ADMINISTRATIVE RULES

- (a) 29 CFR 1926.200 Accident prevention signs and tags, published 6/13/13, FR vol. 78, no. 114, p. 35559; 11/6/13, FR vol. 78, no. 215, p. 66641.
- (b) 29 CFR 1926.201 Signaling, REPEALED with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.
- (c) 29 CFR 1926.202 Barricades, REPEALED with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.
- (d) 29 CFR 1926.203 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940; amended with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.
- (8) Subdivision H — MATERIALS HANDLING, STORAGE, USE AND DISPOSAL:
- (a) 29 CFR 1926.250 General requirements for storage, published 6/30/93, FR vol. 58, no. 124, p. 35173.
- (b) 29 CFR 1926.251 Rigging equipment for material handling, published 6/30/93, FR vol. 58, no. 124, p. 35173.
- (c) 29 CFR 1926.252 Disposal of waste materials, published 4/6/79, FR vol. 44, p. 20940.
- (9) Subdivision I — TOOLS — HAND AND POWER:
- (a) 29 CFR 1926.300 General requirements, published 3/7/96, FR vol. 61, no. 46, p. 9250.
- (b) 29 CFR 1926.301 Hand tools, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.302 Power operated hand tools, published 6/30/93, FR vol. 58, no. 124, p. 35175.
- (d) 29 CFR 1926.303 Abrasive wheels and tools, published 6/30/93, FR vol. 58, no. 124, p. 35175.
- (e) 29 CFR 1926.304 Woodworking tools, published 3/7/96, FR vol. 61, no. 46, p. 9251.
- (f) 29 CFR 1926.305 Jacks — lever and ratchet, screw, and hydraulic, published Federal Register vol. 58, no. 124, p. 35176.
- (10) Subdivision J — WELDING AND CUTTING:
- (a) 29 CFR 1926.350 Gas welding and cutting. Repealed. Oregon OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15. In Oregon, OAR 437-002-2253 applies.
- (b) 29 CFR 1926.351 Arc welding and cutting, published 7/11/86, FR vol. 51, p. 25318.
- (c) 29 CFR 1926.352 Fire prevention, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.353 Ventilation and protection in welding, cutting, and heating, published 6/30/93, FR vol. 58, no. 124, p. 35179.
- (e) 29 CFR 1926.354 Welding, cutting, and heating in way of preservative coatings, published 4/6/79, FR vol. 44, p. 20940.
- (11) Subdivision K — ELECTRICAL:
- (a) 29 CFR 1926.400 Introduction, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (b) 29 CFR 1926.401 (Reserved)
- (c) 29 CFR 1926.402 Applicability, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (d) 29 CFR 1926.403 General requirements, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (e) 29 CFR 1926.404 Wiring design and protection, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335; amended with AO 5-2002, repeal (b)(1), f. 6/28/02, ef. 10/1/03.
- (f) 29 CFR 1926.405 Wiring methods, components, and equipment for general use, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (g) 29 CFR 1926.406 Specific purpose equipment and installations, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (h) 29 CFR 1926.407 Hazardous (classified) locations, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (i) 29 CFR 1926.408 Special systems, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (j) 29 CFR 1926.409 (Reserved)
- (k) 29 CFR 1926.415 (Reserved)
- (l) 29 CFR 1926.416 General requirements, published 8/12/96, FR vol. 61, no. 156, p. 41738.
- (m) 29 CFR 1926.417 Lockout and tagging of circuits, published 8/12/96, FR vol. 61, no. 156, p. 41739.
- (n) 29 CFR 1926.418 (Reserved)
- (o) 29 CFR 1926.430 (Reserved)
- (p) 29 CFR 1926.431 Maintenance of equipment, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (q) 29 CFR 1926.432 Environmental deterioration of equipment, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (r) 29 CFR 1926.433 - 29 CFR 1926.440 (Reserved)
- (s) 29 CFR 1926.441 Battery locations and battery charging, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (t) 29 CFR 1926.442 - 29 CFR 1926.448 (Reserved)
- (u) 29 CFR 1926.449 Definitions applicable to this subpart, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.
- (12) Subdivision L — SCAFFOLDING:
- (a) 29 CFR 1926.450 Scope, application and definitions applicable to this subpart, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.
- (b) 29 CFR 1926.451 General requirements, published 11/25/96, FR vol. 61, no. 228, p. 59831.
- (c) 29 CFR 1926.452 Additional requirements applicable to specific types of scaffolds, published 8/30/96, FR vol. 61, no. 170, p. 46113.
- (d) 29 CFR 1926.453 Aerial lifts, published 11/25/96, FR vol. 61, no. 228, p. 59832.
- (e) 29 CFR 1926.454 Training, published 8/30/96, FR vol. 61, no. 170, p. 46117.
- (f) Appendix A to Subpart L Scaffold Specifications, published 8/30/96, FR vol. 61, no. 170, p. 46117.
- (g) Appendix B to Subpart L Criteria for determining the feasibility of providing safe access and fall protection for scaffold erectors and dismantlers (Reserved), published 8/30/96, FR vol. 61, no. 170, p. 46122.
- (h) Appendix C to Subpart L List of National Consensus Standards, published 8/30/96, FR vol. 61, no. 170, p. 46122.
- (i) Appendix D to Subpart L List of training topics for scaffold erectors and dismantlers, published 8/30/96, FR vol. 61, no. 170, p. 46122.
- (j) Appendix E to Subpart L Drawing and illustrations, published 11/25/96, FR vol. 61, no. 228, p. 59832.
- (13) Subdivision M — FALL PROTECTION:
- (a) 29 CFR 1926.500 Scope, application, and definitions applicable to this subpart, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.
- (b) 29 CFR 1926.501 Duty to have fall protection, published 8/9/94, FR vol. 59, no. 152, p. 40732-40733; amended with AO 6-2002, f. and ef. 7/19/02.
- (c) 29 CFR 1926.502 Fall protection systems criteria and practices, published 8/9/94, FR vol. 59, no. 152, p. 40733-40738; amended with AO 6-2002, f. and ef. 7/19/02.
- (d) 29 CFR 1926.503 Training requirements. REPEALED with AO 6-2002, f. and ef. 7/19/02, replaced with OI.
- (e) Appendix A to Subpart M Determining Roof Widths, published 8/9/94, FR vol. 59, no. 152, p. 40738-40742.
- (f) Appendix B to Subpart M Guardrail Systems, published 8/9/94, FR vol. 59, no. 152, p. 40743.
- (g) Appendix C to Subpart M Personal Fall Arrest Systems, published 8/9/94, FR vol. 59, no. 152, p. 40743-40746.
- (h) Appendix D to Subpart M Positioning Device Systems, published 8/9/94, FR vol. 59, no. 152, p. 40746.
- (14) Subdivision N — HELICOPTERS, HOISTS, ELEVATORS, AND CONVEYORS:
- (a) 29 CFR 1926.550 (Reserved).
- (b) 29 CFR 1926.551 Helicopters, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.552 Material hoists, personnel hoists, and elevators, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.553 Base-mounted drum hoist, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.
- (e) 29 CFR 1926.554 Overhead hoists, published 4/6/79, FR vol. 44, p. 20940.
- (f) 29 CFR 1926.555 Conveyors, published 4/6/79, FR vol. 44, p. 20940.
- (15) Subdivision O — MOTOR VEHICLES, MECHANIZED EQUIPMENT, AND MARINE OPERATIONS:
- (a) 29 CFR 1926.600 Equipment, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.
- (b) 29 CFR 1926.601 Motor vehicles, REPEALED by OR-OSHA Admin. Order 6-2007, f. 9/26/07, ef. 9/26/07.
- (c) 29 CFR 1926.602 Material handling equipment, published 12/1/98, FR vol. 63, no. 230, p. 66274; amended by AO 7-2003, f. 12/5/03, ef. 12/5/03.
- (d) 29 CFR 1926.603 Pile driving equipment, published 4/6/79, FR vol. 44, p. 20940.
- (e) 29 CFR 1926.604 Site clearing, published 7/22/77, FR vol. 42, p. 37674.
- (f) 29 CFR 1926.605 Marine operations and equipment, published 4/6/79, FR vol. 44, p. 20940.

ADMINISTRATIVE RULES

- (g) 29 CFR 1926.606 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.
- (16) Subdivision P — EXCAVATIONS:
- (a) 29 CFR 1926.650 Scope, application, and definitions applicable to this subdivision, published 10/31/89, FR vol. 54, no. 209, pp. 45959-45961.
- (b) 29 CFR 1926.651 General requirements, published 8/9/94, FR vol. 59, no. 152, p. 40730.
- (c) 29 CFR 1926.652 Requirements for protective systems, published 10/31/89, FR vol. 54, no. 209, pp. 45961-45962.
- (d) Appendices A–F to Subdivision P, Excavations, published 10/31/89, FR vol. 54, no. 209, pp. 45962-45991.
- (17) Subdivision Q — CONCRETE AND MASONRY CONSTRUCTION:
- (a) 29 CFR 1926.700 Scope, application and definitions applicable to this subpart, published 10/18/90, FR vol. 55, no. 202, p. 42326.
- (b) 29 CFR 1926.701 General requirements, published 8/9/94, FR vol. 59, no. 152, p. 40730.
- (c) 29 CFR 1926.702 Requirements for equipment and tools, published 6/16/88, FR vol. 53, p. 22612.
- (d) 29 CFR 1926.703 Requirements for cast-in-place concrete, published 6/16/88, FR vol. 53, p. 22612.
- (e) 29 CFR 1926.704 Requirements for precast concrete, published 10/5/89, FR vol. 54, no. 192, p. 41088.
- (f) 29 CFR 1926.705 Requirements for lift-slab construction operations, published 10/18/90, FR vol. 55, no. 202, p. 42326.
- (g) Appendix A to 1926.705 Lift-slab operations, published 10/18/90, FR vol. 55, no. 202, p. 42326.
- (h) 29 CFR 1926.706 Requirements for masonry construction, published 6/16/88, FR vol. 53, p. 22612; amended with OR-OSHA Admin. Order 1-2003, f. 1/30/03, ef. 4/30/03.
- (18) Subdivision R — STEEL ERECTION:
- (a) 29 CFR 1926.750 Scope, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (b) 29 CFR 1926.751 Definitions, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (c) 29 CFR 1926.752 Site layout, site-specific erection plan and construction sequence, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (d) 29 CFR 1926.753 Hoisting and rigging, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.
- (e) 29 CFR 1926.754 Structural steel assembly, published 4/3/06, FR vol. 71, no. 63, p. 16669.
- (f) 29 CFR 1926.755 Column anchorage, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (g) 29 CFR 1926.756 Beams and columns, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (h) 29 CFR 1926.757 Open web steel joists, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (i) 29 CFR 1926.758 Systems-engineered metal buildings, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (j) 29 CFR 1926.759 Falling object protection, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (k) 29 CFR 1926.760 Fall protection, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (l) 29 CFR 1926.761 Training, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.
- (m) Appendix A to Subpart R Guidelines for establishing the components of a site-specific erection plan: Nonmandatory Guidelines for Complying with §1926.752(e), published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (n) Appendix B to Subpart R Reserved.
- (o) Appendix C to Subpart R Illustrations of bridging terminus points: Nonmandatory Guidelines for Complying with §1926.757(a)(10) and §1926.757(c)(5), published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (p) Appendix D to Subpart R Illustration of the use of control lines to demarcate controlled decking zones (CDZs): Nonmandatory Guidelines for Complying with §1926.760(c)(3), REPEALED with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (q) Appendix E to Subpart R Training: Nonmandatory Guidelines for Complying with §1926.761, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (r) Appendix F to Subpart R Perimeter columns: Nonmandatory Guidelines for Complying with §1926.756(e) to Protect the Unprotected Side or Edge of a Walking/Working Surface, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (s) Appendix G to Subpart R Fall protection systems criteria and practices from §1926.502: Nonmandatory Guidelines for Complying with Complying with §1926.760(d), REPEALED with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (t) Appendix H to Subpart R Double connections: Illustration of a clipped end connection and a staggered connection: Non-Mandatory Guidelines for Complying with §1926.756(c)(1), published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (19) Subdivision S — UNDERGROUND CONSTRUCTION, CAISSONS, COFFERDAMS, AND COMPRESSED AIR:
- (a) 29 CFR 1926.800 Underground construction, published 4/23/13, FR vol. 78, no. 78, p. 23837.
- (b) 29 CFR 1926.801 Caissons, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.802 Cofferdams, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.803 Compressed air, published 7/11/86, FR vol. 51, p. 25318.
- (e) 29 CFR 1926.804 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.
- (f) Appendix A to Subpart S Decompression Tables, published 4/6/79, FR vol. 44, p. 20940.
- (20) Subdivision T — DEMOLITION:
- (a) 29 CFR 1926.850 Preparatory operations, published 4/6/79, FR vol. 44, p. 20940.
- (b) 29 CFR 1926.851 Stairs, passageways, and ladders, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.852 Chutes, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.853 Removal of materials through floor openings, published 4/6/79, FR vol. 44, p. 20940.
- (e) 29 CFR 1926.854 Removal of walls, masonry sections, and chimneys, published 4/6/79, FR vol. 44, p. 20940.
- (f) 29 CFR 1926.855 Manual removal of floors, published 4/6/79, FR vol. 44, p. 20940.
- (g) 29 CFR 1926.856 Removal of walls, floors, and materials with equipment, published 4/23/13, FR vol. 78, no. 78, p. 23837.
- (h) 29 CFR 1926.857 Storage, published 4/6/79, FR vol. 44, p. 20940.
- (i) 29 CFR 1926.858 Removal of steel construction, published 4/23/13, FR vol. 78, no. 78, p. 23837.
- (j) 29 CFR 1926.859 Mechanical demolition, published 4/6/79, FR vol. 44, p. 20940.
- (k) 29 CFR 1926.860 Selective demolition by explosives, published 4/6/79, FR vol. 44, p. 20940.
- (21) Subdivision U — BLASTING AND USE OF EXPLOSIVES:
- (a) 29 CFR 1926.900 General provisions, published 4/6/79, FR vol. 44, p. 20940.
- (b) 29 CFR 1926.901 Blaster qualifications, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.902 Surface transportation of explosives, published 6/30/93, FR vol. 58, no. 124, p. 35311.
- (d) 29 CFR 1926.903 Underground transportation of explosives, published 4/6/79, FR vol. 44, p. 20940.
- (e) 29 CFR 1926.904 Storage of explosives and blasting agents, published 6/30/93, FR vol. 58, no. 124, p. 35311.
- (f) 29 CFR 1926.905 Loading of explosives or blasting agents, published 6/30/93, FR vol. 58, no. 124, p. 35184.
- (g) 29 CFR 1926.906 Initiation of explosive charges — electric blasting, published 6/18/98, FR vol. 63, no. 117, p. 33469.
- (h) 29 CFR 1926.907 Use of safety fuse, published 4/6/79, FR vol. 44, p. 20940.
- (i) 29 CFR 1926.908 Use of detonating cord, published 4/6/79, FR vol. 44, p. 20940.
- (j) 29 CFR 1926.909 Firing the blast, published 4/6/79, FR vol. 44, p. 20940.
- (k) 29 CFR 1926.910 Inspection after blasting, published 4/6/79, FR vol. 44, p. 20940.
- (l) 29 CFR 1926.911 Misfires, published 4/6/79, FR vol. 44, p. 20940.
- (m) 29 CFR 1926.912 Underwater blasting, published 4/6/79, FR vol. 44, p. 20940.
- (n) 29 CFR 1926.913 Blasting in excavation work under compressed air, published 4/6/79, FR vol. 44, p. 20940.
- (o) 29 CFR 1926.914 Definitions applicable to this subpart, published 6/30/93, FR vol. 58, no. 124, p. 35184, 35311.

ADMINISTRATIVE RULES

(22) Subdivision V — POWER TRANSMISSION AND DISTRIBUTION:

(a) 29 CFR 1926.950 General requirements, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.951 Tools and protective equipment, published 8/9/94, FR vol. 59, no. 152, p. 40730.

(c) 29 CFR 1926.952 Mechanical equipment, published 5/29/13, FR vol. 78, no. 103, p. 32110.

(d) 29 CFR 1926.953 Material handling, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.954 Grounding for protection of employees, published 4/6/79, FR vol. 44, p. 20940.

(f) 29 CFR 1926.955 Overhead lines, published 4/6/79, FR vol. 44, p. 20940.

(g) 29 CFR 1926.956 Underground lines, published 4/6/79, FR vol. 44, p. 20940.

(h) 29 CFR 1926.957 Construction in energized substations, published 4/6/79, FR vol. 44, p. 20940.

(i) 29 CFR 1926.958 External load helicopters, published 4/6/79, FR vol. 44, p. 20940.

(j) 29 CFR 1926.959 Lineman's body belts, safety straps, and lanyards, published 4/6/79, FR vol. 44, p. 20940.

(k) 29 CFR 1926.960 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.

(23) Subdivision W — ROLLOVER PROTECTIVE STRUCTURES: OVERHEAD PROTECTION:

(a) 29 CFR 1926.1000 Rollover protective structures (ROPS) for material handling equipment, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.1001 Minimum performance criteria for rollover protective structure for designated scrapers, loaders, dozers, graders, and crawler tractors, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.1002 Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in construction, published 7/20/06, FR vol. 71, no. 139, p. 41127..

(d) 29 CFR 1926.1003 Overhead protection for operators of agricultural and industrial tractors, published 2/28/06, FR vol. 71, no. 39, p. 9909.

(24) Subdivision X — STAIRWAYS AND LADDERS:

(a) 29 CFR 1926.1050 Scope, application and definitions applicable to this Subdivision, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(b) 29 CFR 1926.1051 General requirements, published 11/14/90, FR vol. 55, no. 220, p. 47688.

(c) 29 CFR 1926.1052 Stairways, published 8/23/91, FR vol. 56, no. 164, pp. 41793-41794.

(d) 29 CFR 1926.1053 Ladders, published 8/23/91, FR vol. 56, no. 164, pp. 41793-41794.

(e) 29 CFR 1926.1054 (Reserved).

(f) 29 CFR 1926.1055 (Reserved).

(g) 29 CFR 1926.1056 (Reserved).

(h) 29 CFR 1926.1057 (Reserved).

(i) 29 CFR 1926.1058 (Reserved).

(j) 29 CFR 1926.1059 (Reserved).

(k) 29 CFR 1926.1060 Training requirements, published 11/14/90, FR vol. 55, no. 220, p. 47691.

(25) Subdivision Z — TOXIC AND HAZARDOUS SUBSTANCES:

(a) 29 CFR 1926.1101 Asbestos, published 2/8/13, FR vol. 78, no. 27, p. 9311.

(b) 29 CFR 1926.1126 Chromium (VI), published; 3/17/10, FR vol. 75, no. 51, pp. 12681-12686.

(c) 29 CFR 1926.1127 Cadmium, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.

(d) 29 CFR 1926.1152 Methylene Chloride, published 12/18/97, FR vol. 62, no. 243, p. 66275.

(26) Subdivision AA — (Reserved).

(27) Subdivision BB — (Reserved).

(28) Subdivision CC — Cranes and Derricks in Construction

(a) 29 CFR 1926.1400 Scope, published 5/29/13, FR vol. 78, no. 103, p. 32110.

(b) 29 CFR 1926.1401 Definitions, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(c) 29 CFR 1926.1402 Ground conditions, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(d) 29 CFR 1926.1403 Assembly/Disassembly — selection of manufacturer or employer procedures, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(e) 29 CFR 1926.1404 Assembly/Disassembly — general requirements (applies to all assembly and disassembly operations), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(f) 29 CFR 1926.1405 Disassembly — additional requirements for dismantling of booms and jibs (applies to both the use of manufacturer procedures and employer procedures), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(g) 29 CFR 1926.1406 Assembly/Disassembly — employer procedures — general requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(h) 29 CFR 1926.1407 Power line safety (up to 350 kV) — assembly and disassembly, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(i) 29 CFR 1926.1408 Power line safety (up to 350 kV) — equipment operations, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(j) 29 CFR 1926.1409 Power line safety (over 35 kV), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(k) 29 CFR 1926.1410 Power line safety (all voltages) — equipment operations closer than the Table A zone, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(l) 29 CFR 1926.1411 Power line safety — while traveling, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(m) 29 CFR 1926.1412 Inspections, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(n) 29 CFR 1926.1413 Wire rope — inspection, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(o) 29 CFR 1926.1414 Wire rope — selection and installation criteria, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(p) 29 CFR 1926.1415 Safety devices, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(q) 29 CFR 1926.1416 Operational aids, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(r) 29 CFR 1926.1417 Operation, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(s) 29 CFR 1926.1418 Authority to stop operation, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(t) 29 CFR 1926.1419 Signals — general requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(u) 29 CFR 1926.1420 Signals — radio, telephone or other electronic transmission of signals, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(v) 29 CFR 1926.1421 Signals — voice signals — additional requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(w) 29 CFR 1926.1422 Signals — hand signal chart, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(x) 29 CFR 1926.1423 Fall protection, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(y) 29 CFR 1926.1424 Work area control, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(z) 29 CFR 1926.1425 Keeping clear of the load, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(aa) 29 CFR 1926.1426 Free fall and controlled load lowering, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(bb) 29 CFR 1926.1427 Operator qualification and certification, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(cc) 29 CFR 1926.1428 Signal person qualifications, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(dd) 29 CFR 1926.1429 Qualifications of maintenance & repair employees, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ee) 29 CFR 1926.1430 Training, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ff) 29 CFR 1926.1431 Hoisting personnel, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(gg) 29 CFR 1926.1432 Multiple-crane/derrick lifts — supplemental requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(hh) 29 CFR 1926.1433 Design, construction and testing, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ii) 29 CFR 1926.1434 Equipment modifications, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(jj) 29 CFR 1926.1435 Tower cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(kk) 29 CFR 1926.1436 Derricks, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ll) 29 CFR 1926.1437 Floating cranes/derricks and land cranes/derricks on barges, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

ADMINISTRATIVE RULES

(mm) 29 CFR 1926.1438 Overhead & gantry cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(nn) 29 CFR 1926.1439 Dedicated pile drivers, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(oo) 29 CFR 1926.1440 Sideboom cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(pp) 29 CFR 1926.1441 Equipment with a rated hoisting/lifting capacity of 2,000 pounds or less, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(qq) 29 CFR 1926.1442 Severability, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(rr) Appendix A to Subdivision CC of 1926 — Standard Hand Signals, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ss) Appendix B to Subdivision CC of 1926 — Assembly/Disassembly — Sample Procedures for Minimizing the Risk of Unintended Dangerous Boom Movement, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(tt) Appendix C to Subdivision CC of 1926 — Operator Certification — Written Examination — Technical Knowledge Criteria, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

These standards are available at the Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, and the United States Government Printing Office.

Stat. Auth.: ORS 654.025(2) & 656.726(4)

Stats. Implemented: ORS 654.001 - 654.295

Hist.: APD 5-1989(Temp), f. 3-31-89, ef. 5-1-89; APD 8-1989, f. & ef. 7-7-89; APD 14-1989(Temp), f. 7-20-89, ef. 8-1-89; APD 15-1989, f. & ef. 9-13-89; OSHA 3-1990(Temp), f. & cert. ef. 1-19-90; OSHA 7-1990, f. & cert. ef. 3-2-90; OSHA 8-1990, f. & cert. ef. 3-30-90; OSHA 13-1990(Temp), f. 6-28-90, ef. 8-1-90; OSHA 19-1990, f. & cert. ef. 8-31-90; OSHA 27-1990, f. 12-12-90, cert. ef. 2-1-91; OSHA 6-1991, f. 3-18-91, cert. ef. 4-15-91; OSHA 7-1991, f. & cert. ef. 4-25-91; OSHA 15-1991, f. & cert. ef. 12-13-91; OSHA 16-1991, f. 12-16-91, cert. ef. 1-1-92; OSHA 6-1992, f. & cert. ef. 5-18-92; OSHA 11-1992, f. & cert. ef. 10-9-92; OSHA 1-1993, f. & cert. ef. 1-22-93; OSHA 16-1993, f. & cert. ef. 11-1-93; OSHA 4-1994, f. & cert. ef. 8-4-94; OSHA 1-1995, f. & cert. ef. 1-19-95; OSHA 3-1995, f. & cert. ef. 2-22-95; OSHA 4-1995, f. & cert. ef. 3-29-95; OSHA 5-1995, f. & cert. ef. 4-6-95; OSHA 6-1995, f. & cert. ef. 4-18-95; OSHA 8-1995, f. & cert. ef. 8-25-95; OSHA 5-1996, f. & cert. ef. 11-29-96; OSHA 6-1996, f. & cert. ef. 11-29-96; OSHA 2-1997, f. & cert. ef. 3-12-97; OSHA 4-1997, f. & cert. ef. 4-2-97; OSHA 6-1997, f. & cert. ef. 5-2-97; OSHA 7-1997, f. & cert. ef. 9-15-97; OSHA 3-1998, f. & cert. ef. 7-7-98; OSHA 6-1998, f. & cert. ef. 10-15-98; OSHA 7-1998, f. & cert. ef. 12-18-98; OSHA 2-1999, f. & cert. ef. 4-30-99; OSHA 6-1999, f. & cert. ef. 5-26-99; OSHA 3-2000, f. & cert. ef. 2-8-00; OSHA 3-2001, f. & cert. ef. 2-5-01; OSHA 3-2002, f. 4-15-02, cert. ef. 4-18-02; OSHA 5-2002, f. 6-28-02, cert. ef. 10-1-03; OSHA 6-2002, f. & cert. ef. 7-19-02; OSHA 1-2003, f. 1-30-03, cert. ef. 4-30-03; OSHA 2-2003, f. & cert. ef. 1-30-03; OSHA 7-2003, f. & cert. ef. 12-5-03; OSHA 8-2003, f. 12-30-03, cert. ef. 1-1-04; OSHA 1-2005, f. & cert. ef. 4-12-05; OSHA 2-2006, f. & cert. ef. 4-28-06; OSHA 4-2006, f. & cert. ef. 7-24-06; OSHA 5-2006, f. 8-7-06, cert. ef. 1-1-07; OSHA 6-2006, f. & cert. ef. 8-30-06; OSHA 10-2006, f. & cert. ef. 11-30-06; OSHA 6-2007, f. & cert. ef. 9-26-07; OSHA 5-2008, f. 5-1-08, cert. ef. 5-15-08; OSHA 5-2009, f. & cert. ef. 5-29-09; OSHA 3-2010, f. 6-10-10, cert. ef. 6-15-10; OSHA 1-2011, f. & cert. ef. 2-9-11; OSHA 4-2011, f. & cert. ef. 12-8-11; OSHA 5-2011, f. 12-8-11, cert. ef. 7-1-12; OSHA 1-2012, f. & cert. ef. 4-10-12; OSHA 3-2012, f. & cert. ef. 8-20-12; OSHA 5-2012, f. & cert. ef. 9-25-12; OSHA 6-2012, f. 9-28-12, cert. ef. 4-1-13; OSHA 7-2012, f. & cert. ef. 12-14-12; OSHA 1-2013, f. & cert. ef. 2-14-13; OSHA 2-2013, f. 2-15-13, cert. ef. 4-1-13; OSHA 4-2013, f. & cert. ef. 7-19-13; OSHA 5-2013, f. & cert. ef. 9-13-13; OSHA 6-2013, f. & cert. ef. 10-9-13; OSHA 7-2013, f. & cert. ef. 12-12-13; OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15

Rule Caption: Adopt extension of deadline date for operator certification for cranes and derricks in construction.

Adm. Order No.: OSHA 7-2014

Filed with Sec. of State: 11-7-2014

Certified to be Effective: 11-9-14

Notice Publication Date: 9-1-2014

Rules Amended: 437-003-0001

Subject: Oregon OSHA has adopted federal OSHA amendments to 1926.1427(k), extending the phase-in expiration date for crane operator certification and the employer duty to ensure competent and safe crane operations to November 10, 2017, as they appear in the September 26, 2014 Federal Register.

In February 2011, Oregon OSHA adopted by reference federal OSHA's Cranes and Derricks in Construction standard. Oregon's phase in period for crane operator certification and employer duties located in 1926.1427, paragraph (k) of Division 3, Subdivision CC has an expiration date of November 10, 2014.

On February 10, 2014, federal OSHA published in the Federal Register a proposal to extend the phase-in expiration date by three years to November 10, 2017 to allow time to address national stakeholder concerns about equating certification with qualification as well as the requirement for operators to be certified by both type and capacity of cranes. Oregon OSHA agreed that the phase-in date dead-

line in 1926.1427 Operator qualification and certification, paragraph (k), should be delayed.

When Oregon OSHA proposed rulemaking in August, federal OSHA had not yet finalized extending the crane operator certification date. Oregon, at that time, proposed to repeal paragraph (k) of 1926.1427 and adopt a new Oregon-initiated rule for the purpose of extending the crane operator certification and employer duties phase-in expiration date to November 10, 2017. We also stated in the proposed rulemaking that in the event that federal OSHA published their final rule extending the phase-in expiration before Oregon OSHA completed the rule adoption process, Oregon OSHA would adopt the federal amendment as published. Oregon OSHA received one comment during the open comment period which closed on October 10, 2014. The comment was in favor of extending the deadline date for operator certification for cranes and derricks in construction.

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Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules.

Rules Coordinator: Sue C. Joye—(503) 947-7449

437-003-0001

Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, in the Federal Register:

(1) Subdivision A — GENERAL:

(a) 29 CFR 1926.1 Purpose and Scope, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.2 Variances from safety and health standards, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.3 Inspections — right of entry, published 4/6/79, FR vol. 44, p. 20940.

(d) 29 CFR 1926.4 Rules of practice for administrative adjudications for enforcement of safety and health standards, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.6 Incorporation by reference, published 6/13/13, FR vol. 78, no. 114, p. 35559; 11/6/13, FR vol. 78, no. 215, p. 66641.

(2) Subdivision B — GENERAL INTERPRETATIONS:

(a) 29 CFR 1926.10 Scope of subpart, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.11 Coverage under section 103 of the act distinguished, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.12 Reorganization plan No. 14 of 1950, published 4/6/79, FR vol. 44, p. 20940.

(d) 29 CFR 1926.13 Interpretation of statutory terms, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.14 Federal contracts for 'mixed' types of performance, published 4/6/79, FR vol. 44, p. 20940.

(f) 29 CFR 1926.15 Relationship to the service contract act; Walsh-Healey Public Contracts Act, published 4/6/79, FR vol. 44, p. 20940.

(g) 29 CFR 1926.16 Rules of construction, published 4/6/79, FR vol. 44, p. 20940.

(3) Subdivision C — GENERAL SAFETY AND HEALTH PROVISIONS:

(a) 29 CFR 1926.20 General safety and health provisions, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.

(b) 29 CFR 1926.21 Safety training and education, published 4/6/79, FR vol. 44, p. 20940; amended with Oregon OSHA AO 6-2012, repealed (b)(6), f. 9/28/12, ef. 4/1/13.

(c) 29 CFR 1926.22 Recording and reporting of injuries (Reserved).

(d) 29 CFR 1926.23 First aid and medical attention, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.24 Fire protection and prevention, published 4/6/79, FR vol. 44, p. 20940.

(f) 29 CFR 1926.25 Housekeeping, published 4/6/79, FR vol. 44, p. 20940.

(g) 29 CFR 1926.26 Illumination, published 4/6/79, FR vol. 44, p. 20940.

(h) 29 CFR 1926.27 Sanitation, published 4/6/79, FR vol. 44, p. 20940.

(i) 29 CFR 1926.28 Personal protective equipment. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.

ADMINISTRATIVE RULES

- (j) 29 CFR 1926.29 Acceptable certifications, published 4/6/79, FR vol. 44, p. 20940.
- (k) 29 CFR 1926.30 Shipbuilding and ship repairing, published 3/7/96, FR vol. 61, no. 46, p. 9249.
- (l) 29 CFR 1926.31 (Reserved).
- (m) 29 CFR 1926.32 Definitions, published 6/30/93, FR vol. 58, no. 124, p. 35078.
- (n) 29 CFR 1926.33 Access to employee exposure and medical records, published 6/20/96, FR vol. 61, no. 46, p. 31427.
- (o) 29 CFR 1926.34 Means of egress, published 6/30/93, Federal Register, vol. 58, no. 124, p. 35083.
- (4) Subdivision D — OCCUPATIONAL HEALTH AND ENVIRONMENTAL CONTROLS:
- (a) 29 CFR 1926.50 Medical services and first aid, published 6/18/98, FR vol. 63, no. 117, p. 33469.
- (b) 29 CFR 1926.51 Sanitation, published 6/30/93, FR vol. 58, no. 124, p. 35084.
- (c) 29 CFR 1926.52 Occupational noise exposure, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.53 Ionizing radiation, published 4/6/79, FR vol. 44, p. 20940.
- (e) 29 CFR 1926.54 Nonionizing radiation, published 4/6/79, FR vol. 44, p. 20940.
- (f) 29 CFR 1926.55 Gases, vapors, fumes, dusts, and mists, published 1/10/97, FR vol. 62, no. 7, p. 1619.
- (g) 29 CFR 1926.56 Illumination, published 4/6/79, FR vol. 44, p. 20940.
- (h) 29 CFR 1926.57 Ventilation, published 1/8/98, FR vol. 63, no. 5, p. 1295.
- (i) 29 CFR 1926.58 Reserved, §1926.58, Asbestos, tremolite, anthophyllite and actinolite is redesignated as §1926.1101, Asbestos, and §1926.58 is reserved (8/10/94, FR vol. 59, no. 153, pp. 41131-62).
- (j) 29 CFR 1926.59 Hazard Communication, published 6/20/96, FR vol. 61, p. 31427.
- (k) 29 CFR 1926.60 Methylenedianiline (MDA), published 12/12/08, FR vol. 73, no. 240, pp. 75568–75589.
- (l) 29 CFR 1926.61 Retention of DOT markings, placards and labels, published 6/20/96, FR vol. 61, p. 31427.
- (m) 29 CFR 1926.62 Lead, published 12/12/08, FR vol. 73, no. 240, pp. 75568–75589.
- NOTE:** Cadmium has been redesignated as §1926.1127.
- (n) 29 CFR 1926.65 Hazardous Waste Operations and Emergency Response.
- NOTE:** Division 2/H, 1910.120, Hazardous Waste Operations and Emergency Response, applies to Construction.
- (5) Subdivision E — PERSONAL PROTECTIVE AND LIFE SAVING EQUIPMENT:
- (a) 29 CFR 1926.95 Criteria for personal protective equipment. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
- (b) 29 CFR 1926.100 Head protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
- (c) 29 CFR 1926.101 Hearing protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
- (d) 29 CFR 1926.102 Eye and face protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.
- (e) 29 CFR 1926.103 Respiratory protection, published 1/8/98, FR vol. 63, no. 5, p. 1297.
- NOTE:** 29 CFR 1926.104 Removed, 8/9/94, FR vol. 59, no. 152, p. 40729.
- (f) 29 CFR 1926.105 Reserved, 8/9/94, FR vol. 59, no. 152, p. 40729.
- (g) 29 CFR 1926.106 Working over or near water, published 4/6/79, FR vol. 44, p. 20940.
- (h) 29 CFR 1926.107 Definitions applicable to this subpart, published 8/9/94, FR vol. 59, no. 152, p. 40729.
- (6) Subdivision F — FIRE PROTECTION AND PREVENTION:
- (a) 29 CFR 1926.150 Fire protection, published 4/6/79, FR vol. 44, p. 20940.
- (b) 29 CFR 1926.151 Fire prevention, published 7/11/86, FR vol. 51, p. 25318.
- (c) 29 CFR 1926.152 Flammable and combustible liquids, published 6/30/93, FR vol. 58, no. 124, p. 35162.
- (d) 29 CFR 1926.153 Liquefied petroleum gas (LP-Gas), published 6/30/93, FR vol. 58, no. 124, p. 35170.
- (e) 29 CFR 1926.154 Temporary heating devices, published 4/6/79, FR vol. 44, p. 20940.
- (f) 29 CFR 1926.155 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.
- (7) Subdivision G — SIGNS, SIGNALS, AND BARRICADES:
- (a) 29 CFR 1926.200 Accident prevention signs and tags, published 6/13/13, FR vol. 78, no. 114, p. 35559; 11/6/13, FR vol. 78, no. 215, p. 66641.
- (b) 29 CFR 1926.201 Signaling, REPEALED with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.
- (c) 29 CFR 1926.202 Barricades, REPEALED with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.
- (d) 29 CFR 1926.203 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940; amended with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.
- (8) Subdivision H — MATERIALS HANDLING, STORAGE, USE AND DISPOSAL:
- (a) 29 CFR 1926.250 General requirements for storage, published 6/30/93, FR vol. 58, no. 124, p. 35173.
- (b) 29 CFR 1926.251 Rigging equipment for material handling, published 6/30/93, FR vol. 58, no. 124, p. 35173.
- (c) 29 CFR 1926.252 Disposal of waste materials, published 4/6/79, FR vol. 44, p. 20940.
- (9) Subdivision I — TOOLS — HAND AND POWER:
- (a) 29 CFR 1926.300 General requirements, published 3/7/96, FR vol. 61, no. 46, p. 9250.
- (b) 29 CFR 1926.301 Hand tools, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.302 Power operated hand tools, published 6/30/93, FR vol. 58, no. 124, p. 35175.
- (d) 29 CFR 1926.303 Abrasive wheels and tools, published 6/30/93, FR vol. 58, no. 124, p. 35175.
- (e) 29 CFR 1926.304 Woodworking tools, published 3/7/96, FR vol. 61, no. 46, p. 9251.
- (f) 29 CFR 1926.305 Jacks — lever and ratchet, screw, and hydraulic, published Federal Register vol. 58, no. 124, p. 35176.
- (10) Subdivision J — WELDING AND CUTTING:
- (a) 29 CFR 1926.350 Gas welding and cutting. Repealed. Oregon OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15. In Oregon, OAR 437-002-2253 applies.
- (b) 29 CFR 1926.351 Arc welding and cutting, published 7/11/86, FR vol. 51, p. 25318.
- (c) 29 CFR 1926.352 Fire prevention, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.353 Ventilation and protection in welding, cutting, and heating, published 6/30/93, FR vol. 58, no. 124, p. 35179.
- (e) 29 CFR 1926.354 Welding, cutting, and heating in way of preservative coatings, published 4/6/79, FR vol. 44, p. 20940.
- (11) Subdivision K — ELECTRICAL:
- (a) 29 CFR 1926.400 Introduction, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (b) 29 CFR 1926.401 (Reserved).
- (c) 29 CFR 1926.402 Applicability, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (d) 29 CFR 1926.403 General requirements, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (e) 29 CFR 1926.404 Wiring design and protection, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335; amended with AO 5-2002, repeal (b)(1), f. 6/28/02, ef. 10/1/03.
- (f) 29 CFR 1926.405 Wiring methods, components, and equipment for general use, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (g) 29 CFR 1926.406 Specific purpose equipment and installations, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (h) 29 CFR 1926.407 Hazardous (classified) locations, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (i) 29 CFR 1926.408 Special systems, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (j) 29 CFR 1926.409 (Reserved).
- (k) 29 CFR 1926.415 (Reserved).
- (l) 29 CFR 1926.416 General requirements, published 8/12/96, FR vol. 61, no. 156, p. 41738.
- (m) 29 CFR 1926.417 Lockout and tagging of circuits, published 8/12/96, FR vol. 61, no. 156, p. 41739.
- (n) 29 CFR 1926.418 (Reserved).
- (o) 29 CFR 1926.430 (Reserved).

ADMINISTRATIVE RULES

- (p) 29 CFR 1926.431 Maintenance of equipment, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (q) 29 CFR 1926.432 Environmental deterioration of equipment, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (r) 29 CFR 1926.433 — 29 CFR 1926.440 (Reserved).
- (s) 29 CFR 1926.441 Battery locations and battery charging, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (t) 29 CFR 1926.442 — 29 CFR 1926.448 (Reserved).
- (u) 29 CFR 1926.449 Definitions applicable to this subpart, published 7/11/86, FR vol. 51, no. 133, pp. 25294–25335.
- (12) Subdivision L — SCAFFOLDING:
- (a) 29 CFR 1926.450 Scope, application and definitions applicable to this subpart, published 8/9/10, FR vol. 75, no. 152, pp. 47906–48177.
- (b) 29 CFR 1926.451 General requirements, published 11/25/96, FR vol. 61, no. 228, p. 59831.
- (c) 29 CFR 1926.452 Additional requirements applicable to specific types of scaffolds, published 8/30/96, FR vol. 61, no. 170, p. 46113.
- (d) 29 CFR 1926.453 Aerial lifts, published 11/25/96, FR vol. 61, no. 228, p. 59832.
- (e) 29 CFR 1926.454 Training, published 8/30/96, FR vol. 61, no. 170, p. 46117.
- (f) Appendix A to Subpart L Scaffold Specifications, published 8/30/96, FR vol. 61, no. 170, p. 46117.
- (g) Appendix B to Subpart L Criteria for determining the feasibility of providing safe access and fall protection for scaffold erectors and dismantlers (Reserved), published 8/30/96, FR vol. 61, no. 170, p. 46122.
- (h) Appendix C to Subpart L List of National Consensus Standards, published 8/30/96, FR vol. 61, no. 170, p. 46122.
- (i) Appendix D to Subpart L List of training topics for scaffold erectors and dismantlers, published 8/30/96, FR vol. 61, no. 170, p. 46122.
- (j) Appendix E to Subpart L Drawing and illustrations, published 11/25/96, FR vol. 61, no. 228, p. 59832.
- (13) Subdivision M — FALL PROTECTION:
- (a) 29 CFR 1926.500 Scope, application, and definitions applicable to this subpart, published 8/9/10, FR vol. 75, no. 152, pp. 47906–48177.
- (b) 29 CFR 1926.501 Duty to have fall protection, published 8/9/94, FR vol. 59, no. 152, p. 40732–40733; amended with AO 6-2002, f. and ef. 7/19/02.
- (c) 29 CFR 1926.502 Fall protection systems criteria and practices, published 8/9/94, FR vol. 59, no. 152, p. 40733–40738; amended with AO 6-2002, f. and ef. 7/19/02.
- (d) 29 CFR 1926.503 Training requirements. REPEALED with AO 6-2002, f. and ef. 7/19/02, replaced with OI.
- (e) Appendix A to Subpart M Determining Roof Widths, published 8/9/94, FR vol. 59, no. 152, p. 40738–40742.
- (f) Appendix B to Subpart M Guardrail Systems, published 8/9/94, FR vol. 59, no. 152, p. 40743.
- (g) Appendix C to Subpart M Personal Fall Arrest Systems, published 8/9/94, FR vol. 59, no. 152, p. 40743–40746.
- (h) Appendix D to Subpart M Positioning Device Systems, published 8/9/94, FR vol. 59, no. 152, p. 40746.
- (14) Subdivision N — HELICOPTERS, HOISTS, ELEVATORS, AND CONVEYORS:
- (a) 29 CFR 1926.550 (Reserved).
- (b) 29 CFR 1926.551 Helicopters, published 4/6/79, FR vol. 44, p. 20940.
- (c) 29 CFR 1926.552 Material hoists, personnel hoists, and elevators, published 4/6/79, FR vol. 44, p. 20940.
- (d) 29 CFR 1926.553 Base-mounted drum hoist, published 8/9/10, FR vol. 75, no. 152, pp. 47906–48177.
- (e) 29 CFR 1926.554 Overhead hoists, published 4/6/79, FR vol. 44, p. 20940.
- (f) 29 CFR 1926.555 Conveyors, published 4/6/79, FR vol. 44, p. 20940.
- (15) Subdivision O — MOTOR VEHICLES, MECHANIZED EQUIPMENT, AND MARINE OPERATIONS:
- (a) 29 CFR 1926.600 Equipment, published 8/9/10, FR vol. 75, no. 152, pp. 47906–48177.
- (b) 29 CFR 1926.601 Motor vehicles, REPEALED by OR-OSHA Admin. Order 6-2007, f. 9/26/07, ef. 9/26/07.
- (c) 29 CFR 1926.602 Material handling equipment, published 12/1/98, FR vol. 63, no. 230, p. 66274; amended by AO 7-2003, f. 12/5/03, ef. 12/5/03.
- (d) 29 CFR 1926.603 Pile driving equipment, published 4/6/79, FR vol. 44, p. 20940.
- (e) 29 CFR 1926.604 Site clearing, published 7/22/77, FR vol. 42, p. 37674.
- (f) 29 CFR 1926.605 Marine operations and equipment, published 4/6/79, FR vol. 44, p. 20940.
- (g) 29 CFR 1926.606 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.
- (16) Subdivision P — EXCAVATIONS:
- (a) 29 CFR 1926.650 Scope, application, and definitions applicable to this subdivision, published 10/31/89, FR vol. 54, no. 209, pp. 45959–45961.
- (b) 29 CFR 1926.651 General requirements, published 8/9/94, FR vol. 59, no. 152, p. 40730.
- (c) 29 CFR 1926.652 Requirements for protective systems, published 10/31/89, FR vol. 54, no. 209, pp. 45961–45962.
- (d) Appendices A-F to Subdivision P, Excavations, published 10/31/89, FR vol. 54, no. 209, pp. 45962–45991.
- (17) Subdivision Q — CONCRETE AND MASONRY CONSTRUCTION:
- (a) 29 CFR 1926.700 Scope, application and definitions applicable to this subpart, published 10/18/90, FR vol. 55, no. 202, p. 42326.
- (b) 29 CFR 1926.701 General requirements, published 8/9/94, FR vol. 59, no. 152, p. 40730.
- (c) 29 CFR 1926.702 Requirements for equipment and tools, published 6/16/88, FR vol. 53, p. 22612.
- (d) 29 CFR 1926.703 Requirements for cast-in-place concrete, published 6/16/88, FR vol. 53, p. 22612.
- (e) 29 CFR 1926.704 Requirements for precast concrete, published 10/5/89, FR vol. 54, no. 192, p. 41088.
- (f) 29 CFR 1926.705 Requirements for lift-slab construction operations, published 10/18/90, FR vol. 55, no. 202, p. 42326.
- (g) Appendix A to 1926.705 Lift-slab operations, published 10/18/90, FR vol. 55, no. 202, p. 42326.
- (h) 29 CFR 1926.706 Requirements for masonry construction, published 6/16/88, FR vol. 53, p. 22612; amended with OR-OSHA Admin. Order 1-2003, f. 1/30/03, ef. 4/30/03.
- (18) Subdivision R — STEEL ERECTION:
- (a) 29 CFR 1926.750 Scope, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (b) 29 CFR 1926.751 Definitions, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (c) 29 CFR 1926.752 Site layout, site-specific erection plan and construction sequence, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (d) 29 CFR 1926.753 Hoisting and rigging, published 8/9/10, FR vol. 75, no. 152, pp. 47906–48177.
- (e) 29 CFR 1926.754 Structural steel assembly, published 4/3/06, FR vol. 71, no. 63, p. 16669.
- (f) 29 CFR 1926.755 Column anchorage, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (g) 29 CFR 1926.756 Beams and columns, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (h) 29 CFR 1926.757 Open web steel joists, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (i) 29 CFR 1926.758 Systems-engineered metal buildings, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (j) 29 CFR 1926.759 Falling object protection, published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (k) 29 CFR 1926.760 Fall protection, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.
- (l) 29 CFR 1926.761 Training, published 12/12/08, FR vol. 73, no. 240, pp. 75568–75589.
- (m) Appendix A to Subpart R Guidelines for establishing the components of a site-specific erection plan: Nonmandatory Guidelines for Complying with §1926.752(e), published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (n) Appendix B to Subpart R Reserved.
- (o) Appendix C to Subpart R Illustrations of bridging terminus points: Nonmandatory Guidelines for Complying with §1926.757(a)(10) and §1926.757(c)(5), published 7/17/01, FR vol. 66, no. 137, p. 37137.
- (p) Appendix D to Subpart R Illustration of the use of control lines to demarcate controlled decking zones (CDZs): Nonmandatory Guidelines for Complying with §1926.760(c)(3), REPEALED with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.

ADMINISTRATIVE RULES

(q) Appendix E to Subpart R Training: Nonmandatory Guidelines for Complying with §1926.761, published 7/17/01, FR vol. 66, no. 137, p. 37137.

(r) Appendix F to Subpart R Perimeter columns: Nonmandatory Guidelines for Complying with §1926.756(e) to Protect the Unprotected Side or Edge of a Walking/Working Surface, published 7/17/01, FR vol. 66, no. 137, p. 37137.

(s) Appendix G to Subpart R Fall protection systems criteria and practices from §1926.502: Nonmandatory Guidelines for Complying with Complying with §1926.760(d), REPEALED with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.

(t) Appendix H to Subpart R Double connections: Illustration of a clipped end connection and a staggered connection: Non-Mandatory Guidelines for Complying with Complying with §1926.756(c)(1), published 7/17/01, FR vol. 66, no. 137, p. 37137.

(19) Subdivision S — UNDERGROUND CONSTRUCTION, CAISSONS, COFFERDAMS, AND COMPRESSED AIR:

(a) 29 CFR 1926.800 Underground construction, published 4/23/13, FR vol. 78, no. 78, p. 23837.

(b) 29 CFR 1926.801 Caissons, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.802 Cofferdams, published 4/6/79, FR vol. 44, p. 20940.

(d) 29 CFR 1926.803 Compressed air, published 7/11/86, FR vol. 51, p. 25318.

(e) 29 CFR 1926.804 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.

(f) Appendix A to Subpart S Decompression Tables, published 4/6/79, FR vol. 44, p. 20940.

(20) Subdivision T — DEMOLITION:

(a) 29 CFR 1926.850 Preparatory operations, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.851 Stairs, passageways, and ladders, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.852 Chutes, published 4/6/79, FR vol. 44, p. 20940.

(d) 29 CFR 1926.853 Removal of materials through floor openings, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.854 Removal of walls, masonry sections, and chimneys, published 4/6/79, FR vol. 44, p. 20940.

(f) 29 CFR 1926.855 Manual removal of floors, published 4/6/79, FR vol. 44, p. 20940.

(g) 29 CFR 1926.856 Removal of walls, floors, and materials with equipment, published 4/23/13, FR vol. 78, no. 78, p. 23837.

(h) 29 CFR 1926.857 Storage, published 4/6/79, FR vol. 44, p. 20940.

(i) 29 CFR 1926.858 Removal of steel construction, published 4/23/13, FR vol. 78, no. 78, p. 23837.

(j) 29 CFR 1926.859 Mechanical demolition, published 4/6/79, FR vol. 44, p. 20940.

(k) 29 CFR 1926.860 Selective demolition by explosives, published 4/6/79, FR vol. 44, p. 20940.

(21) Subdivision U — BLASTING AND USE OF EXPLOSIVES:

(a) 29 CFR 1926.900 General provisions, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.901 Blaster qualifications, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.902 Surface transportation of explosives, published 6/30/93, FR vol. 58, no. 124, p. 35311.

(d) 29 CFR 1926.903 Underground transportation of explosives, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.904 Storage of explosives and blasting agents, published 6/30/93, FR vol. 58, no. 124, p. 35311.

(f) 29 CFR 1926.905 Loading of explosives or blasting agents, published 6/30/93, FR vol. 58, no. 124, p. 35184.

(g) 29 CFR 1926.906 Initiation of explosive charges — electric blasting, published 6/18/98, FR vol. 63, no. 117, p. 33469.

(h) 29 CFR 1926.907 Use of safety fuse, published 4/6/79, FR vol. 44, p. 20940.

(i) 29 CFR 1926.908 Use of detonating cord, published 4/6/79, FR vol. 44, p. 20940.

(j) 29 CFR 1926.909 Firing the blast, published 4/6/79, FR vol. 44, p. 20940.

(k) 29 CFR 1926.910 Inspection after blasting, published 4/6/79, FR vol. 44, p. 20940.

(l) 29 CFR 1926.911 Misfires, published 4/6/79, FR vol. 44, p. 20940.

(m) 29 CFR 1926.912 Underwater blasting, published 4/6/79, FR vol. 44, p. 20940.

(n) 29 CFR 1926.913 Blasting in excavation work under compressed air, published 4/6/79, FR vol. 44, p. 20940.

(o) 29 CFR 1926.914 Definitions applicable to this subpart, published 6/30/93, FR vol. 58, no. 124, p. 35184, 35311.

(22) Subdivision V — POWER TRANSMISSION AND DISTRIBUTION:

(a) 29 CFR 1926.950 General requirements, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.951 Tools and protective equipment, published 8/9/94, FR vol. 59, no. 152, p. 40730.

(c) 29 CFR 1926.952 Mechanical equipment, published 5/29/13, FR vol. 78, no. 103, p. 32110.

(d) 29 CFR 1926.953 Material handling, published 4/6/79, FR vol. 44, p. 20940.

(e) 29 CFR 1926.954 Grounding for protection of employees, published 4/6/79, FR vol. 44, p. 20940.

(f) 29 CFR 1926.955 Overhead lines, published 4/6/79, FR vol. 44, p. 20940.

(g) 29 CFR 1926.956 Underground lines, published 4/6/79, FR vol. 44, p. 20940.

(h) 29 CFR 1926.957 Construction in energized substations, published 4/6/79, FR vol. 44, p. 20940.

(i) 29 CFR 1926.958 External load helicopters, published 4/6/79, FR vol. 44, p. 20940.

(j) 29 CFR 1926.959 Lineman's body belts, safety straps, and lanyards, published 4/6/79, FR vol. 44, p. 20940.

(k) 29 CFR 1926.960 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.

(23) Subdivision W — ROLLOVER PROTECTIVE STRUCTURES: OVERHEAD PROTECTION:

(a) 29 CFR 1926.1000 Rollover protective structures (ROPS) for material handling equipment, published 4/6/79, FR vol. 44, p. 20940.

(b) 29 CFR 1926.1001 Minimum performance criteria for rollover protective structure for designated scrapers, loaders, dozers, graders, and crawler tractors, published 4/6/79, FR vol. 44, p. 20940.

(c) 29 CFR 1926.1002 Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in construction, published 7/20/06, FR vol. 71, no. 139, p. 41127.

(d) 29 CFR 1926.1003 Overhead protection for operators of agricultural and industrial tractors, published 2/28/06, FR vol. 71, no. 39, p. 9909.

(24) Subdivision X — STAIRWAYS AND LADDERS:

(a) 29 CFR 1926.1050 Scope, application and definitions applicable to this Subdivision, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(b) 29 CFR 1926.1051 General requirements, published 11/14/90, FR vol. 55, no. 220, p. 47688.

(c) 29 CFR 1926.1052 Stairways, published 8/23/91, FR vol. 56, no. 164, pp. 41793-41794.

(d) 29 CFR 1926.1053 Ladders, published 8/23/91, FR vol. 56, no. 164, pp. 41793-41794.

(e) 29 CFR 1926.1054 (Reserved).

(f) 29 CFR 1926.1055 (Reserved).

(g) 29 CFR 1926.1056 (Reserved).

(h) 29 CFR 1926.1057 (Reserved).

(i) 29 CFR 1926.1058 (Reserved).

(j) 29 CFR 1926.1059 (Reserved).

(k) 29 CFR 1926.1060 Training requirements, published 11/14/90, FR vol. 55, no. 220, p. 47691.

(25) Subdivision Z — TOXIC AND HAZARDOUS SUBSTANCES:
(a) 29 CFR 1926.1101 Asbestos, published 2/8/13, FR vol. 78, no. 27, p. 9311.

(b) 29 CFR 1926.1126 Chromium (VI), published; 3/17/10, FR vol. 75, no. 51, pp. 12681-12686.

(c) 29 CFR 1926.1127 Cadmium, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.

(d) 29 CFR 1926.1152 Methylene Chloride, published 12/18/97, FR vol. 62, no. 243, p. 66275.

(26) Subdivision AA — (Reserved).

(27) Subdivision BB — (Reserved).

(28) Subdivision CC — Cranes and Derricks in Construction:

(a) 29 CFR 1926.1400 Scope, published 5/29/13, FR vol. 78, no. 103, p. 32110.

ADMINISTRATIVE RULES

(b) 29 CFR 1926.1401 Definitions, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(c) 29 CFR 1926.1402 Ground conditions, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(d) 29 CFR 1926.1403 Assembly/Disassembly — selection of manufacturer or employer procedures, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(e) 29 CFR 1926.1404 Assembly/Disassembly — general requirements (applies to all assembly and disassembly operations), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(f) 29 CFR 1926.1405 Disassembly — additional requirements for dismantling of booms and jibs (applies to both the use of manufacturer procedures and employer procedures), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(g) 29 CFR 1926.1406 Assembly/Disassembly — employer procedures — general requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(h) 29 CFR 1926.1407 Power line safety (up to 350 kV) — assembly and disassembly, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(i) 29 CFR 1926.1408 Power line safety (up to 350 kV) — equipment operations, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(j) 29 CFR 1926.1409 Power line safety (over 35 kV), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(k) 29 CFR 1926.1410 Power line safety (all voltages) — equipment operations closer than the Table A zone, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(l) 29 CFR 1926.1411 Power line safety — while traveling, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(m) 29 CFR 1926.1412 Inspections, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(n) 29 CFR 1926.1413 Wire rope — inspection, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(o) 29 CFR 1926.1414 Wire rope — selection and installation criteria, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(p) 29 CFR 1926.1415 Safety devices, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(q) 29 CFR 1926.1416 Operational aids, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(r) 29 CFR 1926.1417 Operation, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(s) 29 CFR 1926.1418 Authority to stop operation, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(t) 29 CFR 1926.1419 Signals — general requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(u) 29 CFR 1926.1420 Signals — radio, telephone or other electronic transmission of signals, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(v) 29 CFR 1926.1421 Signals — voice signals — additional requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(w) 29 CFR 1926.1422 Signals — hand signal chart, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(x) 29 CFR 1926.1423 Fall protection, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(y) 29 CFR 1926.1424 Work area control, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(z) 29 CFR 1926.1425 Keeping clear of the load, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(aa) 29 CFR 1926.1426 Free fall and controlled load lowering, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(bb) 29 CFR 1926.1427 Operator qualification and certification, published 9/26/14, FR vol. 79, no. 187, p. 57785.

(cc) 29 CFR 1926.1428 Signal person qualifications, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(dd) 29 CFR 1926.1429 Qualifications of maintenance & repair employees, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ee) 29 CFR 1926.1430 Training, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ff) 29 CFR 1926.1431 Hoisting personnel, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(gg) 29 CFR 1926.1432 Multiple-crane/derrick lifts — supplemental requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(hh) 29 CFR 1926.1433 Design, construction and testing, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ii) 29 CFR 1926.1434 Equipment modifications, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(jj) 29 CFR 1926.1435 Tower cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(kk) 29 CFR 1926.1436 Derricks, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ll) 29 CFR 1926.1437 Floating cranes/derricks and land cranes/derricks on barges, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(mm) 29 CFR 1926.1438 Overhead & gantry cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(nn) 29 CFR 1926.1439 Dedicated pile drivers, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(oo) 29 CFR 1926.1440 Sideboom cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(pp) 29 CFR 1926.1441 Equipment with a rated hoisting/lifting capacity of 2,000 pounds or less, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(qq) 29 CFR 1926.1442 Severability, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(rr) Appendix A to Subdivision CC of 1926 — Standard Hand Signals, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(ss) Appendix B to Subdivision CC of 1926 — Assembly/Disassembly — Sample Procedures for Minimizing the Risk of Unintended Dangerous Boom Movement, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

(tt) Appendix C to Subdivision CC of 1926 — Operator Certification — Written Examination — Technical Knowledge Criteria, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.

These standards are available at the Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, and the United States Government Printing Office.

Stat. Auth.: ORS 654.025(2) & 656.726(4)
Stats. Implemented: ORS 654.001 - 654.295

Hist.: APD 5-1989(Temp), f. 3-31-89, ef. 5-1-89; APD 8-1989, f. & ef. 7-7-89; APD 14-1989(Temp), f. 7-20-89, ef. 8-1-89; APD 15-1989, f. & ef. 9-13-89; OSHA 3-1990(Temp), f. & cert. ef. 1-19-90; OSHA 7-1990, f. & cert. ef. 3-2-90; OSHA 8-1990, f. & cert. ef. 3-30-90; OSHA 13-1990(Temp), f. 6-28-90, ef. 8-1-90; OSHA 19-1990, f. & cert. ef. 8-31-90; OSHA 27-1990, f. 12-12-90, cert. ef. 2-1-91; OSHA 6-1991, f. 3-18-91, cert. ef. 4-15-91; OSHA 7-1991, f. & cert. ef. 4-25-91; OSHA 15-1991, f. & cert. ef. 12-13-91; OSHA 16-1991, f. 12-16-91, cert. ef. 1-1-92; OSHA 6-1992, f. & cert. ef. 5-18-92; OSHA 11-1992, f. & cert. ef. 10-9-92; OSHA 1-1993, f. & cert. ef. 1-22-93; OSHA 16-1993, f. & cert. ef. 11-1-93; OSHA 4-1994, f. & cert. ef. 8-4-94; OSHA 1-1995, f. & cert. ef. 1-19-95; OSHA 3-1995, f. & cert. ef. 2-22-95; OSHA 4-1995, f. & cert. ef. 3-29-95; OSHA 5-1995, f. & cert. ef. 4-6-95; OSHA 6-1995, f. & cert. ef. 4-18-95; OSHA 8-1995, f. & cert. ef. 8-25-95; OSHA 5-1996, f. & cert. ef. 11-29-96; OSHA 6-1996, f. & cert. ef. 11-29-96; OSHA 2-1997, f. & cert. ef. 3-12-97; OSHA 4-1997, f. & cert. ef. 4-2-97; OSHA 6-1997, f. & cert. ef. 5-2-97; OSHA 7-1997, f. & cert. ef. 9-15-97; OSHA 3-1998, f. & cert. ef. 7-7-98; OSHA 6-1998, f. & cert. ef. 10-15-98; OSHA 7-1998, f. & cert. ef. 12-18-98; OSHA 2-1999, f. & cert. ef. 4-30-99; OSHA 6-1999, f. & cert. ef. 5-26-99; OSHA 3-2000, f. & cert. ef. 2-8-00; OSHA 3-2001, f. & cert. ef. 2-5-01; OSHA 3-2002, f. 4-15-02, cert. ef. 4-18-02; OSHA 5-2002, f. 6-28-02 cert. ef. 10-1-03; OSHA 6-2002, f. & cert. ef. 7-19-02; OSHA 1-2003, f. 1-30-03 cert. ef. 4-30-03; OSHA 2-2003, f. & cert. ef. 1-30-03; OSHA 7-2003, f. & cert. ef. 12-5-03; OSHA 8-2003, f. 12-30-03 cert. ef. 1-1-04; OSHA 1-2005, f. & cert. ef. 4-12-05; OSHA 2-2006, f. & cert. ef. 4-28-06; OSHA 4-2006, f. & cert. ef. 7-24-06; OSHA 5-2006, f. 8-7-06, cert. ef. 1-1-07; OSHA 6-2006, f. & cert. ef. 8-30-06; OSHA 10-2006, f. & cert. ef. 11-30-06; OSHA 6-2007, f. & cert. ef. 9-26-07; OSHA 5-2008, f. 5-1-08, cert. ef. 5-15-08; OSHA 5-2009, f. & cert. ef. 5-29-09; OSHA 3-2010, f. 6-10-10, cert. ef. 6-15-10; OSHA 1-2011, f. & cert. ef. 2-9-11; OSHA 4-2011, f. & cert. ef. 12-8-11; OSHA 5-2011, f. 12-8-11, cert. ef. 7-1-12; OSHA 1-2012, f. & cert. ef. 4-10-12; OSHA 3-2012, f. & cert. ef. 8-20-12; OSHA 5-2012, f. & cert. ef. 9-25-12; OSHA 6-2012, f. 9-28-12, cert. ef. 4-1-13; OSHA 7-2012, f. & cert. ef. 12-14-12; OSHA 1-2013, f. & cert. ef. 2-14-13; OSHA 2-2013, f. 2-15-13, cert. ef. 4-1-13; OSHA 4-2013, f. & cert. ef. 7-19-13; OSHA 5-2013, f. & cert. ef. 9-13-13; OSHA 6-2013, f. & cert. ef. 10-9-13; OSHA 7-2013, f. & cert. ef. 12-12-13; OSHA 6-2014, f. 10-28-14, cert. ef. 5-1-15; OSHA 7-2014, f. 11-7-14, cert. ef. 11-9-14

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

Rule Caption: Interim medical benefits; implementation of House Bill 4104 (2014)

Adm. Order No.: WCD 11-2014

Filed with Sec. of State: 10-17-2014

Certified to be Effective: 1-1-15

Notice Publication Date: 8-1-2014

Rules Amended: 436-009-0035

Subject: Amended OAR 436-009, Oregon Medical Fee and Payment Rules:

- Exclude the non-compensable treatments listed under OAR 436-009-0010(12) from coverage as interim medical benefits;

- Remove references to limitations on the types of interim medical services that are payable - diagnostic services, medication to alleviate pain, and services intended to stabilize the claimed condition;

ADMINISTRATIVE RULES

- Explain that a provider may submit a pre-authorization request to the health benefit plan prior to claim acceptance or denial;
 - Continue to require that if the medical provider knows that the patient filed a work-related claim, the medical provider may not collect any health benefit plan co-pay, co-insurance, or deductible from the patient during the interim period;
 - Require that, if the workers' compensation insurer accepts the claim, the insurer must pay medical providers as required by the rules;
 - Require that, if the workers' compensation insurer accepts the claim, the health care provider, after receiving payment from the insurer, must reimburse the worker and the health benefit plan for any medical expenses, co-pays, co-insurance, or deductibles, paid by the worker or the health benefit plan;
 - Eliminate requirements for the health care provider to bill the workers' compensation insurer for amounts not paid by the health insurer;
 - Make clarifying changes to better align the rule with the statute (including statutory wording that was unaffected by HB4104), by specifying that interim medical benefits:
 - Apply only to initial claims for workers' compensation benefits;
 - Are not due when the patient is enrolled in a managed care organization prior to claim acceptance or denial; and
 - Are payable from the date of the employer's notice or knowledge of the claim to the date the insurer accepts or denies the claim.
- Rules Coordinator:** Fred Bruyns—(503) 947-7717

436-009-0035

Interim Medical Benefits

- (1) General.
 - (a) Interim medical benefits under ORS 656.247 only apply to initial claims when the patient has a health benefit plan(s), i.e., the patient's private health insurance(s). For the purpose of this rule the Oregon Health Plan is not a health benefit plan.
 - (b) Interim medical benefits are not due on claims:
 - (A) When the patient is enrolled in an MCO prior to claim acceptance or denial under ORS 656.245(4)(b)(B); or
 - (B) When the insurer denies the claim within 14 days of the employer's notice of the claim.
 - (c) Interim medical benefits cover services provided from the date of employer's notice or knowledge of the claim to the date the insurer accepts or denies the claim. Interim medical benefits do not include treatments excluded under OAR 436-009-0010(12).
 - (d) When billing for interim medical benefits, the medical provider must bill the workers' compensation insurer according to these rules, and the health benefit plan according to the plan's requirements. The provider may submit a pre-authorization request to the health benefit plan prior to claim acceptance or denial.
 - (e) If the medical provider knows that the patient filed a work-related claim, the medical provider may not collect any health benefit plan co-pay, co-insurance, or deductible from the patient during the interim period.
- (2) Claim Acceptance.
 - If the insurer accepts the claim:
 - (a) The insurer must pay medical providers for services according to these rules; and
 - (b) The provider, after receiving payment from the insurer, must reimburse the worker and the health benefit plan for any medical expenses, co-pays, co-insurance, or deductibles, paid by the worker or the health benefit plan.
 - (3) Claim Denial.
 - If the insurer denies the claim:
 - (a) The insurer must notify the medical provider as provided in OAR 436-060-0140 that an initial claim has been denied; and
 - (b) The medical provider must bill the health benefit plan, unless the medical provider has previously billed the health benefit plan. The provider must forward a copy of the workers' compensation denial letter to the health benefit plan.

Stat. Auth.: ORS 656.245, 656.704, 656.726(4)

Stats. Implemented: ORS 656.247

Hist.: WCD 13-2001, f. 12-17-01, cert. ef. 1-1-02; WCD 3-2006, f. 3-14-06, cert. ef. 4-1-06;

WCD 5-2008, f. 12-15-08, cert. ef. 1-1-09; WCD 3-2014, f. 3-12-14, cert. ef. 4-1-14; WCD

11-2014, f. 10-17-14, cert. ef. 1-1-15

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

Adm. Order No.: WCD 12-2014

Filed with Sec. of State: 11-13-2014

Certified to be Effective: 4-1-15

Notice Publication Date: 10-1-2014

Rules Adopted: 436-162-0035, 436-162-0380, 436-162-0400, 436-162-0440

Rules Amended: 436-162-0001, 436-162-0004, 436-162-0005, 436-162-0040, 436-162-0310, 436-162-0340, 436-162-0370

Rules Repealed: 436-162-0002, 436-162-0003, 436-162-0006, 436-162-0010, 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

Rules Ren. & Amend: 436-162-0060 to 436-162-0335, 436-162-0320 to 436-162-0038

Subject: The agency has amended 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 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;

Adopt 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—(503) 947-7717

436-162-0001

Authority, Applicability, Administration, and Purpose of these Rules

(1) These rules are promulgated under the director's authority contained in ORS 656.726(4).

(2)(a) These rules apply to workers' compensation proof of coverage transactions filed with the director by electronic data interchange (EDI) on or after April 1, 2015.

(b) For coverage effective before July 1, 2009, the insurer must contact the director if the insurer is unable to file proof of coverage by EDI.

(3) The director's purpose is to require workers' compensation proof of coverage reporting by EDI.

(4) The director may waive procedural rules as justice requires, unless otherwise obligated by statute.

(5) Orders issued by the division in carrying out the director's authority to enforce ORS chapter 656 are considered orders of the director.

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

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

Hist.: WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

ADMINISTRATIVE RULES

436-162-0004

Adoption of Standards

(1) The director adopts, by reference, IAIABC EDI Implementation Guide for Proof of Coverage, Release 2.1, dated July 1, 2010.

(2) The form, format, and delivery of data elements reported and definitions will conform to these standards, unless otherwise provided in these rules.

(3) A copy of the Release 2.1 guide is available for review during regular business hours at the Workers' Compensation Division, Operations Section, 350 Winter Street NE, Salem OR 97301, 503-947-7742. IAIABC members may view a copy of the Release 2.1 guide, or non-members may purchase a copy, at the IAIABC website: <http://www.iaiaabc.org>.

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

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

Hist.: WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0005

General Definitions

For the purpose of these rules:

(1) "Director" means the director of the Department of Consumer and Business Services or the director's designee for the matter.

(2) "Division" means the Workers' Compensation Division of the Department of Consumer and Business Services.

(3) "Electronic data interchange" or "EDI" means a computer to computer exchange of information in a standardized electronic format.

(4) "Electronic record" means information created, generated, sent, communicated, received, or stored by electronic means.

(5) "Establishing document" means a transaction that reports coverage for one or more entities. Establishing document types are coverage notice/binders, new policies, rewrite/reissue transactions, renewals, reinstatements, add jurisdiction endorsements, or add employer/location endorsements.

(6) "Exclude (X)" means the data element must not be sent or cannot be sent.

(7) "Expected (E)" means the data element is expected on the transaction, but the transaction will be accepted with errors should it fail any edit.

(8) "Fatal Technical (F)" means the data element must be sent.

(9) "Fatal Technical/Conditional (FT)" means the data element must be sent when certain conditions are present.

(10) "FEIN" means the federal employer identification number or other federal reporting number used by the Internal Revenue Service (IRS) to identify a business entity and by the insurer, insured, or employer for federal tax reporting purposes.

(11) "Header record" means the record that precedes each transmission for the purpose of identifying a sender, the date and time of the transmission, and the transaction set within the transmission.

(12) "IAIABC" means the International Association of Industrial Accident Boards and Commissions, a professional trade association consisting of state workers' compensation regulators and insurance and corporate agency representatives (www.iaiaabc.org).

(13) "If Applicable/Available with Item Accept if Invalid (IA)" means the data may or may not be populated. If present, may be edited for valid value or format. The division may or may not return an error on validity edits.

(14) "Industry code" means the code that indicates the nature of the employer's business as published in the North American Industrial Classification System (NAICS) manual, available in print and on CD-ROM from the National Technical Information Service (NTIS) <http://www.ntis.gov/products/naics.aspx>. NAICS codes may also be viewed at the U.S. Census Bureau webpage (<http://www.census.gov/eos/www/naics/>).

(15) "Information" means data, text, images, sounds, codes, computer programs, software, databases, or the like.

(16) "Insurer" means the State Accident Insurance Fund Corporation or an insurer authorized under ORS chapter 731 to transact workers' compensation insurance in Oregon.

(17) "Mandatory (M)" means the data element must be sent. If the data element is omitted or submitted in a format the division is unable to process, the transaction will be rejected.

(18) "Mandatory/Conditional (MC)" means the data element must be sent when certain conditions are present.

(19) "Not Applicable (NA)" means the data element is not required to be sent, but it may be sent. If it is sent, edits may be applied, but unsuccessful edits will not cause the transaction to be rejected.

(20) "Proof of coverage" means an electronic record or set of records identifying an insurer as providing workers' compensation coverage for a specific employer.

(21) "Record" means electronic record.

(22) "Restricted (R)" means the data element value will not be accepted if a stated condition exists.

(23) "Sender" means the vendor or insurer authorized to send EDI transactions to the division.

(24) "Trailer record" means the record that designates the end of a transmission and provides a count of transactions contained within the transmission, not including the header and trailer records.

(25) "Transaction" means a set of EDI records, defined according to standards in OAR 436-162-0004(1).

(26) "Transaction reason code" means the two-digit code identifying the type of transaction and why it was sent (e.g., 54, adding an employer location).

(27) "Transaction set purpose code" means the code identifying whether the transaction is an original, change, or replacement transaction (e.g., 00, original).

(28) "Transaction set type code" means the code identifying the purpose of individual records within the transaction (e.g., 42, canceled by insured).

(29) "Transmission" means a defined set of transactions, including both header and trailer records sent to the division or sender by EDI.

(30) "Triplicate code" means the series of three two-digit codes that define the specific purpose of individual records in a proof of coverage transmission in this order: transaction set purpose code, transaction set type code, and transaction reason code.

(31) "Vendor" means an agent identified by an insurer to submit transmissions to the division on behalf of the insurer.

Stat. Auth: ORS 656.264 & 656.726(4)

Stats. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0035

General Filing Information

(1) Senders must follow United States Postal Service guidelines for reporting all addresses.

(2) Transactions will be rejected if Mandatory or Mandatory/Conditional data elements are omitted or submitted in a form or format the division is unable to process.

(3) Not Applicable data element(s) in a transaction will be ignored if the data element is either omitted or submitted in a form or format the division is unable to process.

(4) Worker leasing company (also known in other jurisdictions as professional employer organization) policies will be accepted by EDI, subject to the same data and transaction editing standards as other policies. A policy filing for a worker leasing company does not eliminate the worker leasing company's requirement to file worker leasing notices under OAR 436-050-0410.

(5) Wrap-up policies will be accepted by EDI, subject to the same data and transaction editing standards as other policies. Wrap-up projects and any change of insurer mid-project must be approved by the Oregon Insurance Division.

Stat. Authority: ORS 656.264, 656.419, 656.423, 656.427 & 656.726(4)

Stat. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0038

Acknowledgement

(1) The division will respond to submitted transmissions by providing either a Transaction Accepted (TA) or a Transaction Rejected (TR) acknowledgement.

(2) Transaction rejected acknowledgements will be generated for transactions with errors, including but not limited to:

(a) An omitted Mandatory data element;

(b) An improperly populated data element field, e.g., numeric data element field is populated with alpha or alphanumeric data, or is not a valid value;

(c) Transactions or electronic records within the transaction that require matching and cannot be matched to the division's database;

(d) Illogical data in a Mandatory or Mandatory/Conditional field, e.g., policy expiration date is before policy effective date;

(e) Duplicate transmission or duplicate transaction within the transmission;

(f) Invalid triplicate code; or

ADMINISTRATIVE RULES

(g) Illogical event sequence relationship between transactions, e.g., endorsement transaction submitted before a policy transaction is submitted.

(3) The insurer must correct and resubmit any transactions rejected for which a law or rule requires reporting to the director.

(4) Transactions that are not rejected under section (2) of this rule will result in a Transaction Accepted acknowledgement.

(5) An insurer's obligation to file proof of coverage for the purposes of this rule is not satisfied unless the director acknowledges acceptance of the transaction.

Stat. Auth: ORS 656.264, 656.419, 656.423, 656.427 & 656.726(4)

Stat. Implemented: ORS, 656.419, 656.423 & 656.427

Hist.: WCD 3-2003, f. 3-18-03, cert. ef. 4-1-03; WCD 12-2003, f. 12-4-03, cert. ef. 1-1-04; WCD 4-2008, f. 9-17-08, cert. ef. 7-1-09; Renumbered from 436-160-0320, WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; Renumbered from 436-162-0320, WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0040

Recognized Filing Date

(1) An electronic record is considered filed on the date it is delivered to the director only if the division issues a Transaction Accepted acknowledgement.

(2) Rejected transactions are not considered filed and do not satisfy proof of coverage requirements until they are corrected, resubmitted, and accepted by the division.

Stat. Auth: ORS 656.264, 656.726(4)

Stats. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0310

Electronic Filing Requirements

(1) Unless otherwise provided in these rules, insurers must transmit proof of coverage by EDI, and either use an approved vendor, or be approved as a sender.

(2) Unless otherwise provided in these rules, the data elements have the meaning provided in the data dictionary of the IAIABC EDI Implementation Guide for Proof of Coverage, Release 2.1, dated July 1, 2010, referenced in OAR 436-162-0004(1).

(3) Data elements are listed in Appendices A and B:

(a) Appendix A shows all proof of coverage data elements accepted by EDI in Oregon, and whether the data element is Exclude (X), Expected (E), Fatal Technical (F), Fatal Technical/Conditional (FT), Mandatory (M), Mandatory/Conditional (MC), Not Applicable (NA), or Restricted (R), for each transaction type.

(b) Appendix B lists Mandatory/Conditional data elements and the applicable conditions that make the data element mandatory.

(4) Filing due dates are listed in Appendix C, the Event Table.

(5) An insurer may file proof of coverage EDI by:

(a) Transmitting an electronic record of the proof of coverage data elements identified as Mandatory or Mandatory/Conditional, including a correct FEIN, as defined in OAR 436-162-0005(10), for each legally distinct employer included in the establishing document transaction; and

(b) Transmitting an establishing document transaction, coverage notice/binder, new/renew policy, rewrite/reissue policy, reinstatement, add location, add employer, or add jurisdiction.

(6) If an employer elects to include any nonsubject worker(s) for coverage, or subsequently to exclude such workers from coverage, the insurer must submit a transaction with a reason code for including or excluding a corporate officer, partner, member, sole proprietor, or any other nonsubject worker as described in ORS 656.027.

(7) Insurers may not:

(a) Submit placeholder or invalid FEINs; or

(b) Submit paper documents to the director without the director's express permission.

[ED. NOTE: Appendix referenced are available from the agency.]

Stat. Auth: ORS 656.264, 656.419, 656.423, 656.427 & 656.726(4)

Stat. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 3-2003, f. 3-18-03, cert. ef. 4-1-03; WCD 12-2003, f. 12-4-03, cert. ef. 1-1-04; WCD 4-2008, f. 9-17-08, cert. ef. 7-1-09; WCD 3-2009, f. 12-1-09, cert. ef. 1-1-10; Renumbered from 436-160-0310, WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0335

Testing Procedures and Transaction Accuracy Standards

(1) An insurer that wants to self report proof of coverage must report through an approved vendor until the insurer completes all of the testing requirements in this rule and receives approval from the director to self report.

(2) To obtain approval, each sender must successfully complete the Secure File Transfer Protocol (SFTP) test, demonstrate ability to success-

fully transmit coverage data in the format specified in OAR 436-162-0004(1), achieve ninety percent reporting accuracy, and retrieve and process automated EDI acknowledgements.

(3) To begin the testing process for proof of coverage EDI, the sender must:

(a) Contact the division's EDI coordinator. Contact information is on the division's webpage: <http://wcd.oregon.gov/operations/edi/ediindex.html#coverage>; and

(b) Complete and submit the proof of coverage EDI transmission profile (Form 440-4979), available from: <http://wcd.oregon.gov/operations/edi/ediindex.html#coverage>.

(4) A successful EDI test is determined by the following:

(a) The resolution of any consistently recurring Fatal Technical errors identified by the division;

(b) Transmissions are sent to the division without errors in the header or trailer record;

(c) Transmissions are sent to the division without transaction level technical errors; and

(d) The sender is able to retrieve and process the automated EDI acknowledgement transactions.

(5) To move from testing to production:

(a) The sender must submit a minimum of three transmissions containing at least three records for each Oregon valid triplicate code included in Appendix A.

(b) Data transmitted during the proof of coverage EDI test must represent actual proof of coverage data, which will be discarded after the test.

(c) The division will provide the sender with an acknowledgement file to account for the processing outcome of each transaction, i.e., accepted or rejected. The sender should reconcile or correct identified data errors in their source data system as necessary.

(d) Ninety percent of transactions submitted during the testing phase must be accepted by the division. Additional proof of coverage EDI test transmission(s) may be required until a ninety percent accuracy rate is achieved.

(6) The director will notify senders once they have successfully completed testing.

(7) Once approved, the sender must maintain the accuracy as defined in sections (4) and (5)(d) of this rule. Failure to meet technical requirements may result in the revocation of EDI transmission approval.

(8) The division will inform the sender and insurer (if different) if accuracy standards for technical requirements fall below standards prescribed in sections (2) and (5)(d) of this rule.

Stat. Auth: ORS 656.264, 656.419, 656.423, 656.427 & 656.726(4)

Stat. Implemented: ORS 656.264, 656.419, 656.423 & 656.427

Hist.: WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; Renumbered from 436-162-0060, WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0340

Changes or Corrections

(1) Changes or corrections to proof of coverage information must be submitted under the standards referenced in OAR 436-162-0004(1).

(2) To report changes or corrections of an insured employer's name or address, or other data elements, the insurer must transmit the appropriate transaction to specify what data is being changed or corrected.

(3) The insurer's policy number is used to assist in matching each transaction to the appropriate employer. When an insurer changes a policy number, the insurer must report that change prior to the next transaction submitted for that policy. Failure to report a change in the policy number will prevent future filings from being processed by the division's information processing system and the insurer will receive a Transaction Rejected acknowledgement.

(4) To add or delete coverage for corporate officers, members of a limited liability company, partners, sole proprietors, or other nonsubject workers, the insurer must file the appropriate "include" or "exclude" endorsement transaction to the associated policy filing.

Stat. Auth: ORS 656.264, 656.419, 656.423, 656.427 & 656.726(4)

Stat. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 3-2003, f. 3-18-03, cert. ef. 4-1-03; WCD 12-2003, f. 12-4-03, cert. ef. 1-1-04; WCD 1-2008, f. 6-13-08, cert. ef. 7-1-08; WCD 4-2008, f. 9-17-08, cert. ef. 7-1-09; WCD 3-2009, f. 12-1-09, cert. ef. 1-1-10; Renumbered from 436-160-0340, WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0370

Proof of Coverage Terminations

When the insurer cancels coverage before the expiration of the policy term, the insurer must:

(1) Provide written notice to the employer under ORS 656.427(1) and (3);

ADMINISTRATIVE RULES

(2) Retain a record of the written notice sent to the employer under ORS 656.427, and proof of mailing of that notice, for inspection by the division; and

(3) Provide notice to the director under ORS 656.427 by EDI.

Stat. Auth.: ORS 656.264, 656.427 & 656.726(4)

Stat. Implemented: ORS 656.427

Hist.: WCD 4-2008, f. 9-17-08, cert. ef. 7-1-09; Renumbered from 436-160-0370, WCD 7-2010, f. 10-1-10, cert. ef. 1-1-11; WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0380

Cancellation of Coverage by the Employer

When the employer cancels coverage before the expiration of the policy term, the insurer must:

(1) Retain a record of the written or verbal notice provided by the employer to the insurer under ORS 656.423, including proof of date of receipt of that notice, for inspection by the division; and

(2) Provide notice to the director under ORS 656.423 by EDI.

Stat. Auth.: ORS 656.264, 656.423 & 656.726(4)

Stat. Implemented: ORS 656.423

Hist.: WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0400

Monitoring and Auditing Insurers

(1) The director may monitor and conduct periodic audits of proof of coverage reporting data to ensure compliance with ORS chapter 656 and these rules. If the director finds violations of the reporting requirements of these rules the director may issue civil penalties under OAR 436-162-0440 and ORS 656.745.

(a) Proof of coverage must be reported timely. "Timely" means that an insurer reports data within the time allowed by these rules, including Appendix C, the Event Table.

(b) Proof of coverage must be reported accurately. "Accurately" means that the reported coverage data accepted by the division conforms to the reporting requirements of these rules, including Appendices A, B, and C.

(2) All records maintained or required to be maintained must be disclosed upon request by the director.

Stat. Auth.: ORS 656.264, 656.726(4) & 656.745

Stat. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

436-162-0440

Assessment of Civil Penalties

(1) Under ORS 656.745, the director may assess a civil penalty against an insurer that fails to comply with ORS chapter 656 or the director's rules and orders.

(2) The insurer is responsible for its own actions as well as the actions of others acting on the insurer's behalf. If an insurer or someone acting on the insurer's behalf violates any provisions of these rules, the director may impose a civil penalty against the insurer.

Stat. Auth.: ORS 656.264, 656.726(4) & 656.745

Stat. Implemented: ORS 656.419, 656.423 & 656.427

Hist.: WCD 12-2014, f. 11-13-14, cert. ef. 4-1-15

Department of Corrections

Chapter 291

Rule Caption: Earned Discharge for Offenders

Adm. Order No.: DOC 21-2014

Filed with Sec. of State: 11-4-2014

Certified to be Effective: 11-4-14

Notice Publication Date: 7-1-2014

Rules Adopted: 291-209-0010, 291-209-0020, 291-209-0030, 291-209-0040, 291-209-0050, 291-209-0060, 291-209-0070

Rules Repealed: 291-209-0010(T), 291-209-0020(T), 291-209-0030(T), 291-209-0040(T), 291-209-0050(T), 291-209-0060(T), 291-209-0070(T)

Subject: These rules are necessary to implement 2013 legislation (HB 3194) that allows offenders sentenced to felony probation or to the legal and physical custody of the supervisory authority under ORS 137.142(2) to receive a reduction in the period of supervision for compliance with the terms of their supervision. These rules establish a process for granting, retracting, and restoring time credits for eligible offenders in accordance with the provisions of ORS 137.633.

Rules Coordinator: Janet R. Worley — (503) 945-0933

291-209-0010

Authority, Purpose, and Policy

(1) Authority: The authority for this rule is granted to the Director of the Department of Corrections in accordance with ORS 137.633, 179.040, 423.020, 423.030, and 423.075.

(2) Purpose: The purpose of these rules is to describe the manner in which an offender sentenced to felony probation or to the legal and physical custody of the supervisory authority under ORS 137.124(2) may receive a reduction in the period of supervision in accordance with the provisions of ORS 137.633.

(3) Policy:

(a) It is the policy of the Department of Corrections that eligible offenders be considered by the supervisory authority for a reduction in the period of supervision for complying with their terms of supervision, including the payment of restitution and participation in recidivism reduction programs, as provided in these rules.

(b) Offenders whose supervision has been transferred to Oregon under the Interstate Compact for Adult Offender Supervision are ineligible for earned discharge under these rules.

(c) These rules apply to offenders convicted of a felony and sentenced on or after August 1, 2013, to probation or to the legal and physical custody of the supervisory authority under ORS 137.124(2).

(d) These rules do not apply to persons who:

(A) Were originally sentenced before August 1, 2013, and who are subsequently resentenced on or after August 1, 2013, as the result of an appellate decision or a post-conviction relief proceeding or for any other reason; or

(B) Were sentenced on or after August 1, 2013, to probation or to the legal and physical custody of the supervisory authority but the supervision is under the jurisdiction of the Board of Parole and Post-Prison Supervision.

Stat. Auth.: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

291-209-0020

Definitions for OAR 291-209-0020 to 291-209-0070

(1) Compensatory Fines: A court-imposed penalty for the commission of a crime resulting in injury for which the person injured by the act constituting a crime has a remedy by civil action (unless the issue of punitive damages has been previously decided on a civil case arising out of the same act and transaction).

(2) Compliance with the Conditions of Supervision and the Supervision Case Plan: For purposes of these rules, the supervisory authority shall deem an eligible offender to be in compliance with the conditions of supervision and any applicable supervision case plan if the offender:

(a) Has fully paid any restitution or compensatory fines ordered by the court; and

(b) Is actively participating in his/her supervision case plan.

(3) Earned Discharge: A discharge from probation or local control post-prison supervision prior to the scheduled supervision expiration date.

(4) Interventions: Interventions imposed by the Department of Corrections or a county community corrections agency for violations of one or more conditions of supervision. Interventions include, but are not limited to, verbal reprimand, written reprimand, job search programming, increased reporting requirements, curfew, day reporting, modification of conditions, and outpatient treatment. Intervention responses are not counted as custody units and may be imposed along with sanctions.

(5) Offender: Any person under the supervision of local community corrections who is on probation, parole, or post-prison supervision status

(6) Restitution: Full, partial or nominal payment of economic damages to a victim.

(7) Supervising Officer: The parole and probation officer assigned to supervise the offender.

(8) Supervision: Supervision requiring the supervising officer's regular contact with and monitoring of the offender to assure continued compliance with the general and special conditions of supervision.

(9) Supervisory Authority: The state or local corrections agency or official designated in each county by that county's Board of County Commissioners or county court to operate correction supervision services, custodial facilities, or both per ORS 144.087(1).

(10) Time Credits: Reduction credits applied to the period of supervision imposed for the case under consideration.

Stat. Auth.: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

ADMINISTRATIVE RULES

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

291-209-0030

Period of Supervision

(1) All persons convicted of a felony and sentenced on or after August 1, 2013, to probation or to the legal and physical custody of the supervisory authority under ORS 137.124(2) shall serve a minimum period of supervision before consideration for earned discharge under these rules.

(2) The maximum amount of time credits earned under this rule may not exceed 50 percent of the period of supervision imposed.

(3) Time credits may not be used to shorten the period of supervision to less than six months.

Stat Auth: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

291-209-0040

Earned Discharge

(1) At 60 days prior to completion of the minimum period of supervision as authorized in OAR 291-209-0030, the supervising officer or designee shall review the offender's file and determine if the offender is in compliance with the offender's conditions and any applicable supervision case plan as defined in these rules.

(a) If the supervising officer or designee determines that the offender is in compliance, the supervising officer shall recommend to the supervisory authority that it grant time credits to the offender.

(b) Upon receiving a request from the supervising officer, the supervisory authority shall grant the offender time credits if the supervisory authority determines that the offender is in compliance with his or her conditions of supervision and any applicable supervision case plan as defined in these rules.

(c) If the supervising officer or designee determines that the offender is not in compliance, time credits shall not be granted; and the supervising officer shall conduct a subsequent earned discharge review every 60 calendar days thereafter until the offender is approved for time credits or the case under consideration reaches its sentence expiration date.

(d) If the offender has been convicted of a new felony or misdemeanor crime that occurred while on supervision for the case under consideration, the offender is not eligible for time credits.

Stat Auth: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

291-209-0050

Retraction of Time Credits

(1) Time credits previously applied will be retracted in accordance with the Earned Discharge Review Grid (Attachment A) when the offender has absconded supervision, been sanctioned while on supervision for the case under review, or has violated a no contact order.

(2) If an offender has been arrested for a person-to-person crime while on supervision for the case under review, all time credits previously applied will be retracted.

Stat Auth: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

291-209-0060

Restoration of Time Credits

(1) For good cause shown, time credits that have been retracted may be restored upon recommendation by the supervising officer or designee and upon approval by the supervisory authority.

(2) If time credits were retracted in accordance with OAR 291-209-0050(2), those time credits, excluding any credits retracted in accordance with OAR 291-209-0050(1), shall be restored if the charges are dismissed, no complaint, or acquitted.

(3) Restored time credits may not exceed those previously retracted or exceed those credits remaining on the case under review.

Stat Auth: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Hist.: DOC 13-2014(Temp), f. 5-7-14, cert. ef. 5-13-14 thru 11-9-14; DOC 21-2014, f. & cert. ef. 11-4-14

291-209-0070

Appeals

Appeals will be processed through the supervisory authority's grievance policy.

Stat Auth: ORS 137.633, 179.040, 423.020, 423.030, 423.075

Stats. Implemented: ORS 137.633, 179.040, 423.020, 423.030, 423.075

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Department of Environmental Quality
Chapter 340

Rule Caption: Air Quality Greenhouse Gas Permitting - Temporary

Adm. Order No.: DEQ 12-2014(Temp)

Filed with Sec. of State: 11-12-2014

Certified to be Effective: 11-12-14 thru 5-10-15

Notice Publication Date:

Rules Amended: 340-200-0020, 340-216-8010, 340-224-0010

Subject: EQC amended rules that temporarily removed certain parts of Oregon's greenhouse gas permitting requirements. This will allow DEQ time to determine how to respond to a recent change to federal greenhouse gas permitting rules. The temporary rules will allow some facilities to avoid spending thousands of dollars in 2014 to comply with Oregon's current requirements until EQC considers permanent rules in 2015.

Rules Coordinator: Meyer Goldstein—(503) 229-6478

340-200-0020

General Air Quality Definitions

As used in divisions 200 through 268, unless specifically defined otherwise:

(1) "Act" or "FCAA" means the Federal Clean Air Act, 42 U.S.C.A. 7401 to 7671q.

(2) "Activity" means any process, operation, action, or reaction (e.g., chemical) at a source that emits a regulated pollutant.

(3) "Actual emissions" means the mass emissions of a pollutant from an emissions source during a specified time period.

(a) For determining actual emissions as of the baseline period:

(A) Except as provided in paragraphs (B) and (C) of this subsection and subsection (b) of this section, actual emissions equal the average rate at which the source actually emitted the pollutant during an applicable baseline period and that represents normal source operation;

(B) DEQ presumes that the source-specific mass emissions limit included in a source's permit that was effective on September 8, 1981 is equivalent to the source's actual emissions during the applicable baseline period if it is within 10% of the actual emissions calculated under paragraph (A) of this subsection.

(C) Actual emissions equal the potential to emit of the source for the sources listed in paragraphs (i) through (iii) of this paragraph. The actual emissions will be reset if required in accordance with subsection (c) of this section.

(i) Any source or part of a source that had not begun normal operations during the applicable baseline period but was approved to construct and operate before or during the baseline period in accordance with OAR 340 division 210, or

(ii) Any source or part of a source of greenhouse gases that had not begun normal operations prior to January 1, 2010, but was approved to construct and operate prior to January 1, 2011 in accordance with OAR 340 division 210, or

(iii) Any source or part of a source that had not begun normal operations during the applicable baseline period and was not required to obtain approval to construct and operate before or during the applicable baseline period.

(b) For any source or part of a source that had not begun normal operations during the applicable baseline period, but was approved to construct and operate in accordance with OAR 340 division 224, actual emissions on the date the permit is issued equal the potential to emit of the source. The actual emissions will be reset if required in accordance with subsection (c) of this section.

(c) Where actual emissions equal potential to emit under paragraph (a)(C) or subsection (b) of this section, the potential emissions will be reset to actual emissions as follows:

(A) Paragraphs (A) through (D) of this subsection apply to sources whose actual emissions of greenhouse gases were determined pursuant paragraph (3)(a)(C), and to all other sources of all other regulated pollutants that are permitted in accordance with OAR division 224 on or after May 1, 2011.

(B) Except as provided in paragraph (D) of this subsection, ten years from the end of the applicable baseline period under paragraph (a)(C) or ten years from the date the permit is issued under subsection (b), or an earlier

ADMINISTRATIVE RULES

time if requested by the source in a permit application involving public notice, DEQ will reset actual emissions to equal the highest actual emission rate during any consecutive 12-month period during the ten year period or any shorter period if requested by the source.

(C) Any emission reductions achieved due to enforceable permit conditions based on OAR 340-226-0110 and 0120 (highest and best practicable treatment and control) are not included in the reset calculation required in paragraph (B) of this subsection.

(D) DEQ may extend the date of resetting by five additional years upon satisfactory demonstration by the source that construction is ongoing or normal operation has not yet been achieved.

(d) For determining actual emissions for Emission Statements under OAR 340-214-0200 through 340-214-0220 and Oregon Title V Operating Permit Fees under OAR 340 division 220, actual emissions include, but are not limited to, routine process emissions, fugitive emissions, excess emissions from maintenance, startups and shutdowns, equipment malfunction, and other activities, except categorically insignificant activities and secondary emissions.

(e) For Oregon Title V Operating Permit Fees under OAR 340 division 220, actual emissions must be directly measured with a continuous monitoring system or calculated using a material balance or verified emission factor determined in accordance with division 220 in combination with the source's actual operating hours, production rates, or types of materials processed, stored, or combusted during the specified time period.

(4) "Adjacent" means interdependent facilities that are nearby to each other.

(5) "Affected source" means a source that includes one or more affected units that are subject to emission reduction requirements or limitations under Title IV of the FCAA.

(6) "Affected states" means all states:

(a) Whose air quality may be affected by a proposed permit, permit modification, or permit renewal and that are contiguous to Oregon; or

(b) That are within 50 miles of the permitted source.

(7) "Aggregate insignificant emissions" means the annual actual emissions of any regulated air pollutant from one or more designated activities at a source that are less than or equal to the lowest applicable level specified in this section. The total emissions from each designated activity and the aggregate emissions from all designated activities must be less than or equal to the lowest applicable level specified:

(a) One ton for total reduced sulfur, hydrogen sulfide, sulfuric acid mist, any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act, and each criteria pollutant, except lead;

(b) 120 pounds for lead;

(c) 600 pounds for fluoride;

(d) 500 pounds for PM10 in a PM10 nonattainment area;

(e) 500 pounds for direct PM2.5 in a PM2.5 nonattainment area;

(f) The lesser of the amount established in 40 CFR 68.130 or 1,000 pounds;

(g) An aggregate of 5,000 pounds for all Hazardous Air Pollutants;

(h) 2,756 tons CO₂e for greenhouse gases.

(8) "Air Contaminant" means a dust, fume, gas, mist, odor, smoke, vapor, pollen, soot, carbon, acid or particulate matter, or any combination thereof.

(9) "Air Contaminant Discharge Permit" or "ACDP" means a written permit issued, renewed, amended, or revised by DEQ, pursuant to OAR 340 division 216.

(10) "Alternative method" means any method of sampling and analyzing for an air pollutant that is not a reference or equivalent method but has been demonstrated to DEQ's satisfaction to, in specific cases, produce results adequate for determination of compliance. An alternative method used to meet an applicable federal requirement for which a reference method is specified must be approved by EPA unless EPA has delegated authority for the approval to DEQ.

(11) "Ambient Air" means that portion of the atmosphere, external to buildings, to which the general public has access.

(12) "Applicable requirement" means all of the following as they apply to emissions units in an Oregon Title V Operating Permit program source or ACDP program source, including requirements that have been promulgated or approved by the EPA through rule making at the time of issuance but have future-effective compliance dates:

(a) Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by the EPA through rule-making under Title I of the Act that implements the relevant requirements of the Act, including any revisions to that plan promulgated in 40 CFR Part 52;

(b) Any standard or other requirement adopted under OAR 340-200-0040 of the State of Oregon Clean Air Act Implementation Plan that is more stringent than the federal standard or requirement which has not yet been approved by the EPA, and other state-only enforceable air pollution control requirements;

(c) Any term or condition in an ACDP, OAR 340 division 216, including any term or condition of any preconstruction permits issued pursuant to OAR 340 division 224, New Source Review, until or unless DEQ revokes or modifies the term or condition by a permit modification;

(d) Any term or condition in a Notice of Construction and Approval of Plans, OAR 340-210-0205 through 340-210-0240, until or unless DEQ revokes or modifies the term or condition by a Notice of Construction and Approval of Plans or a permit modification;

(e) Any term or condition in a Notice of Approval, OAR 340-218-0190, issued before July 1, 2001, until or unless DEQ revokes or modifies the term or condition by a Notice of Approval or a permit modification;

(f) Any term or condition of a PSD permit issued by the EPA until or unless the EPA revokes or modifies the term or condition by a permit modification;

(g) Any standard or other requirement under section 111 of the Act, including section 111(d);

(h) Any standard or other requirement under section 112 of the Act, including any requirement concerning accident prevention under section 112(r)(7) of the Act;

(i) Any standard or other requirement of the acid rain program under Title IV of the Act or the regulations promulgated thereunder;

(j) Any requirements established pursuant to section 504(b) or section 114(a)(3) of the Act;

(k) Any standard or other requirement under section 126(a)(1) and (c) of the Act;

(l) Any standard or other requirement governing solid waste incineration, under section 129 of the Act;

(m) Any standard or other requirement for consumer and commercial products, under section 183(e) of the Act;

(n) Any standard or other requirement for tank vessels, under section 183(f) of the Act;

(o) Any standard or other requirement of the program to control air pollution from outer continental shelf sources, under section 328 of the Act;

(p) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Act, unless the Administrator has determined that such requirements need not be contained in an Oregon Title V Operating Permit; and

(q) Any national ambient air quality standard or increment or visibility requirement under part C of Title I of the Act, but only as it would apply to temporary sources permitted pursuant to section 504(e) of the Act.

(13) "Baseline Emission Rate" means the actual emission rate during a baseline period. Baseline emission rate does not include increases due to voluntary fuel switches or increased hours of operation that occurred after that baseline period.

(a) A baseline emission rate will be established only for regulated pollutants subject to OAR 340 division 224 as specified in the definition of regulated pollutant. A baseline emission rate will not be established for PM_{2.5}.

(b) The baseline emission rate for greenhouse gases, on a CO₂e basis, will be established with the first permitting action issued after July 1, 2011, provided the permitting action involved a public notice period that began after July 1, 2011.

(c) For a pollutant that becomes a regulated pollutant subject to OAR 340 division 224 after May 1, 2011, the initial baseline emission rate is the actual emissions of that pollutant during any consecutive 12 month period within the 24 months immediately preceding its designation as a regulated pollutant if a baseline period has not been defined for the pollutant.

(d) The baseline emission rate will be recalculated if actual emissions are reset in accordance with the definition of actual emissions.

(e) Once the baseline emission rate has been established or recalculated in accordance with subsection (d) of this section, the production basis for the baseline emission rate may only be changed if a material mistake or an inaccurate statement was made in establishing the production basis for baseline emission rate.

(14) "Baseline Period" means:

(a) Any consecutive 12 calendar month period during the calendar years 1977 or 1978 for any regulated pollutant other than greenhouse gases. DEQ may allow the use of a prior time period upon a determination that it is more representative of normal source operation.

ADMINISTRATIVE RULES

(b) Any consecutive 12 calendar month period during the calendar years 2000 through 2010 for greenhouse gases.

(15) "Best Available Control Technology" or "BACT" means an emission limitation, including, but not limited to, a visible emission standard, based on the maximum degree of reduction of each air contaminant subject to regulation under the Act which would be emitted from any proposed major source or major modification which, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such air contaminant. In no event may the application of BACT result in emissions of any air contaminant that would exceed the emissions allowed by any applicable new source performance standard or any standard for hazardous air pollutant. If an emission limitation is not feasible, a design, equipment, work practice, or operational standard, or combination thereof, may be required. Such standard must, to the degree possible, set forth the emission reduction achievable and provide for compliance by prescribing appropriate permit conditions.

(16) "Biomass" means non-fossilized and biodegradable organic material originating from plants, animals, and micro-organisms, including products, byproducts, residues and waste from agriculture, forestry, and related industries as well as the non-fossilized and biodegradable organic fractions of industrial and municipal wastes, including gases and liquids recovered from the decomposition of non-fossilized and biodegradable organic matter.

(17) "Capacity" means the maximum regulated pollutant emissions from a stationary source under its physical and operational design.

(18) "Capture system" means the equipment (including but not limited to hoods, ducts, fans, and booths) used to contain, capture and transport a pollutant to a control device.

(19) "Carbon dioxide equivalent" or "CO₂e" means an amount of a greenhouse gas or gases expressed as the equivalent amount of carbon dioxide, and shall be computed by multiplying the mass of each of the greenhouse gases by the global warming potential published for each gas at 40 CFR Part 98, subpart A, Table A-1 — Global Warming Potentials, and adding the resulting value for each greenhouse gas to compute the total equivalent amount of carbon dioxide.

(20) "Categorically insignificant activity" means any of the following listed pollutant emitting activities principally supporting the source or the major industrial group. Categorically insignificant activities must comply with all applicable requirements.

(a) Constituents of a chemical mixture present at less than 1% by weight of any chemical or compound regulated under divisions 200 through 268 excluding divisions 248 and 262 of this chapter, or less than 0.1% by weight of any carcinogen listed in the U.S. Department of Health and Human Service's Annual Report on Carcinogens when usage of the chemical mixture is less than 100,000 pounds/year;

(b) Evaporative and tail pipe emissions from on-site motor vehicle operation;

(c) Distillate oil, kerosene, and gasoline fuel burning equipment rated at less than or equal to 0.4 million Btu/hr;

(d) Natural gas and propane burning equipment rated at less than or equal to 2.0 million Btu/hr;

(e) Office activities;

(f) Food service activities;

(g) Janitorial activities;

(h) Personal care activities;

(i) Groundskeeping activities including, but not limited to building painting and road and parking lot maintenance;

(j) On-site laundry activities;

(k) On-site recreation facilities;

(l) Instrument calibration;

(m) Maintenance and repair shop;

(n) Automotive repair shops or storage garages;

(o) Air cooling or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;

(p) Refrigeration systems with less than 50 pounds of charge of ozone depleting substances regulated under Title VI, including pressure tanks used in refrigeration systems but excluding any combustion equipment associated with such systems;

(q) Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated vacuum producing devices but excluding research and development facilities;

(r) Temporary construction activities;

(s) Warehouse activities;

(t) Accidental fires;

(u) Air vents from air compressors;

(v) Air purification systems;

(w) Continuous emissions monitoring vent lines;

(x) Demineralized water tanks;

(y) Pre-treatment of municipal water, including use of deionized water purification systems;

(z) Electrical charging stations;

(aa) Fire brigade training;

(bb) Instrument air dryers and distribution;

(cc) Process raw water filtration systems;

(dd) Pharmaceutical packaging;

(ee) Fire suppression;

(ff) Blueprint making;

(gg) Routine maintenance, repair, and replacement such as anticipated activities most often associated with and performed during regularly scheduled equipment outages to maintain a plant and its equipment in good operating condition, including but not limited to steam cleaning, abrasive use, and woodworking;

(hh) Electric motors;

(ii) Storage tanks, reservoirs, transfer and lubricating equipment used for ASTM grade distillate or residual fuels, lubricants, and hydraulic fluids;

(jj) On-site storage tanks not subject to any New Source Performance Standards (NSPS), including underground storage tanks (UST), storing gasoline or diesel used exclusively for fueling of the facility's fleet of vehicles;

(kk) Natural gas, propane, and liquefied petroleum gas (LPG) storage tanks and transfer equipment;

(ll) Pressurized tanks containing gaseous compounds;

(mm) Vacuum sheet stacker vents;

(nn) Emissions from wastewater discharges to publicly owned treatment works (POTW) provided the source is authorized to discharge to the POTW, not including on-site wastewater treatment and/or holding facilities;

(oo) Log ponds;

(pp) Storm water settling basins;

(qq) Fire suppression and training;

(rr) Paved roads and paved parking lots within an urban growth boundary;

(ss) Hazardous air pollutant emissions of fugitive dust from paved and unpaved roads except for those sources that have processes or activities that contribute to the deposition and entrainment of hazardous air pollutants from surface soils;

(tt) Health, safety, and emergency response activities;

(uu) Emergency generators and pumps used only during loss of primary equipment or utility service due to circumstances beyond the reasonable control of the owner or operator, or to address a power emergency as determined by DEQ;

(vv) Non-contact steam vents and leaks and safety and relief valves for boiler steam distribution systems;

(ww) Non-contact steam condensate flash tanks;

(xx) Non-contact steam vents on condensate receivers, deaerators and similar equipment;

(yy) Boiler blowdown tanks;

(zz) Industrial cooling towers that do not use chromium-based water treatment chemicals;

(aaa) Ash piles maintained in a wetted condition and associated handling systems and activities;

(bbb) Oil/water separators in effluent treatment systems;

(ccc) Combustion source flame safety purging on startup;

(ddd) Broke beaters, pulp and repulping tanks, stock chests and pulp handling equipment, excluding thickening equipment and repulpers;

(eee) Stock cleaning and pressurized pulp washing, excluding open stock washing systems; and

(fff) White water storage tanks.

(21) "Certifying individual" means the responsible person or official authorized by the owner or operator of a source who certifies the accuracy of the emission statement.

(22) "CFR" means Code of Federal Regulations.

(23) "Class I area" means any Federal, State or Indian reservation land which is classified or reclassified as Class I area. Class I areas are identified in OAR 340-204-0050.

ADMINISTRATIVE RULES

(24) “Commence” or “commencement” means that the owner or operator has obtained all necessary preconstruction approvals required by the Act and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the source to be completed in a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of construction of the source to be completed in a reasonable time.

(25) “Commission” or “EQC” means Environmental Quality Commission.

(26) “Constant Process Rate” means the average variation in process rate for the calendar year is not greater than plus or minus ten percent of the average process rate.

(27) “Construction”:

(a) Except as provided in subsection (b) of this section means any physical change including, but not limited to, fabrication, erection, installation, demolition, or modification of a source or part of a source;

(b) As used in OAR 340 division 224 means any physical change including, but not limited to, fabrication, erection, installation, demolition, or modification of an emissions unit, or change in the method of operation of a source which would result in a change in actual emissions.

(28) “Continuous compliance determination method” means a method, specified by the applicable standard or an applicable permit condition, which:

(a) Is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and

(b) Provides data either in units of the standard or correlated directly with the compliance limit.

(29) “Continuous Monitoring Systems” means sampling and analysis, in a timed sequence, using techniques which will adequately reflect actual emissions or concentrations on a continuing basis in accordance with DEQ’s Continuous Monitoring Manual, and includes continuous emission monitoring systems, continuous opacity monitoring system (COMS) and continuous parameter monitoring systems.

(30) “Control device” means equipment, other than inherent process equipment that is used to destroy or remove air pollutant(s) prior to discharge to the atmosphere. The types of equipment that may commonly be used as control devices include, but are not limited to, fabric filters, mechanical collectors, electrostatic precipitators, inertial separators, afterburners, thermal or catalytic incinerators, adsorption devices (such as carbon beds), condensers, scrubbers (such as wet collection and gas absorption devices), selective catalytic or non-catalytic reduction systems, flue gas recirculation systems, spray dryers, spray towers, mist eliminators, acid plants, sulfur recovery plants, injection systems (such as water, steam, ammonia, sorbent or limestone injection), and combustion devices independent of the particular process being conducted at an emissions unit (e.g., the destruction of emissions achieved by venting process emission streams to flares, boilers or process heaters). For purposes of OAR 340-212-0200 through 340-212-0280, a control device does not include passive control measures that act to prevent pollutants from forming, such as the use of seals, lids, or roofs to prevent the release of pollutants, use of low-polluting fuel or feedstocks, or the use of combustion or other process design features or characteristics. If an applicable requirement establishes that particular equipment which otherwise meets this definition of a control device does not constitute a control device as applied to a particular pollutant-specific emissions unit, then that definition will be binding for purposes of OAR 340-212-0200 through 340-212-0280.

(31) “Criteria Pollutant” means nitrogen oxides, volatile organic compounds, particulate matter, PM10, PM2.5, sulfur dioxide, carbon monoxide, or lead.

(32) “Data” means the results of any type of monitoring or method, including the results of instrumental or non-instrumental monitoring, emission calculations, manual sampling procedures, recordkeeping procedures, or any other form of information collection procedure used in connection with any type of monitoring or method.

(33) “De minimis emission levels” mean the levels for the pollutants listed in Table 4.

NOTE: De minimis is compared to all increases that are not included in the PSEL.

(34) “Department”:

(a) Means Department of Environmental Quality; except

(b) As used in OAR 340 divisions 218 and 220 means Department of Environmental Quality or in the case of Lane County, Lane Regional Air Protection Agency.

(35) “Device” means any machine, equipment, raw material, product, or byproduct at a source that produces or emits a regulated pollutant.

(36) “Direct PM2.5” has the meaning provided in the definition of PM2.5.

(37) “Director” means the Director of DEQ or the Director’s designee.

(38) “Draft permit” means the version of an Oregon Title V Operating Permit for which DEQ or Lane Regional Air Protection Agency offers public participation under OAR 340-218-0210 or the EPA and affected State review under 340-218-0230.

(39) “Effective date of the program” means the date that the EPA approves the Oregon Title V Operating Permit program submitted by DEQ on a full or interim basis. In case of a partial approval, the “effective date of the program” for each portion of the program is the date of the EPA approval of that portion.

(40) “Emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the owner or operator, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

(41) “Emission” means a release into the atmosphere of any regulated pollutant or any air contaminant.

(42) “Emission Estimate Adjustment Factor” or “EEAF” means an adjustment applied to an emission factor to account for the relative inaccuracy of the emission factor.

(43) “Emission Factor” means an estimate of the rate at which a pollutant is released into the atmosphere, as the result of some activity, divided by the rate of that activity (e.g., production or process rate).

(44)(a) Except as provided in subsection (b) of this section, “Emission Limitation” and “Emission Standard” mean a requirement established by a State, local government, or the EPA which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

(b) As used in OAR 340-212-0200 through 340-212-0280, “Emission limitation or standard” means any applicable requirement that constitutes an emission limitation, emission standard, standard of performance or means of emission limitation as defined under the Act. An emission limitation or standard may be expressed in terms of the pollutant, expressed either as a specific quantity, rate or concentration of emissions (e.g., pounds of SO₂ per hour, pounds of SO₂ per million British thermal units of fuel input, kilograms of VOC per liter of applied coating solids, or parts per million by volume of SO₂) or as the relationship of uncontrolled to controlled emissions (e.g., percentage capture and destruction efficiency of VOC or percentage reduction of SO₂). An emission limitation or standard may also be expressed either as a work practice, process or control device parameter, or other form of specific design, equipment, operational, or operation and maintenance requirement. For purposes of 340-212-0200 through 340-212-0280, an emission limitation or standard does not include general operation requirements that an owner or operator may be required to meet, such as requirements to obtain a permit, to operate and maintain sources in accordance with good air pollution control practices, to develop and maintain a malfunction abatement plan, to keep records, submit reports, or conduct monitoring.

(45) “Emission Reduction Credit Banking” means to presently reserve, subject to requirements of OAR 340 division 268, Emission Reduction Credits, emission reductions for use by the reserver or assignee for future compliance with air pollution reduction requirements.

(46) “Emission Reporting Form” means a paper or electronic form developed by DEQ that must be completed by the permittee to report calculated emissions, actual emissions, or permitted emissions for interim emission fee assessment purposes.

(47) “Emissions unit” means any part or activity of a source that emits or has the potential to emit any regulated air pollutant.

(a) A part of a source is any machine, equipment, raw material, product, or byproduct that produces or emits regulated air pollutants. An activity is any process, operation, action, or reaction (e.g., chemical) at a stationary source that emits regulated air pollutants. Except as described in subsection (d) of this section, parts and activities may be grouped for purposes of defining an emissions unit if the following conditions are met:

ADMINISTRATIVE RULES

(A) The group used to define the emissions unit may not include discrete parts or activities to which a distinct emissions standard applies or for which different compliance demonstration requirements apply; and

(B) The emissions from the emissions unit are quantifiable.

(b) Emissions units may be defined on a pollutant by pollutant basis where applicable.

(c) The term emissions unit is not meant to alter or affect the definition of the term "unit" under Title IV of the FCAA.

(d) Parts and activities cannot be grouped for determining emissions increases from an emissions unit under OAR 340-224-0050 through 340-224-0070, or 340 division 210, or for determining the applicability of any New Source Performance Standard (NSPS).

(48) "EPA" or "Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's designee.

(49) "Equivalent method" means any method of sampling and analyzing for an air pollutant that has been demonstrated to DEQ's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions. An equivalent method used to meet an applicable federal requirement for which a reference method is specified must be approved by EPA unless EPA has delegated authority for the approval to DEQ.

(50) "Event" means excess emissions that arise from the same condition and occur during a single calendar day or continue into subsequent calendar days.

(51) "Exceedance" means a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

(52) "Excess emissions" means emissions in excess of a permit limit or any applicable air quality rule.

(53) "Excursion" means a departure from an indicator range established for monitoring under OAR 340-212-0200 through 340-212-0280 and 340-218-0050(3)(a), consistent with any averaging period specified for averaging the results of the monitoring.

(54) "Federal Land Manager" means with respect to any lands in the United States, the Secretary of the federal department with authority over such lands.

(55) "Federal Major Source" means a source with potential to emit any individual regulated pollutant, excluding GHGs and hazardous air pollutants listed in OAR 340 division 244, greater than or equal to 100 tons per year if in a source category listed below, or 250 tons per year if not in a source category listed. The fugitive emissions and insignificant activity emissions of a stationary source are considered in determining whether it is a federal major source. Potential to emit calculations must include emission increases due to a new or modified source and may include emission decreases.

(a) Fossil fuel-fired steam electric plants of more than 250 million BTU/hour heat input;

(b) Coal cleaning plants with thermal dryers;

(c) Kraft pulp mills;

(d) Portland cement plants;

(e) Primary Zinc Smelters;

(f) Iron and Steel Mill Plants;

(g) Primary aluminum ore reduction plants;

(h) Primary copper smelters;

(i) Municipal Incinerators capable of charging more than 50 tons of refuse per day;

(j) Hydrofluoric acid plants;

(k) Sulfuric acid plants;

(l) Nitric acid plants;

(m) Petroleum Refineries;

(n) Lime plants;

(o) Phosphate rock processing plants;

(p) Coke oven batteries;

(q) Sulfur recovery plants;

(r) Carbon black plants, furnace process;

(s) Primary lead smelters;

(t) Fuel conversion plants;

(u) Sintering plants;

(v) Secondary metal production plants;

(w) Chemical process plants;

(x) Fossil fuel fired boilers, or combinations thereof, totaling more than 250 million BTU per hour heat input;

(y) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(z) Taconite ore processing plants;

(aa) Glass fiber processing plants;

(bb) Charcoal production plants.

(56) "Final permit" means the version of an Oregon Title V Operating Permit issued by DEQ or Lane Regional Air Protection Agency that has completed all review procedures required by OAR 340-218-0120 through 340-218-0240.

(57) "Form" means a paper or electronic form developed by DEQ.

(58) "Fugitive Emissions":

(a) Except as used in subsection (b) of this section, means emissions of any air contaminant which escape to the atmosphere from any point or area that is not identifiable as a stack, vent, duct, or equivalent opening.

(b) As used to define a major Oregon Title V Operating Permit program source, means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(59) "General permit":

(a) Except as provided in subsection (b) of this section, means an Oregon Air Contaminant Discharge Permit established under OAR 340-216-0060;

(b) As used in OAR 340 division 218 means an Oregon Title V Operating Permit established under OAR 340-218-0090.

(60) "Generic PSEL" means the levels for the pollutants listed in Table 5.

NOTE: Sources are eligible for a generic PSEL if expected emissions are less than or equal to the levels listed in Table 5 under this rule. Baseline emission rate and netting basis do not apply to pollutants at sources using generic PSELS.

(61)(a) "Greenhouse Gases" or "GHGs" means the aggregate group of six greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Each gas is also individually a greenhouse gas.

(b) From May 1, 2011 through July 20, 2014, the definition of greenhouse gases in subsection (a) did not include, for purposes of division 216, 218, and 224, carbon dioxide emissions from the combustion or decomposition of biomass. As a result, carbon dioxide emissions from the combustion or decomposition of biomass was not a regulated air pollutant and was not subject to divisions 216, 218, and 224 during that time period.

(62) "Growth Allowance" means an allocation of some part of an airshed's capacity to accommodate future proposed major sources and major modifications of sources.

(63) "Immediately" means as soon as possible but in no case more than one hour after a source knew or should have known of an excess emission period.

(64) "Inherent process equipment" means equipment that is necessary for the proper or safe functioning of the process, or material recovery equipment that the owner or operator documents is installed and operated primarily for purposes other than compliance with air pollution regulations. Equipment that must be operated at an efficiency higher than that achieved during normal process operations in order to comply with the applicable emission limitation or standard is not inherent process equipment. For the purposes of OAR 340-212-0200 through 340-212-0280, inherent process equipment is not considered a control device.

(65) "Insignificant Activity" means an activity or emission that DEQ has designated as categorically insignificant, or that meets the criteria of aggregate insignificant emissions.

(66) "Insignificant Change" means an off-permit change defined under OAR 340-218-0140(2)(a) to either a significant or an insignificant activity which:

(a) Does not result in a re-designation from an insignificant to a significant activity;

(b) Does not invoke an applicable requirement not included in the permit; and

(c) Does not result in emission of regulated air pollutants not regulated by the source's permit.

(67) "Late Payment" means a fee payment which is postmarked after the due date.

(68) "Lowest Achievable Emission Rate" or "LAER" means that rate of emissions which reflects: the most stringent emission limitation which is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed source demonstrates that such limitations are not achievable; or the most stringent emission limitation which is achieved in practice by such class or category of source, whichever is more stringent. The application of this term cannot permit a proposed new or modified source to emit any air contaminant in

ADMINISTRATIVE RULES

excess of the amount allowable under applicable New Source Performance Standards (NSPS) or standards for hazardous air pollutants.

(69) "Maintenance Area" means a geographical area of the State that was designated as a nonattainment area, redesignated as an attainment area by EPA, and redesignated as a maintenance area by the Environmental Quality Commission in OAR 340, division 204.

(70) "Maintenance Pollutant" means a pollutant for which a maintenance area was formerly designated a nonattainment area.

(71) "Major Modification" means any physical change or change in the method of operation of a source that results in satisfying the requirements of both subsections (a) and (b) of this section, or of subsection (c) of this section for any regulated air pollutant. Major modifications for ozone precursors or PM_{2.5} precursors also constitute major modifications for ozone and PM_{2.5}, respectively.

(a) Except as provided in subsection (d) of this section, a PSEL that exceeds the netting basis by an amount that is equal to or greater than the significant emission rate.

(b) The accumulation of emission increases due to physical changes and changes in the method of operation as determined in accordance with paragraphs (A) and (B) of this subsection is equal to or greater than the significant emission rate.

(A) Calculations of emission increases in subsection (b) of this section must account for all accumulated increases in actual emissions due to physical changes and changes in the method of operation occurring at the source since the applicable baseline period, or since the time of the last construction approval issued for the source pursuant to the New Source Review Regulations in OAR 340 division 224 for that pollutant, whichever time is more recent. These include fugitive emissions and emissions from insignificant activities.

(B) Emission increases due solely to increased use of equipment or facilities that existed or were permitted or approved to construct in accordance with OAR 340 division 210 during the applicable baseline period are not included, except if the increased use is to support a physical change or change in the method of operation.

(c) Any change at a source, including production increases, that would result in a Plant Site Emission Limit increase of 1 ton or more for any regulated pollutant for which the source is a major source in nonattainment or maintenance areas or a federal major source in attainment or unclassified areas, if the source obtained permits to construct and operate after the applicable baseline period but has not undergone New Source Review.

(A) Subsection (c) of this section does not apply to PM_{2.5} and greenhouse gases.

(B) Changes to the PSEL solely due to the availability of better emissions information are exempt from being considered an increase.

(d) If a portion of the netting basis or PSEL (or both) was set based on PTE because the source had not begun normal operations but was permitted or approved to construct and operate, that portion of the netting basis or PSEL (or both) must be excluded from the tests in subsections (a) and (b) of this section until the netting basis is reset as specified in the definitions of baseline emission rate and netting basis.

(e) The following are not considered major modifications:

(A) Except as provided in subsection (c) of this section, proposed increases in hours of operation or production rates that would cause emission increases above the levels allowed in a permit and would not involve a physical change or change in method of operation in the source;

(B) Routine maintenance, repair, and replacement of components;

(C) Temporary equipment installed for maintenance of the permanent equipment if the temporary equipment is in place for less than six months and operated within the permanent equipment's existing PSEL;

(D) Use of alternate fuel or raw materials, that were available and the source was capable of accommodating in the baseline period.

(72) "Major Source":

(a) Except as provided in subsection (b) of this section, means a source that emits, or has the potential to emit, any regulated air pollutant at a Significant Emission Rate. The fugitive emissions and insignificant activity emissions of a stationary source are considered in determining whether it is a major source. Potential to emit calculations must include emission increases due to a new or modified source and may include emission decreases.

(b) As used in OAR 340 division 210, Stationary Source Notification Requirements, OAR 340 division 218, rules applicable to sources required to have Oregon Title V Operating Permits, OAR 340 division 220, Oregon Title V Operating Permit Fees, and 340-216-0066 Standard ACDPs, means any stationary source (or any group of stationary sources that are located on

one or more contiguous or adjacent properties and are under common control of the same person (or persons under common control)) belonging to a single major industrial grouping or supporting the major industrial group and that is described in paragraphs (A), (B), or (C). For the purposes of this subsection, a stationary source or group of stationary sources is considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual (U.S. Office of Management and Budget, 1987) or support the major industrial group.

(A) A major source of hazardous air pollutants, which means:

(i) For pollutants other than radionuclides, any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutants that has been listed pursuant to OAR 340-244-0040; 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the Administrator may establish by rule. Emissions from any oil or gas exploration or production well, along with its associated equipment, and emissions from any pipeline compressor or pump station will not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or

(ii) For radionuclides, "major source" will have the meaning specified by the Administrator by rule.

(B) A major stationary source of air pollutants, as defined in section 302 of the Act, that directly emits or has the potential to emit 100 tpy or more of any regulated air pollutant, except greenhouse gases, including any major source of fugitive emissions of any such pollutant. The fugitive emissions of a stationary source are not considered in determining whether it is a major stationary source for the purposes of section 302(j) of the Act, unless the source belongs to one of the following categories of stationary source:

- (i) Coal cleaning plants (with thermal dryers);
- (ii) Kraft pulp mills;
- (iii) Portland cement plants;
- (iv) Primary zinc smelters;
- (v) Iron and steel mills;
- (vi) Primary aluminum ore reduction plants;
- (vii) Primary copper smelters;
- (viii) Municipal incinerators capable of charging more than 50 tons of refuse per day;
- (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- (x) Petroleum refineries;
- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);
- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers, or combination thereof, totaling more than 250 million British thermal units per hour heat input;
- (xxii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- (xxiii) Taconite ore processing plants;
- (xxiv) Glass fiber processing plants;
- (xxv) Charcoal production plants;
- (xxvi) Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; or
- (xxvii) Any other stationary source category, that as of August 7, 1980 is being regulated under section 111 or 112 of the Act.

(C) A major stationary source as defined in part D of Title I of the Act, including:

(i) For ozone nonattainment areas, sources with the potential to emit 100 tpy or more of VOCs or oxides of nitrogen in areas classified as "marginal" or "moderate," 50 tpy or more in areas classified as "serious," 25 tpy or more in areas classified as "severe," and 10 tpy or more in areas classified as "extreme"; except that the references in this paragraph of this subsection to 100, 50, 25, and 10 tpy of nitrogen oxides do not apply with respect to any source for which the Administrator has made a finding, under

ADMINISTRATIVE RULES

section 182(f)(1) or (2) of the Act, that requirements under section 182(f) of the Act do not apply;

(ii) For ozone transport regions established pursuant to section 184 of the Act, sources with the potential to emit 50 tpy or more of VOCs;

(iii) For carbon monoxide nonattainment areas:

(I) That are classified as “serious”; and

(II) In which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the Administrator, sources with the potential to emit 50 tpy or more of carbon monoxide.

(iv) For particulate matter (PM10) nonattainment areas classified as “serious,” sources with the potential to emit 70 tpy or more of PM10.

(73) “Material Balance” means a procedure for determining emissions based on the difference in the amount of material added to a process and the amount consumed and/or recovered from a process.

(74) “Modification,” except as used in the term “major modification,” means any physical change to, or change in the method of operation of, a stationary source that results in an increase in the stationary source’s potential to emit any regulated air pollutant on an hourly basis. Modifications do not include the following:

(a) Increases in hours of operation or production rates that do not involve a physical change or change in the method of operation;

(b) Changes in the method of operation due to using an alternative fuel or raw material that the stationary source was physically capable of accommodating during the baseline period; and

(c) Routine maintenance, repair and like-for-like replacement of components unless they increase the expected life of the stationary source by using component upgrades that would not otherwise be necessary for the stationary source to function.

(75) “Monitoring” means any form of collecting data on a routine basis to determine or otherwise assess compliance with emission limitations or standards. Monitoring may include record keeping if the records are used to determine or assess compliance with an emission limitation or standard (such as records of raw material content and usage, or records documenting compliance with work practice requirements). Monitoring may include conducting compliance method tests, such as the procedures in appendix A to 40 CFR part 60, on a routine periodic basis. Requirements to conduct such tests on a one-time basis, or at such times as a regulatory authority may require on a non-regular basis, are not considered monitoring requirements for purposes of this definition. Monitoring may include one or more than one of the following data collection techniques as appropriate for a particular circumstance:

(a) Continuous emission or opacity monitoring systems.

(b) Continuous process, capture system, control device or other relevant parameter monitoring systems or procedures, including a predictive emission monitoring system.

(c) Emission estimation and calculation procedures (e.g., mass balance or stoichiometric calculations).

(d) Maintaining and analyzing records of fuel or raw materials usage.

(e) Recording results of a program or protocol to conduct specific operation and maintenance procedures.

(f) Verifying emissions, process parameters, capture system parameters, or control device parameters using portable or in situ measurement devices.

(g) Visible emission observations and recording.

(h) Any other form of measuring, recording, or verifying on a routine basis emissions, process parameters, capture system parameters, control device parameters or other factors relevant to assessing compliance with emission limitations or standards.

(76) “Netting Basis” means the baseline emission rate MINUS any emission reductions required by rule, orders, or permit conditions required by the SIP or used to avoid SIP requirements, MINUS any unassigned emissions that are reduced from allowable under OAR 340-222-0045, MINUS any emission reduction credits transferred off site, PLUS any emission increases approved through the New Source Review regulations in OAR 340 division 224 MINUS any emissions reductions required by subsection (g) of this section.

(a) A netting basis will only be established for regulated pollutants subject to OAR 340 division 224 as specified in the definition of regulated pollutant.

(b) The initial PM2.5 netting basis and PSEL for a source that was permitted prior to May 1, 2011 will be established with the first permitting action issued after July 1, 2011, provided the permitting action involved a public notice period that began after July 1, 2011.

(A) The initial netting basis is the PM2.5 fraction of the PM10 netting basis in effect on May 1, 2011. DEQ may increase the initial PM2.5 netting

basis by up to 5 tons if necessary to avoid exceedance of the PM2.5 significant emission rate as of May 1, 2011.

(B) Notwithstanding OAR 340-222-0041(2), the initial source specific PSEL for a source with PTE greater than or equal to the SER will be set equal to the PM2.5 fraction of the PM10 PSEL.

(c) The initial greenhouse gas netting basis and PSEL for a source will be established with the first permitting action issued after July 1, 2011, provided the permitting action involved a public notice period that began after July 1, 2011.

(d) Netting basis is zero for:

(A) Any regulated pollutant emitted from a source that first obtained permits to construct and operate after the applicable baseline period for that regulated pollutant, and has not undergone New Source Review for that pollutant;

(B) Any pollutant that has a generic PSEL in a permit;

(C) Any source permitted as portable; or

(D) Any source with a netting basis calculation resulting in a negative number.

(e) If a source relocates to an adjacent site, and the time between operation at the old and new sites is less than six months, the source may retain the netting basis from the old site.

(f) Emission reductions required by rule, order, or permit condition affect the netting basis if the source currently has devices or emissions units that are subject to the rules, order, or permit condition. The baseline emission rate is not affected. The netting basis reduction will be effective on the effective date of the rule, order, or permit condition requiring the reduction. The PSEL reduction will be effective on the compliance date of the rule, order, or permit condition.

(g) For permits issued after May 1, 2011 under New Source Review regulations in OAR 340 division 224, and where the netting basis initially equaled the potential to emit for a new or modified source, the netting basis will be reduced in accordance with the definition of actual emissions. Notwithstanding OAR 340-222-0041(2), this adjustment does not require a reduction in the PSEL.

(h) Emission reductions required by rule do not include emissions reductions achieved under OAR 340-226-0110 and 0120.

(i) Netting basis for a pollutant with a revised definition will be adjusted if the source is emitting the pollutant at the time of redefining and the pollutant is included in the permit’s netting basis.

(j) Where EPA requires an attainment demonstration based on dispersion modeling, the netting basis will be established at no more than the level used in the dispersion modeling to demonstrate attainment with the ambient air quality standard (i.e., the attainment demonstration is an emission reduction required by rule).

(77) “Nitrogen Oxides” or “NOx” means all oxides of nitrogen except nitrous oxide.

(78) “Nonattainment Area” means a geographical area of the State, as designated by the Environmental Quality Commission or the EPA, that exceeds any state or federal primary or secondary ambient air quality standard.

(79) “Nonattainment Pollutant” means a pollutant for which an area is designated a nonattainment area.

(80) “Normal Source Operation” means operations which do not include such conditions as forced fuel substitution, equipment malfunction, or highly abnormal market conditions.

(81) “Offset” means an equivalent or greater emission reduction that is required before allowing an emission increase from a proposed major source or major modification of an existing source.

(82) “Opacity” means the degree to which an emission reduces transmission of light and obscures the view of an object in the background as measured in accordance with OAR 340-212-0120 and 212-0140. Unless otherwise specified by rule, opacity shall be measured in accordance with EPA Method 9 or a continuous opacity monitoring system (COMS) installed and operated in accordance with DEQ’s Continuous Monitoring Manual. For all standards, the minimum observation period shall be six minutes, though longer periods may be required by a specific rule or permit condition. Aggregate times (e.g. 3 minutes in any one hour) consist of the total duration of all readings during the observation period that equal or exceed the opacity percentage in the standard, whether or not the readings are consecutive.

(83) “Oregon Title V Operating Permit” means any permit covering an Oregon Title V Operating Permit source that is issued, renewed, amended, or revised pursuant to division 218.

(84) “Oregon Title V Operating Permit program” means a program approved by the Administrator under 40 CFR Part 70.

ADMINISTRATIVE RULES

(85) "Oregon Title V Operating Permit program source" means any source subject to the permitting requirements, OAR 340 division 218.

(86) "Ozone Precursor" means nitrogen oxides and volatile organic compounds as measured by an applicable reference method in accordance with DEQ's Source Sampling Manual(January, 1992) or as measured by an EPA reference method in 40 CFR Part 60, appendix A or as measured by a material balance calculation for VOC as appropriate.

(87) "Ozone Season" means the contiguous 3 month period during which ozone exceedances typically occur (i.e., June, July, and August).

(88) "Particulate Matter" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air. When used in emission standards, particulate matter is defined by the method specified within the standard or by an applicable reference method in accordance with OAR 340-212-0120 and 340-212-0140. Unless otherwise specified, sources with exhaust gases at or near ambient conditions may be tested with DEQ Method 5 or DEQ Method 8, as approved by DEQ. Direct heat transfer sources shall be tested with DEQ Method 7; indirect heat transfer combustion sources and all other non-fugitive emissions sources not listed above shall be tested with DEQ Method 5.

(89) "Permit" means an Air Contaminant Discharge Permit or an Oregon Title V Operating Permit.

(90) "Permit modification" means a permit revision that meets the applicable requirements of OAR 340 division 216, 340 division 224, or 340-218-0160 through 340-218-0180.

(91) "Permit revision" means any permit modification or administrative permit amendment.

(92) "Permitted Emissions" as used in OAR division 220 means each regulated pollutant portion of the PSEL, as identified in an ACDP, Oregon Title V Operating Permit, review report, or by DEQ pursuant to OAR 340-220-0090.

(93) "Permittee" means the owner or operator of the facility, authorized by the ACDP or the Oregon Title V Operating Permit to operate the source.

(94) "Person" means individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, the State of Oregon and any agencies thereof, and the federal government and any agencies thereof.

(95) "Plant Site Emission Limit" or "PSEL" means the total mass emissions per unit time of an individual air pollutant specified in a permit for a source. The PSEL for a major source may consist of more than one permitted emission.

(96) "PM10":

(a) When used in the context of emissions, means finely divided solid or liquid material, including condensable particulate, other than uncombined water, with an aerodynamic diameter less than or equal to a nominal 10 micrometers, emitted to the ambient air as measured by an applicable reference method in accordance with DEQ's Source Sampling Manual(January, 1992);

(b) When used in the context of ambient concentration, means airborne finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured in accordance with 40 CFR Part 50, Appendix J.

(97) "PM2.5":

(a) When used in the context of direct PM2.5 emissions, means finely divided solid or liquid material, including condensable particulate, other than uncombined water, with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers, emitted to the ambient air as measured by EPA reference methods 201A and 202 in 40 CFR Part 51, appendix M.

(b) When used in the context of PM2.5 precursor emissions, means sulfur dioxide (SO2) and nitrogen oxides (NOx) emitted to the ambient air as measured by EPA reference methods in 40 CFR Part 60, appendix A.

(c) When used in the context of ambient concentration, means particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers as measured by a reference method based on 40 CFR Part 50, Appendix L, or an equivalent method designated in accordance with 40 CFR Part 53.

(98) "PM2.5 fraction" means the fraction of PM2.5 to PM10 for each emissions unit that is included in the netting basis and PSEL.

(99) "Pollutant-specific emissions unit" means an emissions unit considered separately with respect to each regulated air pollutant.

(100) "Potential to emit" or "PTE" means the lesser of:

(a) The capacity of a stationary source; or

(b) The maximum allowable emissions taking into consideration any physical or operational limitation, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material

combusted, stored, or processed, if the limitation is enforceable by the Administrator.

(c) This definition does not alter or affect the use of this term for any other purposes under the Act or the term "capacity factor" as used in Title IV of the Act and the regulations promulgated thereunder. Secondary emissions are not considered in determining the potential to emit.

(101) "Predictive emission monitoring system (PEMS)" means a system that uses process and other parameters as inputs to a computer program or other data reduction system to produce values in terms of the applicable emission limitation or standard.

(102) "Process Upset" means a failure or malfunction of a production process or system to operate in a normal and usual manner.

(103) "Proposed permit" means the version of an Oregon Title V Operating Permit that DEQ or a Regional Agency proposes to issue and forwards to the Administrator for review in compliance with OAR 340-218-0230.

(104) "Reference method" means any method of sampling and analyzing for an air pollutant as specified in 40 CFR Part 52, 60, 61 or 63.

(105) "Regional Agency" means Lane Regional Air Protection Agency.

(106) "Regulated air pollutant" or "Regulated Pollutant":

(a) Except as provided in subsections (b) and(c) of this section, means:

(A) Nitrogen oxides or any VOCs;

(B) Any pollutant for which a national ambient air quality standard has been promulgated, including any precursors to such pollutants;

(C) Any pollutant that is subject to any standard promulgated under section 111 of the Act;

(D) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act;

(E) Any pollutant listed under OAR 340-244-0040 or 40 CFR 68.130; and

(F) Greenhouse Gases.

(b) As used in OAR 340 division 220, regulated pollutant means particulates, volatile organic compounds, oxides of nitrogen and sulfur dioxide.

(c) As used in OAR 340 division 224, regulated pollutant does not include any pollutant listed in divisions 244 and 246, unless the pollutant is listed in Table 2 (significant emission rates).

(107) "Renewal" means the process by which a permit is reissued at the end of its term.

(108) "Responsible official" means one of the following:

(a) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(A) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

(B) The delegation of authority to such representative is approved in advance by DEQ or Lane Regional Air Protection Agency.

(b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

(c) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this division, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA); or

(d) For affected sources:

(A) The designated representative in so far as actions, standards, requirements, or prohibitions under Title IV of the Act or the regulations promulgated there under are concerned; and

(B) The designated representative for any other purposes under the Oregon Title V Operating Permit program.

(109) "Secondary Emissions" means emissions that are a result of the construction and/or operation of a source or modification, but that do not come from the source itself. Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the source associated with the secondary emissions. Secondary emissions may include, but are not limited to:

(a) Emissions from ships and trains coming to or from a facility;

ADMINISTRATIVE RULES

(b) Emissions from off-site support facilities that would be constructed or would otherwise increase emissions as a result of the construction or modification of a source.

(110) "Section 111" means section 111 of the FCAA which includes Standards of Performance for New Stationary Sources (NSPS).

(111) "Section 111(d)" means subsection 111(d) of the FCAA which requires states to submit to the EPA plans that establish standards of performance for existing sources and provides for implementing and enforcing such standards.

(112) "Section 112" means section 112 of the FCAA which contains regulations for Hazardous Air Pollutants (HAP).

(113) "Section 112(b)" means subsection 112(b) of the FCAA which includes the list of hazardous air pollutants to be regulated.

(114) "Section 112(d)" means subsection 112(d) of the FCAA which directs the EPA to establish emission standards for sources of hazardous air pollutants. This section also defines the criteria to be used by the EPA when establishing the emission standards.

(115) "Section 112(e)" means subsection 112(e) of the FCAA which directs the EPA to establish and promulgate emissions standards for categories and subcategories of sources that emit hazardous air pollutants.

(116) "Section 112(r)(7)" means subsection 112(r)(7) of the FCAA which requires the EPA to promulgate regulations for the prevention of accidental releases and requires owners or operators to prepare risk management plans.

(117) "Section 114(a)(3)" means subsection 114(a)(3) of the FCAA which requires enhanced monitoring and submission of compliance certifications for major sources.

(118) "Section 129" means section 129 of the FCAA which requires the EPA to establish emission standards and other requirements for solid waste incineration units.

(119) "Section 129(e)" means subsection 129(e) of the FCAA which requires solid waste incineration units to obtain Oregon Title V Operating Permits.

(120) "Section 182(f)" means subsection 182(f) of the FCAA which requires states to include plan provisions in the State Implementation Plan for NOx in ozone nonattainment areas.

(121) "Section 182(f)(1)" means subsection 182(f)(1) of the FCAA which requires states to apply those plan provisions developed for major VOC sources and major NOx sources in ozone nonattainment areas.

(122) "Section 183(e)" means subsection 183(e) of the FCAA which requires the EPA to study and develop regulations for the control of certain VOC sources under federal ozone measures.

(123) "Section 183(f)" means subsection 183(f) of the FCAA which requires the EPA to develop regulations pertaining to tank vessels under federal ozone measures.

(124) "Section 184" means section 184 of the FCAA which contains regulations for the control of interstate ozone air pollution.

(125) "Section 302" means section 302 of the FCAA which contains definitions for general and administrative purposes in the Act.

(126) "Section 302(j)" means subsection 302(j) of the FCAA which contains definitions of "major stationary source" and "major emitting facility."

(127) "Section 328" means section 328 of the FCAA which contains regulations for air pollution from outer continental shelf activities.

(128) "Section 408(a)" means subsection 408(a) of the FCAA which contains regulations for the Title IV permit program.

(129) "Section 502(b)(10) change" means a change which contravenes an express permit term but is not a change that:

(a) Would violate applicable requirements;

(b) Would contravene federally enforceable permit terms and conditions that are monitoring, recordkeeping, reporting, or compliance certification requirements; or

(c) Is a Title I modification.

(130) "Section 504(b)" means subsection 504(b) of the FCAA which states that the EPA can prescribe by rule procedures and methods for determining compliance and for monitoring.

(131) "Section 504(e)" means subsection 504(e) of the FCAA which contains regulations for permit requirements for temporary sources.

(132) "Significant Air Quality Impact" means an additional ambient air quality concentration equal to or greater than in the concentrations listed in Table 1 of this rule. The threshold concentrations listed in Table 1 are used for comparison against the ambient air quality standard and do not apply for protecting PSD Class I increments or air quality related values (including visibility). For sources of VOC or NOx, a major source or major

modification has a significant impact if it is located within the Ozone Precursor Distance defined in OAR 340-225-0020.

(133) "Significant Emission Rate" or "SER," except as provided in subsections (a) through(c) of this section, means an emission rate equal to or greater than the rates specified in Table 2 of this rule.

(a) For the Medford-Ashland Air Quality Maintenance Area, the Significant Emission Rate for PM10 is defined in Table 3.

(b) For regulated air pollutants not listed in Table 2 or 3 of this rule, the significant emission rate is zero unless DEQ determines the rate that constitutes a significant emission rate.

(c) Any new source or modification with an emissions increase less than the rates specified in Table 2 or 3 of this rule associated with a new source or modification which would construct within 10 kilometers of a Class I area, and would have an impact on such area equal to or greater than 1 ug/m3 (24 hour average) is emitting at a significant emission rate. This provision does not apply to greenhouse gas emissions.

(134) "Significant Impairment" occurs when DEQ determines that visibility impairment interferes with the management, protection, preservation, or enjoyment of the visual experience within a Class I area. DEQ will make this determination on a case-by-case basis after considering the recommendations of the Federal Land Manager and the geographic extent, intensity, duration, frequency, and time of visibility impairment. These factors will be considered along with visitor use of the Class I areas, and the frequency and occurrence of natural conditions that reduce visibility.

(135) "Small scale local energy project" means:

(a) A system, mechanism or series of mechanisms located primarily in Oregon that directly or indirectly uses or enables the use of, by the owner or operator, renewable resources including, but not limited to, solar, wind, geothermal, biomass, waste heat or water resources to produce energy, including heat, electricity and substitute fuels, to meet a local community or regional energy need in this state;

(b) A system, mechanism or series of mechanisms located primarily in Oregon or providing substantial benefits to Oregon that directly or indirectly conserves energy or enables the conservation of energy by the owner or operator, including energy used in transportation;

(c) A recycling project;

(d) An alternative fuel project;

(e) An improvement that increases the production or efficiency, or extends the operating life, of a system, mechanism, series of mechanisms or project otherwise described in this section of this rule, including but not limited to restarting a dormant project;

(f) A system, mechanism or series of mechanisms installed in a facility or portions of a facility that directly or indirectly reduces the amount of energy needed for the construction and operation of the facility and that meets the sustainable building practices standard established by the State Department of Energy by rule; or

(g) A project described in subsections (a) to (f) of this section, whether or not the existing project was originally financed under ORS 470, together with any refinancing necessary to remove prior liens or encumbrances against the existing project.

(h) A project described in subsections (a) to (g) of this section that conserves energy or produces energy by generation or by processing or collection of a renewable resource.

(136) "Source" means any building, structure, facility, installation or combination thereof that emits or is capable of emitting air contaminants to the atmosphere, is located on one or more contiguous or adjacent properties and is owned or operated by the same person or by persons under common control. The term includes all pollutant emitting activities that belong to a single major industrial group (i.e., that have the same two-digit code) as described in the Standard Industrial Classification Manual, (U.S. Office of Management and Budget, 1987) or that support the major industrial group.

(137) "Source category":

(a) Except as provided in subsection (b) of this section, means all the pollutant emitting activities that belong to the same industrial grouping(i.e., that have the same two-digit code) as described in the Standard Industrial Classification Manual, (U.S. Office of Management and Budget, 1987).

(b) As used in OAR 340 division 220, Oregon Title V Operating Permit Fees, means a group of major sources that DEQ determines are using similar raw materials and have equivalent process controls and pollution control equipment.

(138) "Source Test" means the average of at least three test runs conducted in accordance with DEQ's Source Sampling Manual.

(139) "Startup" and "shutdown" means that time during which an air contaminant source or emission-control equipment is brought into normal operation or normal operation is terminated, respectively.

ADMINISTRATIVE RULES

(140) "State Implementation Plan" or "SIP" means the State of Oregon Clean Air Act Implementation Plan as adopted by the Commission under OAR 340-200-0040 and approved by EPA.

(141) "Stationary source" means any building, structure, facility, or installation at a source that emits or may emit any regulated air pollutant.

(142) "Substantial Underpayment" means the lesser of ten percent (10%) of the total interim emission fee for the major source or five hundred dollars.

(143) "Synthetic minor source" means a source that would be classified as a major source under OAR 340-200-0020, but for limits on its potential to emit air pollutants contained in a permit issued by DEQ under OAR 340 division 216 or 218.

(144) "Title I modification" means one of the following modifications pursuant to Title I of the FCAA:

(a) A major modification subject to OAR 340-224-0050, Requirements for Sources in Nonattainment Areas;

(b) A major modification subject to OAR 340-224-0060, Requirements for Sources in Maintenance Areas;

(c) A major modification subject to OAR 340-224-0070, Prevention of Significant Deterioration Requirements for Sources in Attainment or Unclassified Areas;

(d) A modification that is subject to a New Source Performance Standard under Section 111 of the FCAA; or

(e) A modification under Section 112 of the FCAA.

(145) "Total Reduced Sulfur" or "TRS" means the sum of the sulfur compounds hydrogen sulfide, methyl mercaptan, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides present expressed as hydrogen sulfide(H₂S).

(146) "Typically Achievable Control Technology" or "TACT" means the emission limit established on a case-by-case basis for a criteria pollutant from a particular emissions unit in accordance with OAR 340-226-0130. For existing sources, the emission limit established will be typical of the emission level achieved by emissions units similar in type and size. For new and modified sources, the emission limit established will be typical of the emission level achieved by well controlled new or modified emissions units similar in type and size that were recently installed. TACT determinations will be based on information known to DEQ while considering pollution prevention, impacts on other environmental media, energy impacts, capital and operating costs, cost effectiveness, and the age and remaining economic life of existing emission control equipment. DEQ may consider emission control technologies typically applied to other types of emissions units where such technologies could be readily applied to the emissions unit. If an emission limitation is not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be required.

(147) "Unassigned Emissions" means the amount of emissions that are in excess of the PSEL but less than the Netting Basis.

(148) "Unavoidable" or "could not be avoided" means events that are not caused entirely or in part by poor or inadequate design, operation, maintenance, or any other preventable condition in either process or control equipment.

(149) "Upset" or "Breakdown" means any failure or malfunction of any pollution control equipment or operating equipment that may cause excess emissions.

(150) "Visibility Impairment" means any humanly perceptible change in visual range, contrast or coloration from that which existed under natural conditions. Natural conditions include fog, clouds, windblown dust, rain, sand, naturally ignited wildfires, and natural aerosols.

(151) "Volatile Organic Compounds" or "VOC" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that participates in atmospheric photochemical reactions.

(a) This includes any such organic compound except the following, which have been determined to have negligible photochemical reactivity in the formation of tropospheric ozone: methane; ethane; methylene chloride(dichloromethane); dimethyl carbonate, propylene carbonate, 1,1,1-trichloroethane(methyl chloroform); 1,1,2-trichloro-1,2,2-trifluoroethane(CFC-113); trichlorofluoromethane(CFC-11); dichlorodifluoromethane(CFC-12); chlorodifluoromethane(HCFC-22); trifluoromethane(HFC-23); 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane(CFC-115); 1,1,1-trifluoro 2,2-dichloroethane(HCFC-123); 1,1,1,2-tetrafluoroethane(HFC-134a); 1,1-dichloro 1-fluoroethane(HCFC-141b); 1-chloro 1,1-difluoroethane(HCFC-142b); 2-chloro-1,1,1,2-tetrafluoroethane(HCFC-124); pentafluoroethane(HFC-125); 1,1,2,2-tetrafluoroethane(HFC-134); 1,1,1-trifluoroethane(HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotri-

fluoride(PCBTF); cyclic, branched, or linear completely methylated siloxanes; acetone; perchloroethylene(tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane(HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane HFC 43-10mee); difluoromethane(HFC-32); ethylfluoride(HFC-161); 1,1,1,3,3,3-hexafluoropropane(HFC-236fa); 1,1,2,2,3-pentafluoropropane(HFC-245ca); 1,1,2,3,3-pentafluoropropane(HFC-245ea); 1,1,1,2,3-pentafluoropropane(HFC-245eb); 1,1,1,3,3-pentafluoropropane(HFC-245fa); 1,1,1,2,3,3-hexafluoropropane(HFC-236ea); 1,1,1,3,3-pentafluorobutane(HFC-365mf); chlorofluoromethane (HCFC-31); 1 chloro-1-fluoroethane(HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane(HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane(C4F9OCH₃ or HFE-7100); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane((CF₃)₂CF₂OC₂H₅); 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane(C4F9OC₂H₅ or HFE-7200); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane((CF₃)₂CF₂OC₂H₅); methyl acetate; 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane(n-C₃F₇OCH₃, HFE-7000); 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane(HFE-7500); 1,1,1,2,3,3,3-heptafluoropropane(HFC 227ea); methyl formate (HCOOCH₃); (1) 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane(HFE-7300); and perfluorocarbon compounds that fall into these classes:

(A) Cyclic, branched, or linear, completely fluorinated alkanes;

(B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

(C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

(D) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For purposes of determining compliance with emissions limits, VOC will be measured by an applicable reference method in accordance with DEQ's Source Sampling Manual, January, 1992. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and DEQ approves the exclusion.

(c) DEQ may require an owner or operator to provide monitoring or testing methods and results demonstrating, to DEQ's satisfaction, the amount of negligibly-reactive compounds in the source's emissions.

(d) The following compound(s) are VOC for purposes of all record-keeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC and must be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t-butyl acetate.

(152) "Year" means any consecutive 12 month period of time.

Stat. Auth.: ORS 468.020, 468A.025, 468A.035, 468A.055 & 468A.070

Stats. Implemented: ORS 468A.025 & 468A.035

Hist.: [DEQ 15-1978, f. & ef. 10-13-78; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 47, f. 8-31-72, ef. 9-15-72; DEQ 63, f. 12-20-73, ef. 1-11-74; DEQ 107, f. & ef. 1-6-76; Renumbered from 340-020-0033.04; DEQ 25-1981, f. & ef. 9-8-81; DEQ 5-1983, f. & ef. 4-18-83; DEQ 18-1984, f. & ef. 10-16-84; DEQ 8-1988, f. & cert. ef. 5-19-88 (and corrected 5-31-88); DEQ 14-1989, f. & cert. ef. 6-26-89; DEQ 42-1990, f. 12-13-90, cert. ef. 1-2-91; DEQ 2-1992, f. & cert. ef. 1-30-92; DEQ 7-1992, f. & cert. ef. 3-30-92; DEQ 27-1992, f. & cert. ef. 11-12-92; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 12-1993, f. & cert. ef. 9-24-93, Renumbered from 340-020-0145, 340-020-0225, 340-020-0305, 340-020-0355, 340-020-0460 & 340-020-0520; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 20-1993(Temp), f. & cert. ef. 11-4-93; DEQ 13-1994, f. & cert. ef. 5-19-94; DEQ 21-1994, f. & cert. ef. 10-14-94; DEQ 24-1994, f. & cert. ef. 10-28-94; DEQ 10-1995, f. & cert. ef. 5-1-95; DEQ 12-1995, f. & cert. ef. 5-23-95; DEQ 22-1995, f. & cert. ef. 10-6-95; DEQ 19-1996, f. & cert. ef. 9-24-96; DEQ 22-1996, f. & cert. ef. 10-22-96; DEQ 9-1997, f. & cert. ef. 5-9-97; DEQ 14-1998, f. & cert. ef. 9-14-98; DEQ 16-1998, f. & cert. ef. 9-23-98; DEQ 21-1998, f. & cert. ef. 10-14-98; DEQ 1-1999, f. & cert. ef. 1-25-99; DEQ 6-1999, f. & cert. ef. 5-21-99; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-020-0205, 340-028-0110; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 2-2005, f. & cert. ef. 2-10-05; DEQ 2-2006, f. & cert. ef. 3-14-06; DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08; DEQ 8-2007, f. & cert. ef. 11-8-07; DEQ 10-2008, f. & cert. ef. 8-25-08; DEQ 5-2010, f. & cert. ef. 5-21-10; DEQ 10-2010(Temp), f. 8-31-10, cert. ef. 9-1-10 thru 2-28-11; Administrative correction 3-29-11; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11; DEQ 7-2011(Temp), f. & cert. ef. 6-24-11 thru 12-19-11; Administrative correction, 2-6-12; DEQ 1-2012, f. & cert. ef. 5-17-12; DEQ 4-2013, f. & cert. ef. 3-27-13; DEQ 11-2013, f. & cert. ef. 11-7-13; DEQ 12-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

340-216-8010

Table 1 — Activities and Sources

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468A

Hist.: DEQ 9-2014, f. & cert. ef. 6-26-14; DEQ 12-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

ADMINISTRATIVE RULES

340-224-0010

Applicability and General Prohibitions

(1) Within designated nonattainment and maintenance areas, this division applies to owners and operators of proposed major sources and major modifications for the regulated pollutant(s) for which the area is designated nonattainment or maintenance.

(2) Within attainment and unclassifiable areas, this division applies to owners and operators of proposed federal major sources and major modifications at federal major sources for the regulated pollutant(s) for which the area is designated attainment or unclassified.

(3) Owners and operators of sources that do not meet the applicability criteria of sections (1) or (2) of this rule are subject to other Department rules, including Highest and Best Practicable Treatment and Control Required (OAR 340-226-0100 through 340-226-0140), Notice of Construction and Approval of Plans (340-210-0205 through 340-210-0250), ACDPs (OAR 340 division 216), Emission Standards for Hazardous Air Contaminants (OAR 340 division 244), and Standards of Performance for New Stationary Sources (OAR 340 division 238).

(4) No owner or operator of a source that meets the applicability criteria of sections (1) or (2) of this rule may begin construction without having received an air contaminant discharge permit (ACDP) from the Department and having satisfied the requirements of this division.

(5) Beginning May 1, 2011, the pollutant GHGs is subject to regulation if:

(a) The source is a new federal major source and also emits, will emit or will have the potential to emit 75,000 tons per year CO₂e or more; or

(b) The source is or becomes a federal major source subject to OAR 340-224-0070 as a result of a major modification for a regulated pollutant that is not GHGs, and will have an emissions increase of 75,000 tons per year CO₂e or more over the netting basis. (6) Subject to the requirements in this division, the Lane Regional Air Protection Agency is designated by the Commission as the permitting agency to implement the Oregon Major New Source Review program within its area of jurisdiction. The Regional Agency's program is subject to Department oversight. The requirements and procedures contained in this division pertaining to the Major New Source Review program shall be used by the Regional Agency to implement its permitting program until the Regional Agency adopts superseding rules which are at least as restrictive as state rules.

NOTE: This rule is included in the State of Oregon Clean Air Act Implementation Plan as adopted by the EQC under OAR 340-200-0040.
Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468A.025

Hist.: DEQ 25-1981, f. & ef. 9-8-81; DEQ 4-1993, f. & cert. ef. 3-10-93; DEQ 12-1993, f. & cert. ef. 9-24-93, Renumbered from 340-020-0220; DEQ 19-1993, f. & cert. ef. 11-4-93; DEQ 26-1996, f. & cert. ef. 11-26-96; DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-1900; DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01; DEQ 1-2004, f. & cert. ef. 4-14-04; DEQ 10-2010(Temp), f. 8-31-10, cert. ef. 9-1-10 thru 2-28-11; Administrative correction, 3-29-11; DEQ 5-2011, f. 4-29-11, cert. ef. 5-1-11; DEQ 12-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

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Rule Caption: WQ Permit Fees — 2014 Increase

Adm. Order No.: DEQ 13-2014

Filed with Sec. of State: 11-14-2014

Certified to be Effective: 12-1-14

Notice Publication Date: 6-1-2014

Rules Amended: 340-045-0075, 340-071-0140

Subject: Short summary

Effective December 1, 2014, these DEQ rules increase water quality fees by 2.9 percent for individuals, businesses and government agencies that hold the following permits:

- National Pollutant Discharge Elimination System permits.
- Water Pollution Control Facility permits.
- Water Pollution Control Facility permits specific to onsite septic systems.

The proposed fee increases would not affect fees for the following permits:

- Suction dredge discharge: 700-PM permit fees are set in Oregon statute. DEQ rules cannot change this law.
- Graywater: Water Pollution Control Facility permits 2401 and 2402 for graywater use.
- Small off-stream mining operations: Water Pollution Control Facility permit 600. These permits do not have application fees or annual fees.

Background

ORS 468B.051 allows water quality permit fee increases.

DEQ has taken these actions concerning fee increases:

In 2002 DEQ convened the Blue Ribbon Committee on Wastewater Permitting to recommend improvements to DEQ's water quality permit program. The committee included industry, environmental and local government representatives.

In 2004 the committee published a report containing recommendations. These included increasing fee revenue by no more than 3 percent each year to address increasing program costs.

In 2005 the Oregon Legislature adopted the committee's recommended annual fee increase into chapter 468B of Oregon Revised Statutes.

DEQ implemented fee increases each year between 2007 and 2013, excluding 2009.

The Water Quality Permitting program is responsible for:

- Issuing Permits. These permits cover a wide range of activities such as:

- Municipal wastewater treatment
- Industrial wastewater treatment
- Stormwater treatment
- Fish hatcheries
- Suction dredge mining
- Seafood processing
- Onsite sewage treatment

- Compliance and inspection: DEQ conducts inspections and reviews discharge monitoring reports that permit holders submit.

- Enforcement: DEQ may take enforcement action against permit holders that do not comply with their permits' terms.

- Pretreatment: Those facilities that receive wastewater from "significant industrial users" must have pretreatment programs. The law requires DEQ to oversee these programs

- Plan Review: Municipal wastewater treatment facilities that wish to upgrade their facilities must submit plans for review.

Regulated parties

The proposed fee increases would affect:

- Parties that currently hold a permit.

- Parties that apply for modifications to or transfer of these permits.

- Any party that applies for a new permit.

- Any party that needs technical assistance related to these permits.

Rules Coordinator: Meyer Goldstein—(503) 229-6478

340-045-0075

Permit Fee Schedule

(1) OAR chapter 340, division 71 contains the fee schedule for onsite sewage disposal system permits, including WPCF permits, and graywater reuse and disposal system WPCF individual permits.

(2) The department establishes fees for various industrial, domestic and general permit categories. Tables 70B and 70C list the industrial and domestic permit categories and fees. OAR 340-045-033 defines the general permit categories and Table 70G lists the fees.

(3) The department must consider the following criteria when classifying a facility for determining applicable fees. For industrial sources that discharge to surface waters, discharge flowrate refers to the system design capacity. For industrial sources that do not discharge to surface waters, discharge flow refers to the total annual flow divided by 365:

(a) Tier 1 industry. A facility is classified as a Tier 1 industry if the facility:

- (A) Discharges at a flowrate that is greater than or equal to 1 mgd; or
- (B) Discharges large biochemical oxygen demand loads; or
- (C) Is a large metals facility; or
- (D) Has significant toxic discharges; or
- (E) Has a treatment system that will have a significant adverse impact on the receiving stream if not operated properly; or
- (F) Needs special regulatory control, as determined by the department.

(b) Tier 1 domestic facility. A facility is classified as a Tier 1 domestic facility if the facility:

- (A) Has a dry weather design flow of 1 mgd or greater; or
- (B) Serves an industry that can have a significant impact on the treatment system.

ADMINISTRATIVE RULES

(c) Tier 2 industry or domestic facility: does not meet Tier 1 qualifying factors.

(4) New-permit application fee. Unless waived by this rule, the applicable new-permit application fee listed in Table 70A, 70C or 70G (available on the department's website or upon request) must be submitted with each application. The facility category and type of permit (e.g., individual vs. general) determines the amount of the fee..

(5) Permit modification fee. Tables 70A and 70C list the permit modification fees (available on the department's website or upon request. Permit modification fees vary with the type of permit, the type of modification and the timing of modification as follows:

(a) Modification at time of permit renewal:

(A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by the department;

(B) Minor modification — does not involve significant analysis by the department.

(b) Modification prior to permit renewal:

(A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by the department. A permittee requesting a significant modification to their permit may be required by the department to enter into an agreement to pay for these services according to ORS 468.073. ORS 468.073 allows the department "to expedite or enhance a regulatory process by contracting for services, hiring additional staff or covering costs of activities not otherwise provided during the ordinary course of department business;"

(B) Minor modification — does not involve significant analysis by the department.

(6) Annual fees. Tables 70G and 70B list applicable annual fees for General and Industrial permit holders and are on the department's website or upon request. Annual fees for domestic sources may also be found in Table 70C available on the department's website or upon request, and includes the following:

(a) Base annual fee. This is based on the type of treatment system and the dry weather design flow;

(b) Population-based fee. A permit holder with treatment systems other than Type F (septage alkaline stabilization facilities) must pay a population-based fee. Table 70D lists the applicable fee available on the department's website or upon request;

(c) Pretreatment fee. A source required by the department to administer a pretreatment program pursuant to federal pretreatment program regulations (40CFR, Part 403; January 29, 1981 and amendments thereto) must pay an additional annual fee plus a fee for each significant industrial user specified in their annual report for the previous year. Table 70E lists the applicable fee (available on the department's website or upon request).

(7) Technical activities fee. Tables 70F and 70H list the technical activity fees (available on the department's website or upon request). They are categorized as follows:

(a) All permits. A permittee must pay a fee for NPDES and WPCF permit-related technical activities. A fee will be charged for initial submittal of engineering plans and specifications. Fees will not be charged for revisions and re-submittals of engineering plans and specifications or for facilities plans, design studies, reports, change orders, or inspections;

(b) General permits. A permittee must pay the technical activity fee shown in Table 70H (available on the department's website or upon request) when the following activities are required for application review:

(A) Disposal system plan review;

(B) Site inspection and evaluation.

(8) For permits administered by the Oregon Department of Agriculture, the following fees are applicable until superseded by a fee schedule established by the Oregon Department of Agriculture:

(a) WPCF and NPDES General Permits #800 for Confined Animal Feeding Operations Filing Fee — \$50;

(b) Individual Permits:

(A) Filing Fee — \$50;

(B) New applications — \$6,280;

(C) Permit renewals (including request for effluent limit modifications) — \$3,140;

(D) Permit renewals (without request for effluent limit modifications) — \$1,416;

(E) Permit modifications (involving increase in effluent limit modifications) — \$3,140;

(F) Permit modifications (not involving an increase in effluent limitations) — \$500;

(G) Annual compliance determination fee for dairies and other confined feeding operations — \$705;

(H) Annual compliance determination fee for facilities not elsewhere classified with disposal of process wastewater — \$1,885;

(I) Annual compliance determination fee for facilities not elsewhere classified that dispose of non-process wastewater (e.g., small cooling water discharges, boiler blowdown, filter backwash, log ponds) — \$1,180.

(c) Annual compliance determination fee for facilities that dispose of wastewater only by evaporation from watertight ponds or basins — \$705.

(9) A surcharge in the amount listed below is imposed on municipalities that are permittees as defined in 2007 Oregon Laws chapter 696, section 2. The surcharge is imposed to defray the cost of conducting and administering the study of persistent pollutants discharged in the State of Oregon required under 2007 Oregon Laws chapter 696, section 3. A permittee subject to the surcharge must pay one half of the surcharge on or before July 15, 2008 and the other half of the surcharge on or before July 15, 2009.

Each municipality will pay a surcharge based on a dry weather design flow in millions of gallons per day (mgd) as follows:

Less than 5 mgd = \$6,975.

5 mgd to 9.9 mgd = \$13,950.

10 mgd and greater = \$20,925.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 468.020, 468B.020 & 468B.035

Stats. Implemented: ORS 468.065, 468B.015, 468B.035 & 468B.050

Hist.: DEQ 113, f. & ef. 5-10-76; DEQ 129, f. & ef. 3-16-77; DEQ 31-1979, f. & ef. 10-1-79; DEQ 18-1981, f. & ef. 7-13-81; DEQ 12-1983, f. & ef. 6-2-83; DEQ 9-1987, f. & ef. 6-3-87; DEQ 18-1990, f. & cert. ef. 6-7-90; DEQ 10-1991, f. & cert. ef. 7-1-91; DEQ 9-1992, f. & cert. ef. 6-5-92; DEQ 10-1992, f. & cert. ef. 6-9-92; DEQ 30-1992, f. & cert. ef. 12-18-92; DEQ 20-1994, f. & cert. ef. 10-7-94; DEQ 4-1998, f. & cert. ef. 3-30-98; Administrative correction 10-22-98; DEQ 15-2000, f. & cert. ef. 10-11-00; DEQ 2-2002, f. & cert. ef. 2-12-02; DEQ 7-2004, f. & cert. ef. 8-3-04; DEQ 5-2005, f. & cert. ef. 7-1-05; DEQ 11-2006, f. & cert. ef. 8-15-06; DEQ 5-2007, f. & cert. ef. 7-3-07; DEQ 8-2008, f. 6-27-08, cert. ef. 7-1-08; DEQ 7-2010, f. 8-27-10, cert. ef. 9-1-10; DEQ 9-2011, f. & cert. ef. 6-30-11; DEQ 15-2011, f. & cert. ef. 9-12-11; DEQ 6-2012, f. 10-31-12, cert. ef. 11-1-12; DEQ 8-2013, f. 10-23-13, cert. ef. 11-1-13; DEQ 13-2014, f. 11-14-14, cert. ef. 12-1-14

340-071-0140

Onsite System Fees

(1) This rule establishes the fees for site evaluations, permits, reports, variances, licenses, and other services DEQ provides under this division.

(2) Table 9A lists the site evaluation and existing system evaluation fees.

(3) Tables 9B and 9C list the permitting fees for systems not subject to WPCF permits. Online submittals for annual report evaluation fees may apply upon DEQ implementation of online reporting.

(4) WPCF permit fees. Fees in this section apply to WPCF permits issued pursuant to OAR 340-071-0162. Table 9D lists the WPCF permit fees.

(5) Table 9F lists the innovative, Alternative Technology and Material Plan Review fees.

(6) Table 9E lists the Sewage Disposal Service License and Truck Inspection fees.

(7) Compliance Recovery Fee. When a violation results in an application in order to comply with the requirements in this division, the agent may require the applicant to pay a compliance recovery fee in addition to the application fee. The amount of the compliance recovery fee shall not exceed the application fee. Such violations include but are not limited to installing a system without a permit, performing sewage disposal services without a license, or failure to obtain an authorization notice when it is required.

(8) Land Use Review Fee. Land use review fees are listed in Table 9C and are assessed when an agent review is required in association with a land use action or building permit application and no approval is otherwise required in the division.

(9) Contract county fee schedules.

(a) Each county having an agreement with DEQ under ORS 454.725 must adopt a fee schedule for services rendered and permits issued. The county fee schedule may not include DEQ's surcharge established in section (10) of this rule unless identified as a DEQ surcharge.

(b) A copy of the fee schedule and any subsequent amendments to the schedule must be submitted to DEQ.

(c) Fees may not exceed actual costs for efficiently conducted services.

(10) DEQ surcharge.

(a) To offset a portion of the administrative and program oversight costs of the statewide onsite wastewater management program, DEQ and contract counties must levy a surcharge for each site evaluation, report permit, and other activity for which an application is required in this division. The surcharge fee is listed in Table 9F. This surcharge does not apply to pumper truck inspections, annual report evaluation fees, or certification of installers or maintenance providers.

ADMINISTRATIVE RULES

(b) Proceeds from surcharges collected by DEQ and contract counties must be accounted for separately. Each contract county must forward the proceeds to DEQ in accordance with its agreement with the DEQ.

(11) Refunds. DEQ may refund all or a portion of a fee accompanying an application if the applicant withdraws the application before any field work or other substantial review of the application has been done.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 454.625, 468.020 & 468.065(2)

Stats. Implemented: ORS 454.745, 468.065 & 468B.050

Hist.: DEQ 10-1981, f. & ef. 3-20-81; DEQ 19-1981, f. 7-23-81, ef. 7-27-81; DEQ 5-1982, f. & ef. 3-9-82; DEQ 8-1983, f. & ef. 5-25-83; DEQ 9-1984, f. & ef. 5-29-84; DEQ 13-1986, f. & ef. 6-18-86; DEQ 15-1986, f. & ef. 8-6-86; DEQ 6-1988, f. & cert. ef. 3-17-88; DEQ 11-1991, f. & cert. ef. 7-3-91; DEQ 18-1994, f. 7-28-94, cert. ef. 8-1-94; DEQ 27-1994, f. & cert. ef. 11-15-94; DEQ 12-1997, f. & cert. ef. 6-19-97; Administrative correction 1-28-98; DEQ 8-1998, f. & cert. ef. 6-5-98; DEQ 16-1999, f. & cert. ef. 12-29-99; Administrative correction 2-16-00; DEQ 9-2001(Temp), f. & cert. ef. 7-16-01 thru 12-28-01; DEQ 14-2001, f. & cert. ef. 12-26-01; DEQ 2-2002, f. & cert. ef. 2-12-02; DEQ 11-2004, f. 12-22-04, cert. ef. 3-1-05; DEQ 7-2008, f. 6-27-08, cert. ef. 7-1-08; DEQ 10-2009, f. 12-28-09, cert. ef. 1-4-10; DEQ 7-2010, f. 8-27-10, cert. ef. 9-1-10; DEQ 9-2011, f. & cert. ef. 6-30-11; DEQ 6-2012, f. 10-31-12, cert. ef. 11-1-12; DEQ 8-2013, f. 10-23-13, cert. ef. 11-1-13; DEQ 14-2013, f. 12-20-13, cert. ef. 1-2-14; DEQ 11-2014, f. & cert. ef. 10-15-14; DEQ 13-2014, f. 11-14-14, cert. ef. 12-1-14

Department of Fish and Wildlife Chapter 635

Rule Caption: Establish 2015 Seasons and Regulations for Game Mammals and Amendments to ODFW Lands

Adm. Order No.: DFW 151-2014

Filed with Sec. of State: 10-17-2014

Certified to be Effective: 10-17-14

Notice Publication Date: 9-1-2014

Rules Amended: 635-008-0050, 635-008-0055, 635-008-0070, 635-008-0080, 635-008-0085, 635-008-0095, 635-008-0105, 635-008-0110, 635-008-0115, 635-008-0117, 635-008-0120, 635-008-0130, 635-008-0147, 635-008-0153, 635-008-0155, 635-008-0163, 635-008-0175, 635-008-0185, 635-008-0190, 635-050-0045, 635-060-0000, 635-060-0008, 635-060-0009, 635-060-0023, 635-060-0055

Subject: Establish 2015 hunting regulations for game mammals, including season dates, open areas, location of cooperative travel management areas, wildlife areas and other rules including, but not limited to, general hunting and controlled hunt regulations, and amendments to Department of Fish and Wildlife Lands (Division 08).

Rules Coordinator: Therese Kucera—(503) 947-6033

635-008-0050

Fish and Wildlife Commission to Post and Enforce Rules

In compliance with authority contained in ORS 496.146(9), and penalties prescribed in 496.992, the following rules are adopted to protect wildlife, fish, lands, and appurtenances or management activities and objectives on lands where title to, or control of, rests in the State of Oregon, acting by and through its Department of Fish and Wildlife. In addition to the requirements and restrictions contained in chapter 635, divisions 11, 21, 45, 46, 50, 51, 52, 53, 54, and 60; the following rules shall apply to all Department wildlife areas referenced in chapter 635, division 8 except as modified by the rules for individual wildlife areas.

(1) In order to further the purposes of ORS 496.012 or to protect public safety, portions of wildlife areas may be posted and closed to all entry. Entering an area posted "closed to entry" is prohibited except by permit.

(2) Leaving garbage and litter on the area is prohibited.

(3) Posted Refuges and Safety Zones are closed to hunting and shooting.

(4) Motor vehicles are prohibited except on parking areas and open roads or as provided for in the following rules. No cross country travel or off road motor vehicle use is allowed, except by ODFW issued permit or for administrative use.

(5) A permit is required to remove firewood, cut trees, dig or remove artifacts or archeological specimens, minerals, sand, gravel, rock, or any other article, product or material found on the area except for fish and wildlife taken as permitted by law and edible fruiting bodies of plants for personal consumption.

(6) A permit is required to graze livestock except riding and pack animals in actual use for recreational purposes. Trespass livestock may be removed and/or impounded at the owner's expense in compliance with ORS Chapter 607.

(7) No person shall display behavior which unreasonably deters, distracts or hinders others in the peaceable enjoyment of the area.

(8) The Department may evict any person from the area for any violation of any Department rule or regulation, or when continued presence of that person could cause a threat to the rights and safety of others or property.

(9) No person, commercial vendor or company shall dispense or sell material, goods or items on the area, except by permit.

(10) The Department may issue access permits allowing exceptions to these rules for uses or activities compatible with the purpose of each wildlife area, and consistent with the goals and objectives of their respective Wildlife Area Management Plan where applicable.

Stat. Auth.: ORS 498

Stats. Implemented: ORS 498

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005; FWC 53-1994, f. & cert. ef. 8-25-94; DFW 93-2009, f. & cert. ef. 8-12-09; DFW 125-2009, f. & cert. ef. 10-7-09; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0055

Bridge Creek Wildlife Area (Umatilla County)

The Bridge Creek Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2009 Bridge Creek Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) The area is open to entry during the period April 15 through November 30, except by access permit issued by ODFW.

(2) Motorized vehicle travel is only allowed on open roads or parking areas and up to 300 feet off open roads for the purpose of moving to and from campsites.

(3) Camping is allowed during the period April 15 through November 30, and may not exceed 14 days per stay.

(4) Campfires or open burning is prohibited except at campsites.

Open fires are prohibited during designated fire closures.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(1); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 81-2006, f. & cert. ef. 8-11-06; DFW 40-2009, f. & cert. ef. 4-27-09; DFW 117-2010, f. & cert. ef. 8-13-10; DFW 168-2010, f. 12-29-10, cert. ef. 1-1-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0070

Coyote Springs Wildlife Area (Morrow County)

The Coyote Springs Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) All dogs must be on a leash except during authorized game bird hunting seasons, or by access permit issued by ODFW.

(2) Camping or overnight stay is prohibited.

(3) Open fires are prohibited.

(4) Discharging firearms other than shotguns is prohibited except as authorized by access permit issued by ODFW.

(5) Discharging a shotgun is prohibited except as authorized during game bird seasons.

(6) No person shall possess or use any shot other than federally-approved nontoxic shot.

(7) The wildlife area is closed to the public between 10 pm and 4 am except in designated parking areas.

(8) No person shall leave decoys set out overnight (10 pm to 4 am.)

(9) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

(10) Closed to all big game hunting.

(11) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(3); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 91-2005, f. & cert. ef. 8-19-05; DFW 137-2008, f. & cert. ef. 10-27-08; DFW 117 2010, f. & cert. ef. 8-13-10; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

ADMINISTRATIVE RULES

635-008-0080

Ken Denman Wildlife Area (Jackson County)

The Ken Denman (Denman) Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2006 Ken Denman Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Open to the discharge of firearms only while hunting big game and game birds during authorized seasons, or by access permit issued by ODFW.

(2) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.

(3) Use of rifles and handguns is prohibited at all times.

(4) Running or training of dogs is prohibited April 1 through July 31 except on designated Dog Training Areas or by access permit issued by ODFW.

(5) Camping is prohibited except by access permit issued by ODFW.

(6) Boats with gas propelled motors are prohibited.

(7) The use of air guns, BB guns and paintball guns is prohibited.

(8) All hunters must check in and out each day at self-service check stations located at area access points.

(9) Trapping is prohibited except by access permit issued by ODFW.

(10) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(4); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 118-2006, f. & cert. ef. 10-16-06; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0085

Elkhorn Wildlife Area (Baker/Union Counties)

The Elkhorn Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2006 Elkhorn Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) The area is open to the public from April 11 through November 30.

(2) Camping is allowed during the period April 11 through November 30, and may not exceed a total of 14 days during a 30-day period.

(3) Campfires or open burning is prohibited except at campsites. Open fires are prohibited during designated fire closures.

(4) Dogs are prohibited from running at large.

(5) ATV and snowmobile use is prohibited on all area lands except for administrative use or by access permit issued by ODFW.

(6) The Roth Tract is closed to all hunting. The Roth Tract is closed to public entry at all times of the year except by access permit issued by ODFW.

(7) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

(7) Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(5); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 81-2006, f. & cert. ef. 8-11-06; DFW 118-2006, f. & cert. ef. 10-16-06; DFW 118-2007, f. 10-31-07, c. cert. ef. 1-1-08; DFW 117-2010, f. & cert. ef. 8-13-10; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0095

Fern Ridge Wildlife Area (Lane County)

As the underlying landowner, the U.S. Army Corps of Engineers has adopted rules and regulations (CFR Title 36) that apply to all Fern Ridge project land and water areas. The Fern Ridge Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2009 Fern Ridge Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Open to the discharge of firearms only while hunting big game and game birds during authorized seasons, or by access permit issued by ODFW.

(2) Discharging rifles and handguns is prohibited.

(3) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.

(4) The use of air guns, BB guns and paintball guns is prohibited.

(5) All dogs must be on a leash except during authorized hunting seasons, or by access permit issued by ODFW.

(6) Camping is prohibited except by access permit issued by ODFW.

(7) Open fires are prohibited.

(8) The wildlife area is closed to the public 10 pm to 4 am.

(9) Horses and horseback riding are prohibited except by access permit issued by ODFW.

(10) Free daily hunting permits are required for hunting various wildlife area units. Hunters must check in and out daily. Consult annual Game Bird regulations for check station locations, time and date restrictions, and hunting requirements.

(11) Seasonal access restrictions may be in place to provide wildlife sanctuary. Consult annual Game Bird Regulations and posted signage for dates and locations.

(12) Trapping is prohibited except by access permit issued by ODFW.

(13) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(7); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 64-2009, f. & cert. ef. 6-10-09; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0105

Irrigon Wildlife Area (Morrow/Umatilla Counties)

The Irrigon Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) All dogs must be on a leash except during authorized game bird hunting seasons, or by access permit issued by ODFW.

(2) Camping or overnight stay is prohibited.

(3) Horses must stay on the Lewis and Clark Heritage trail.

(4) Trapping is prohibited except by access permit issued ODFW.

(5) Open fires are prohibited.

(6) Discharging firearms other than shotguns is prohibited except as authorized by an access permit issued by ODFW.

(7) Discharging a shotgun is prohibited except as authorized during game bird and game mammal seasons.

(8) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.

(9) Entry into the area between 10 pm and 4 am is prohibited except in designated parking areas.

(10) Leaving decoys set out overnight (10 pm to 4 am) is prohibited.

(11) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

(12) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(8); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 91-2005, f. & cert. ef. 8-19-05; DFW 137-2008, f. & cert. ef. 10-27-08; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0110

Jewell Meadows Wildlife Area (Clatsop County)

The Jewell Meadows Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2007 Jewell Meadows Management Plan unless otherwise excluded or restricted by the following rules:

(1) Open to the discharge of firearms only while hunting big game and game birds during authorized seasons, or by access permit issued by ODFW.

(2) Posted Refuges and Safety Zones are closed to public access.

(3) Camping is prohibited except designated areas, or by access permit issued by ODFW.

(4) Running of dogs is prohibited.

(5) The Beneke Tract is open for hunting only during authorized game mammal and game bird seasons. Posted portions of the Beneke Tract are closed to entry during any open Saddle Mountain Unit elk season, except for black-tailed deer hunting only during the general western Oregon rifle season with a valid unused tag, or by access permit issued by ODFW.

ADMINISTRATIVE RULES

(6) The Humbug tract is open for hunting only during authorized game mammal and game bird seasons. Shooting firearms and bows from or across open fields is prohibited during any open Wilson Unit elk season.

(7) Trapping is prohibited except by access permit issued by ODFW.

(8) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(9); FWC 53-1994, f. & cert. ef. 8-25-84; DFW 27-2007, f. & cert. ef. 4-19-07; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0115

Klamath Wildlife Area (Klamath County)

The Klamath Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Klamath Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Discharging firearms is prohibited except as authorized during game bird seasons, or by access permit issued by ODFW.

(2) Running or training of dogs is prohibited February 1 through July 31 except on designated Dog Training Areas or by access permit issued by ODFW.

(3) Camping is prohibited.

(4) Personal property must be removed from the area at the end of each hunt day.

(5) No person shall possess or use any shot other than federally-approved nontoxic shot at any time.

(6) Miller Island Unit is closed to all deer hunting.

(7) A daily hunting permit is required. Hunters shall be in possession of permit while in the field; checkout is required.

(8) Trapping is prohibited except by access permit by ODFW.

(9) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(10); FWC 53-1994, f. & cert. ef. 8-25-95; DFW 38-2008, f. & cert. ef. 4-24-08; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0117

Knight Park/Salmon River Access (Lincoln County)

The Knight Park/Salmon River Access area is open to fish and wildlife oriented public use activities. In addition to the provisions in OAR 635-008-0200, the following restriction to public use of Department land at Knight Park/Salmon River Access applies: Parking is prohibited between 10 pm and 4 am.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0120

Ladd Marsh Wildlife Area (Union County)

The Ladd Marsh Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Ladd Marsh Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) All wildlife area lands, except those west of Foothill Road, are closed to public entry except Wed., Sat., Sun. and holidays during pheasant, quail and waterfowl hunting seasons with the following exceptions:

(a) The Nature Trail, adjacent to I-84, is open year-round;

(b) The Foothill Road Viewpoint is open year-round;

(c) The Peach Road Fishing Pond is open year-round;

(d) The Tule Lake Public Access Area is open March 1–September 30.

(2) All lands west of Foothill Road are closed to all entry Feb. 1 through March 31.

(3) A daily public access permit, available at most access points, is required.

(4) The wildlife area is closed to the public between 10 pm and 4 am.

(5) All land north and east of Foothill Road is closed to big game hunting except for youth deer hunts 652T1 and 652T2. Big game hunting may be allowed on Ladd Marsh Wildlife Area as authorized by the Department.

(6) Open to the discharge of firearms only while hunting during authorized game bird and big game hunting seasons, or by permit.

Discharge of all handgun and centerfire or rimfire rifles is prohibited east of Foothill Road. Discharge of air guns, BB guns, and paintball guns is prohibited at all times.

(7) Camping is prohibited.

(8) Dogs are prohibited except during authorized bird hunting seasons.

(9) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.

(10) Horses are prohibited east of Foothill Road.

(11) ATV and snowmobile use is prohibited on all area lands except for administrative use.

(12) Trapping is prohibited except by access permit issued by ODFW.

(13) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(11); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 38-2008, f. & cert. ef. 4-24-08; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 103-2012, f. & cert. ef. 8-6-12; DFW 80-2013(Temp), f. 7-25-13, cert. ef. 7-26-13 thru 1-21-14; DFW 85-2013, f. & cert. ef. 8-5-13; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0130

Power City Wildlife Area (Umatilla County)

The Power City Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) All dogs must be on a leash except during authorized game bird hunting seasons or by access permit issued by ODFW.

(2) Camping or overnight stay is prohibited.

(3) Open fires are prohibited.

(4) Discharging firearms other than shotguns is prohibited except by access permit issued by ODFW.

(5) Discharging a shotgun is prohibited except as authorized during game bird and game mammal seasons.

(6) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.

(7) The wildlife area is closed to the public between 10 pm and 4 am is prohibited except in designated parking areas.

(8) Leaving decoys set out overnight (10 pm through 4 am) is prohibited.

(9) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

(10) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(13); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 91-2005, f. & cert. ef. 8-19-05; DFW 137-2008, f. & cert. ef. 10-27-08; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0147

Rules Regarding Public Use for Sauvie Island Wildlife Area

The Sauvie Island Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2012 Sauvie Island Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Hunting is prohibited except by daily hunt permit. Hunters must check in and out daily.

(2) Discharging firearms is prohibited except for shotguns on designated Dog Training Areas, Trapshooting Areas, or as authorized during game bird and game mammal season.

(3) The wildlife area is closed to the public between 10 pm and 4 am.

(4) Camping is prohibited.

(5) All dogs must be on leash, except while hunting during seasons authorized on Sauvie Island Wildlife Area, or pursuant to a valid "Competitive Hunting Dog Trial Permit" or "Sauvie Island Wildlife Area Individual Dog Training Permit."

(6) Domestically-raised game birds may only be released, pursued or taken pursuant to:

(a) a valid "Competitive Hunting Dog Trial Permit" or;

ADMINISTRATIVE RULES

(b) a valid "Game Bird Release Permit for Hunting Dog and Raptor Training" and a "Sauvie Island Wildlife Area Individual Dog Training Permit" or;

(c) as authorized by the Department.

(7) Open fires are prohibited.

(8) Any vehicle found parked or unattended on the Wildlife Area between the hours of 10 pm and 4 am, or obstructing public access, may be towed at the expense of the registered owner or owners.

(9) No person shall possess or use lead shot at any time.

(10) Horses and bicycles are restricted to roads open to vehicles.

(11) Portions of Sauvie Island Wildlife Area are closed to all entry except by hunting permit during authorized waterfowl hunting seasons.

(12) Portions of Sauvie Island Wildlife Area will be closed from the end of waterfowl hunting season through April 30 each year.

(13) The use of air guns, BB guns and paintball guns is prohibited.

(14) Operation of boats in Sturgeon Lake Refuge is prohibited from Oct. 1 to April 15. Operating boats over 5 miles per hour is prohibited on all area lakes. Sturgeon Lake Refuge is closed to all hunting year-round.

(15) Closed to hunting of furbearers, predators, unprotected and protected wildlife (except black-tailed deer, rabbit, crow, Eurasian collared-dove and game birds).

(16) Trapping is prohibited except by access permit issued by ODFW.

(17) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(16); FWC 12-1990, f. & cert. ef. 2-2-90, Renumbered from 635-008-0150; FWC 8-1993, f. & cert. ef. 2-8-93; FWC 53-1994, f. & cert. ef. 8-25-94; DFW 26-2009(Temp), f. & cert. ef. 3-11-09 thru 8-10-09; DFW 32-2009(Temp), f. & cert. ef. 3-30-09 thru 8-10-09; DFW 93-2009, f. & cert. ef. 8-12-09; DFW 42-2012, f. & cert. ef. 4-24-12; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0153

Phillip W. Schneider Wildlife Area (Grant County)

The Phillip W. Schneider Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2006 Phillip W. Schneider Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Motorized vehicle travel is only allowed on open roads or parking areas and up to 300 feet off open roads for the purpose of moving to and from campsites. Some roads are closed seasonally from December 1 through April 14.

(2) Camping along the South Fork John Day road is open yearlong. On the remainder of the wildlife area camping is prohibited except during the period April 15 through November 30. Camping may not exceed 14 days per stay.

(3) Campfires or open burning is prohibited except at campsites. Open fires are prohibited during designated fire closures.

(4) The area is closed to entry during the period of February 1 through April 14, including BLM land within the exterior boundaries of the Wildlife Area, except by access permit issued by ODFW.

(5) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146, & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146, & 496.162

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(12); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 30-2000, f. & cert., ef. 6-14-00, Renumbered from 635-008-0125; DFW 118-2006, f. & cert. ef. 10-16-06; DFW 168-2010, f. 12-29-10, cert. ef. 1-1-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0155

Summer Lake Wildlife Area (Lake County)

The Summer Lake Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2007 Summer Lake Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Posted Refuges are closed to all entry seven days prior to opening day through the end of Zone 2 general waterfowl season during authorized game bird and game mammal hunting seasons, except to retrieve lawfully taken wildlife, or by access permit issued by ODFW.

(2) Entering any portion of the Wildlife Area south of Thousand Springs Lane (Lake County Road 4-17), except the Foster Place unit and open roads and campgrounds, seven days prior to Zone 2 waterfowl season (see game bird regulations for specific dates) is prohibited.

(3) Discharging firearms is prohibited except as authorized during game bird and game mammal hunting seasons, between September 1 and January 31 or by access permit issued by ODFW.

(4) Discharging firearms into and hunting in posted refuges, campgrounds and safety zones is prohibited.

(5) Centerfire rifles and handguns are prohibited for game mammal hunting except on that portion of the wildlife area west of Hwy. 31.

(6) No person shall hunt game mammals with a firearm east of Hwy. 31 during any game bird hunting seasons open on the wildlife area.

(7) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs or by access permit issued by ODFW.

(8) No person shall leave decoys set out overnight (8 pm to 4 am).

(9) All hunters must obtain a daily hunt permit (available at Headquarters 1.3 miles south of the town of Summer Lake). Daily permits for 2 consecutive days are allowed. Check-out at the end of the day or following 2 consecutive days is required.

(10) Trapping is prohibited except by access permit issued by ODFW.

(11) Motorized vehicle travel is only allowed on open roads, campgrounds or parking areas.

(12) Bullgate and Windbreak dikes and the Work Road are closed to motor vehicles from March 15 to August 15 and one week prior to and through the end of Zone 2 general waterfowl and three days prior to and during youth waterfowl hunting seasons.

(13) Operating boats with gas-powered motors is prohibited.

(14) Camping or leaving vehicles unattended is prohibited except on areas designated for that use, and may not exceed a total of 14 days per stay in a 30 day period, except by access permit issued by ODFW.

(15) Running or training of dogs is prohibited except by access permit issued by ODFW.

(16) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(17); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 118-2007, f. 10-31-07, cert. ef. 1-1-08; DFW 93-2009, f. & cert. ef. 8-12-09; DFW 117-2010, f. & cert. ef. 8-13-10; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 159-2011, f. 12-14-11, cert. ef. 1-1-12; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0163

Tami Wagner Wildlife Area (Lincoln County)

The Tami Wagner Wildlife Area is open for wildlife-oriented public use unless otherwise excluded or restricted by the following rules:

(1) Discharging firearms is prohibited except as authorized during game bird and game mammal seasons or by access permit issued by ODFW.

(2) Camping is prohibited except by access permit issued by ODFW.

(3) Unauthorized motor vehicle use is prohibited.

Stat. Auth.: 496.012, 496.138, 496.146, & 496.162

Stats. Implemented: 496.012, 496.138, 496.146, & 496.162

Hist.: DFW 68-2011, f. 6-15-11, cert. ef. 7-1-11; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0175

White River Wildlife Area (Wasco County)

The White River Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2007 White River Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Motorized vehicle travel is only allowed on open roads, designated campsite or parking areas. No cross country travel or off road motor vehicle use is allowed, except by access permit issued by ODFW or for administrative use.

(2) ATV/OHV and snowmobile uses are prohibited on all area lands except by access permit issued by ODFW or for administrative use.

(3) Camping is prohibited except in designated campsites or by access permit issued by ODFW, and may not exceed 14 days in any 30 day period.

(4) Campfires and open burning are prohibited except at designated campsites. All fires are prohibited during designated fire closures.

(5) Dogs are prohibited from running at large except during authorized game bird hunting seasons or by access permit issued by ODFW.

(6) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered

ADMINISTRATIVE RULES

from 635-008-0005(21); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 118-2007, f. 10-31-07, cert. ef. 1-1-08; DFW 147-2012, f. 12-18-12, cert. ef. 1-1-13; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0185

Willow Creek Wildlife Area (Morrow County)

The Willow Creek Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) All dogs must be on a leash except during authorized game bird hunting seasons, or by access permit issued by ODFW.
- (2) Camping or overnight stay is prohibited.
- (3) Open fires are prohibited.
- (4) Discharging firearms is prohibited except as authorized during game bird, game mammal, furbearer seasons or for the hunting of nongame non protected wildlife, or by access permit issued by ODFW.
- (5) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.
- (6) Entry into the area between 10 pm and 4 am is prohibited except in designated parking areas.
- (7) No person shall leave decoys set out overnight (10 pm through 4 am).
- (8) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

(9) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162 & 496.992
Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162 & 496.992
Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(23); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 91-2005, f. & cert. ef. 8-19-05; DFW 137-2008, f. & cert. ef. 10-27-08; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-008-0190

E.E. Wilson Wildlife Area (Benton/Polk Counties)

The E. E. Wilson Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 E. E. Wilson Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) All hunting is prohibited March 1 through July 31.
- (2) Hunting and fishing is prohibited except:
 - (a) as authorized during game bird, big game and fishing seasons;
 - (b) the hunting of nongame non protected wildlife;
 - (c) furbearer trapping and hunting is prohibited except by access permit issued by ODFW;
- (d) hunting for rabbits is permitted from November 1 through February.
- (3) Hunters must fill out a Public Hunt Area Permit. Hunters must check in and out daily.
- (4) Open to the discharge of firearms only while hunting big game and game birds during authorized seasons, at the trap shooting area from 7am-7pm daily or by access permit issued by ODFW.
- (5) Hunting with or discharging rifles, handguns, crossbows, air guns and paintball guns is prohibited.
- (6) Big game hunting is closed when youth pheasant hunts are in progress.
- (7) During the week between the youth pheasant hunts, game bird hunting is prohibited.
- (8) All game bird hunters must have a valid Fee Pheasant tag on their person during the month of October.
- (9) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.
- (10) During the month of October, all hunting ends at 5pm.
- (11) All dogs must be on a leash except during authorized game bird and rabbit hunting seasons, or by access permit issued by ODFW.
- (12) Camping is prohibited except by access permit issued by ODFW.
- (13) Horses and other domestic livestock use are restricted to established roads only.
- (14) The wildlife area is closed to the public between 10 pm and 4 am.
- (15) Motorized vehicle travel is only allowed on open roads or parking areas.
- (16) All participants using the trap range or archery range must adhere to the posted rules and guidelines.
- (17) Open fires are prohibited.

(18) ODFW Wildlife Area Parking Permit required.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162
Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162
Hist.: GC 64, f. 4-3-57; GC 232, f. 8-13-70, ef. 9-11-70; GC 252, f. 5-11-72, ef. 6-1-72, Renumbered from 630-010-0500, Renumbered from 635-015-0005; FWC 63-1980, f. & ef. 11-4-80; FWC 2-1981(Temp), f. & ef. 1-20-81; FWC 30-1982, f. & ef. 5-18-82, Renumbered from 635-008-0005(24); FWC 53-1994, f. & cert. ef. 8-25-94; DFW 91-2005, f. & cert. ef. 8-19-05; DFW 137-2008, f. & cert. ef. 10-27-08; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 117-2014, f. & cert. ef. 8-7-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-050-0045

General Furbearer Regulations

The following general regulations apply to furbearer seasons:

- (1) The appropriate furtaker's license or hunting license for furbearers must be in possession to hunt and/or trap furbearers.
- (2) Any person possessing a valid furtaker's license or hunting license for furbearers is required to fill out and return a completed harvest report form to the Department at 4034 Fairview Industrial Drive SE, Salem, OR 97302. The form shall be postmarked by April 15, 2015 for the 2014-2015 seasons and April 15, 2016 for the 2015-2016 seasons. Failure to do so shall deny the license holder the opportunity to purchase a hunting license for furbearers or furtaker's license for the following furbearer season, unless the non-compliant licensee pays a fee of \$50.00 and completes and returns the harvest report form prior to the requested license being issued.
- (3) Any person may sell or exchange the hide, carcass, or any part thereof, of any legally taken furbearing or unprotected mammal.
- (4) All traps and snares, whether set for furbearing or other unprotected mammals, shall be legibly marked or branded with the owner's license (brand) number that has been assigned by the Department; except that unmarked traps or snares may be set for nongame mammals unprotected by law or Department regulations by any person or member of his immediate family upon land of which he is the lawful owner. A landowner is required to register the location of such land with the Department and shall possess each year a free landowner's license before hunting or trapping furbearing mammals.
- (5) No branded trap or snare may be sold unless accompanied by a uniform bill of sale.
- (6) Bobcat, raccoon and opossum may be hunted with the aid of an artificial light provided the light is not cast from or attached to a motor vehicle or boat.
- (7) An artificial light may be used to provide light to aid in the dispatch of animals legally restrained in a trap or snare.
- (8) Use of dogs is permitted to hunt or pursue bobcat, raccoon, fox, and unprotected mammals.
- (9) It is unlawful for any person to trap for furbearers, predatory animals or unprotected mammals using:
 - (a) A steel foothold trap with a jaw spread greater than 9 inches.
 - (b) A No. 3 or larger foothold trap or any foothold trap with an inside jaw spread at dog greater than 6" not having a jaw spacing of at least 3/16 of one inch when the trap is sprung (measurement excludes pads on padded jaw traps) and when the trap is placed in a manner that is not capable of drowning a trapped animal.
 - (c) The flesh of any game bird, game fish, game mammal for trap bait.
 - (d) Any killing trap having a jaw spread of 9 inches or more in any land set.
 - (e) Any killing trap having a jaw spread of 7.5 inches or more but less than 9 inches, in a land set on public lands, at a distance greater than 50 feet from a permanent water source or a seasonal water source when water is present except when authorized by the Oregon Department of Fish and Wildlife.
 - (f) Any toothed trap, or trap with a protuberance on the facing edge of the jaws that is intended to hold the animal (except pads on padded jaw traps).
 - (g) Or possessing the branded traps or snares of another unless in possession of written permission from the person to whom the brand is registered.
 - (h) Sight bait within 15 feet of any foothold trap set for carnivores.
- (10) Except for persons authorized to enforce the wildlife laws, it is unlawful to disturb or remove the traps or snares of any licensed trapper while he is trapping on public lands or on land where he has permission to trap.
- (11) All traps or snares set or used for the taking of furbearing or unprotected mammals shall be inspected at least every 48 hours and all trapped animals removed. This regulation does not apply to the taking of predatory animals.
- (12) Any person setting a trap for predatory animals, as defined in ORS 610.002, must check the trap as follows:

ADMINISTRATIVE RULES

(a) For killing traps and snares, at least once every 30 days and remove all animals;

(b) For restraining traps and snares, at least once every 76 hours and remove all animals. However, restraining traps and snares set by a person owning, leasing, occupying, possessing or having charge of or dominion over any land, place, building, structure, wharf, pier or dock or their agent, and set for predatory animals damaging land, livestock or agricultural or forest crops, shall be checked at least once every 7 days. Any person(s) acting as an agent for a landowner shall have in their possession written authority from the landowner or lawful occupant of the land. Such written authority shall contain at least all of the following:

(A) The date of issuance of the authorization;

(B) The name, address, telephone number and signature of the person granting the authorization;

(C) The name, address and telephone number of the person to whom the authorization is granted; and

(D) The expiration date of the authorization, which shall be not later than one year from the date of issuance of the authorization.

(13) A "killing trap" means a device used to kill a mammal as part of a killing trap system. A killing trap system is a system set with the intent to kill a mammal comprising a combination of: equipment (the trap and trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

(14) A "restraining trap" means a device used to capture and restrain (but not kill) a mammal as part of a restraining trap system. A restraining trap system is a system set with the intent to capture and restrain (but not kill) a mammal comprising a combination of: equipment (the trap and the trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

(15) These general furbearer regulations do not apply to the trapping of gophers, moles, ground squirrels and mountain beaver.

(16) When any furbearer or raw furbearer pelt is transferred to the possession of another person, a written record indicating the name and address of the person from whom the raw pelt was obtained shall accompany such transfer and remain with same so long as preserved in raw pelt form.

(17) It is unlawful for any person to damage or destroy any muskrat house at any time except where such muskrat house is an obstruction to a private or public ditch or watercourse.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 59-1989, f. & cert. ef. 8-15-89; FWC 70-1990, f. & cert. ef. 7-25-90; FWC 60-1992, f. & cert. ef. 7-30-92; FWC 49-1994, f. & cert. ef. 8-12-94; FWC 43-1996, f. & cert. ef. 8-12-96; DFW 62-1998, f. & cert. ef. 8-10-98; DFW 39-2000, f. & cert. ef. 7-25-00; DFW 73-2002, f. & cert. ef. 7-16-02; DFW 9-2004, f. & cert. ef. 2-11-04; DFW 31-2004, f. & cert. ef. 5-1-04; DFW 67-2004, f. & cert. ef. 7-13-04; DFW 60-2006, f. & cert. ef. 7-12-06; DFW 83-2008, f. & cert. ef. 7-25-08; DFW 82-2010, f. & cert. ef. 6-15-10; DFW 127-2010, f. & cert. ef. 9-10-10; DFW 70-2011, f. & cert. ef. 7-1-11; DFW 56-2012, f. & cert. ef. 6-11-12; DFW 151-2014, f. & cert. ef. 10-17-14

635-060-0000

Purpose and General Information

(1) The purpose of these rules is to describe the requirements and procedures for controlled hunts pursuant to ORS Chapter 496.162.

(2) The documents entitled "2014-2015 Oregon Game Bird Regulations", and "2015 Oregon Big Game Regulations", are incorporated by reference into these rules. These documents are available at hunting license agents and regional, district, and headquarters offices of the Oregon Department of Fish and Wildlife.

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 118, f. & cert. ef. 6-3-77; FWC 25-1978, f. & cert. ef. 5-26-78; FWC 32-1978, f. & cert. ef. 30-78; FWC 29-1979, f. & cert. ef. 8-2-79; FWC 33-1980, f. & cert. ef. 6-30-80; FWC 7-1981, f. & cert. ef. 6-1-81; FWC 10-1981, f. & cert. ef. 3-31-81; FWC 22-1981, f. & cert. ef. 6-29-81; FWC 21-1982, f. & cert. ef. 3-31-82; FWC 38-1982, f. & cert. ef. 6-25-82; FWC 34-1984, f. & cert. ef. 7-24-84; FWC 16-1985, f. & cert. ef. 4-11-85; FWC 43-1985, f. & cert. ef. 8-22-85; FWC 35-1986, f. & cert. ef. 8-7-86; FWC 11-1987, f. & cert. ef. 3-6-87; FWC 40-1987, f. & cert. ef. 7-6-87; FWC 12-1988, f. & cert. ef. 3-10-88; FWC 37-1988, f. & cert. ef. 6-13-88; FWC 14-1989, f. & cert. ef. 3-28-89; FWC 48-1989, f. & cert. ef. 7-25-89; FWC 23-1990, f. & cert. ef. 3-21-90; FWC 71-1997, f. & cert. ef. 12-29-97; DFW 61-1998, f. & cert. ef. 8-10-98; DFW 1-1999, f. & cert. ef. 1-14-99; DFW 56-1999, f. & cert. ef. 8-13-99; DFW 92-1999, f. & cert. ef. 12-8-99, cert. ef. 1-1-00; DFW 51-2000, f. & cert. ef. 8-22-00; DFW 82-2000, f. & cert. ef. 12-21-00, cert. ef. 1-1-01; DFW 73-2001, f. & cert. ef. 8-15-01; DFW 121-2001, f. & cert. ef. 12-24-01, cert. ef. 1-1-02; DFW 3-2002(Temp), f. & cert. ef. 1-3-02 thru 1-23-02; DFW 28-2002(Temp), f. & cert. ef. 4-2-02 thru 9-28-02; DFW 59-2002, f. & cert. ef. 6-11-02; DFW 88-2002, f. & cert. ef. 8-14-02; DFW 2-2003, f. & cert. ef. 1-17-03; DFW 76-2003, f. & cert. ef. 8-13-03; DFW 118-2003, f. & cert. ef. 12-4-03, cert. ef. 1-1-04; DFW 84-2004, f. & cert. ef. 8-18-04; DFW 122-2004, f. & cert. ef. 12-21-04, cert. ef. 1-1-05; DFW 91-2005, f. & cert. ef. 8-19-05; DFW 128-2005, f. & cert. ef. 12-1-05, cert. ef. 1-1-06; DFW 81-2006, f. & cert. ef. 8-11-06; DFW 127-2006, f. & cert. ef. 12-7-06, cert. ef. 1-1-07; DFW 68-2007, f. & cert. ef. 8-14-07; DFW 118-2007, f. & cert. ef. 10-31-07, cert. ef. 1-1-08; DFW 60-2008, f. & cert. ef. 6-12-08; DFW

90-2008, f. & cert. ef. 8-13-08; DFW 150-2008, f. & cert. ef. 12-18-08, cert. ef. 1-1-09; DFW 93-2009, f. & cert. ef. 8-12-09; DFW 140-2009, f. & cert. ef. 11-3-09, cert. ef. 1-1-10; DFW 117-2010, f. & cert. ef. 8-13-10; DFW 140-2010(Temp), f. & cert. ef. 10-6-10 thru 12-31-10; Administrative correction 1-25-11; DFW 108-2011, f. & cert. ef. 8-5-11; DFW 103-2012, f. & cert. ef. 8-6-12; DFW 85-2013, f. & cert. ef. 8-5-13; DFW 112-2014(Temp), f. & cert. ef. 8-4-14; DFW 151-2014, f. & cert. ef. 10-17-14

635-060-0008

Application Deadline Dates

(1) The application deadline for spring black bear controlled hunts is February 10, each year.

(2) The application deadline for pronghorn antelope, bighorn sheep, Rocky Mountain goat, deer and elk controlled hunts is May 15, each year.

(3) Applications for the controlled hunts listed in OAR 635-060-0005(1)-(5) above that are hand-delivered by the specified deadline dates or mailed through the U.S. Postal Service and postmarked by the specified deadline dates above will be considered on time (see 635-060-0005(5)).

(4) In the event that tags remain from undersubscribed controlled hunts after the game mammal controlled hunt drawing, the department may issue remaining tags on a first-come, first-serve basis at authorized license agents. Tags issued in this manner are additional tags and may be exchanged for a general season tag only as authorized by OAR 635-060-0046(6) and 635-065-0501(4) and (5). A person may only purchase one first-come, first-serve tag per hunt series. Such tag may be for the person or for someone other than the person.

(5) A hunter who received a tag of his/her choice through the original game mammal controlled hunt drawing process may exchange that tag for a remaining tag in the first-come, first-serve process while tags remain available. Exchanges may be obtained only through the department's regional offices, designated district offices, or the Salem headquarters office of the department and must be made before the start of the seasons for which the tags are issued. The tag being exchanged shall not be re-issued.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 48-1989, f. & cert. ef. 7-25-89, FWC 23-1990, f. & cert. ef. 3-21-90; FWC 54-1990, f. & cert. ef. 6-21-90; FWC 18-1991, f. & cert. ef. 3-12-91; FWC 19-1991(Temp), f. & cert. ef. 3-12-91; FWC 14-1992, f. & cert. ef. 3-10-92, cert. ef. 3-13-92 (and corrected 3-13-92); FWC 55-1992(Temp), f. & cert. ef. 7-22-92, cert. ef. 7-24-92; FWC 36-1993, f. & cert. ef. 6-14-93; FWC 46-1993, f. & cert. ef. 8-4-93; FWC 51-1993, f. & cert. ef. 8-25-93; FWC 6-1994, f. & cert. ef. 1-26-94; FWC 45-1994(Temp), f. & cert. ef. 7-29-94; FWC 94-1994, f. & cert. ef. 12-22-95; FWC 21-1996, f. & cert. ef. 5-1-96; FWC 9-1997, f. & cert. ef. 2-27-97; FWC 71-1997, f. & cert. ef. 12-29-97; DFW 1-1999, f. & cert. ef. 1-14-99; DFW 6-1999(Temp), f. & cert. ef. 2-9-99 through 2-19-99; DFW 12-1999(Temp), f. & cert. ef. 2-25-99 thru 6-30-99; Administrative correction 11-17-99; DFW 92-1999, f. & cert. ef. 1-1-00; DFW 82-2000, f. & cert. ef. 12-21-00, cert. ef. 1-1-01; DFW 47-2001, f. & cert. ef. 6-13-01; DFW 52-2001(Temp), f. & cert. ef. 6-27-01 thru 12-24-01; DFW 32-2002(Temp), f. & cert. ef. 4-17-02 thru 10-13-02; DFW 34-2002, f. & cert. ef. 4-18-02; DFW 59-2002, f. & cert. ef. 6-11-02; DFW 67-2002(Temp), f. & cert. ef. 6-28-02 thru 12-20-02; DFW 118-2003, f. & cert. ef. 12-4-03, cert. ef. 1-1-04; DFW 50-2008(Temp), f. & cert. ef. 5-14-08 thru 5-20-08; Administrative correction, 6-23-08; DFW 47-2009(Temp), f. & cert. ef. 5-12-09 thru 5-20-09; DFW 51-2009(Temp), f. & cert. ef. 5-14-09 thru 6-1-09; Administrative correction, 6-22-09; DFW 151-2014, f. & cert. ef. 10-17-14

635-060-0009

Successful Applicants

Successful controlled hunt applicants must purchase the controlled hunt tag or permit for the hunt in which they were successful from a department license agent connected to the computerized licensing system within the following dates:

(1) Spring black bear controlled hunts tag sales begin February 20, each year and end at 11:59 pm, Pacific Time, the day before the season start date.

(2) Pronghorn antelope, deer and elk controlled hunts tag sales begin June 20 each year and end at 11:59 pm, Pacific Time, the day before the season start date for which the tag is valid.

(3) Bighorn sheep and Rocky Mountain goat controlled hunts tag sales begin June 20 each year and end at 11:59 pm, Pacific Time, the day before the season end date for which the tag is valid.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 45-1994(Temp), f. & cert. ef. 7-29-94; FWC 94-1994, f. & cert. ef. 12-22-94; FWC 63-1995, f. & cert. ef. 8-3-95; FWC 21-1996, f. & cert. ef. 5-1-96; FWC 44-1996(Temp), f. & cert. ef. 8-12-96, cert. ef. 8-14-96; FWC 9-1997, f. & cert. ef. 2-27-97; FWC 71-1997, f. & cert. ef. 12-29-97; DFW 1-1999, f. & cert. ef. 1-14-99; DFW 6-1999(Temp), f. & cert. ef. 2-9-99 thru 2-19-99; DFW 12-1999(Temp), f. & cert. ef. 2-25-99 thru 6-30-99; Administrative correction 11-17-99; DFW 92-1999, f. & cert. ef. 1-1-00; DFW 40-2002(Temp), f. & cert. ef. 1-3-02 thru 2-1-02; DFW 108-2002(Temp), f. & cert. ef. 9-26-02 thru 12-31-02; DFW 105-2004(Temp), f. & cert. ef. 10-13-04 thru 11-15-04; DFW 107-2004(Temp), f. & cert. ef. 10-18-04 thru 11-27-04; Administrative correction, 2-18-05; DFW 70-2007(Temp), f. & cert. ef. 8-13-07 thru 2-9-08; DFW 103-2007(Temp), f. & cert. ef. 9-27-07 thru 3-24-08; DFW 118-2007, f. & cert. ef. 10-31-07, cert. ef. 1-1-08; DFW 150-2008, f. & cert. ef. 12-18-08, cert. ef. 1-1-09; DFW 60-2009(Temp), f. & cert. ef. 5-28-09 thru 11-16-09; Administrative correction 12-23-09; DFW 151-2014, f. & cert. ef. 10-17-14

ADMINISTRATIVE RULES

635-060-0023

Modified Preference Point System

(1) The Modified Preference Point System separates the tags for each controlled game mammal hunt into two groups:

(a) Seventy-five percent of the tags will be issued through the preference point system;

(b) The remaining 25 percent of the tags will be issued by the equal-probability computer drawing.

(2) Applicants shall accrue no more than one preference point per hunt number series per year. Valid applicants who did not receive controlled hunt tags for their first choice hunt number in the 100, 200, 400, 600, or 700 series hunts during the controlled hunt drawing shall receive one preference point applicable to subsequent controlled hunt drawings for the respective hunt number series, except as excluded in OAR 635-060-0008(4).

(3) A preference point will automatically accrue within each controlled hunt series when an applicant's first choice is as follows:

- (a) Hunt number 199: controlled buck deer;
- (b) Hunt number 299: controlled elk;
- (c) Hunt number 499: controlled pronghorn antelope;
- (d) Hunt number 699: controlled antlerless deer;
- (e) Hunt number 799: controlled black bear.

(4) Youth nine years of age or older are eligible to apply for automatic Preference Points as described in (3) provided they have a social security number, a Hunter/Angler ID number issued by ODFW, and purchase the appropriate (resident or nonresident) juvenile or adult hunting license.

(5) The Modified Preference Point System will group controlled hunt applicants by the number of preference points they have accrued for each hunt number series. Applicants with the highest number of preference points for each hunt number will be drawn first. Applicants having the next highest number of preference points per hunt number will be drawn next. This tag issuance process will continue through descending numbers of preference points until 75 percent of the tags authorized for the hunt have been issued, unless all qualified applicants with preference points have been issued tags prior to that point. Any tags remaining following the issuance of preference point tags will be issued through the equal-probability computer drawing. Applicants unsuccessful in the preference point tag issuance procedure and those applicants without preference points will be placed in the equal-probability computer drawing for the remaining tags.

(6) Applicants, except for those with a Pioneer Angling/Hunting License, successful in drawing their first choice hunt except numbers ending in 99 within a hunt number series shall have zero preference points when they next apply for a tag in that hunt number series. Successful Applicants with a Pioneer Angling/Hunting License shall have one preference point when they apply for a tag in that hunt number series.

(7) Beginning in 2008 applicants will not forfeit preference points accumulated for a hunt number series when they do not apply for that hunt number series for two consecutive years.

(8) Applicants who have their hunting license suspended or revoked by legal action will forfeit all preference points.

(9) Party applicant preference points shall be determined by totaling the preference points of all party members and then calculating the average of this total. Party preference points will be rounded up from x.51 (e.g. 3.51 to 4, 3.50 to 3) to the next whole number.

(10) Department records are final to determine accrued preference points for controlled hunt applicants.

(11) Each applicant's preference point accrual record will be linked to his or her permanent identification number. Preference point applicants shall use the permanent identification number each time they apply for a controlled hunt tag. Failure to do so shall place the applicant in the equal-probability drawing for his or her hunt number series and preference points will not be accrued together.

(12) Applicants will receive no preference points when:

(a) Their application is not received by the appropriate application date; however, a hunter may purchase one preference point for the current year, for each series (100, 200, 400, and 600) from July 1 through November 30 if they did not apply during the controlled hunt drawing for that series.

(b) They request their controlled hunt application be withdrawn prior to the controlled hunt drawing;

(c) The controlled hunt application has been falsified.

(13) The Modified Preference Point System shall apply to 100, 200, 400, 600, and 700 series hunts.

(14) In 2005, 800 series points were converted into 600 series points.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 6-1994, f. & cert. ef. 1-26-94; FWC 13-1994(Temp), f. & cert. ef. 3-1-94; FWC 45-1994(Temp), f. & cert. ef. 7-29-94; FWC 94-1994, f. & cert. ef. 12-22-94; FWC 63-1995, f. & cert. ef. 8-3-95; FWC 21-1996, f. & cert. ef. 5-1-96; FWC 9-1997, f. & cert. ef. 2-27-97; FWC 38-1997, f. & cert. ef. 6-17-97; DFW 1-1999, f. & cert. ef. 1-14-99; DFW 82-2000, f. 12-21-00, cert. ef. 1-1-01; DFW 105-2004(Temp), f. & cert. ef. 10-13-04 thru 11-15-04; DFW 107-2004(Temp), f. & cert. ef. 10-18-04 thru 11-27-04; DFW 122-2004, f. 12-21-04, cert. ef. 1-1-05; DFW 118-2007, f. 10-31-07, cert. ef. 1-1-08; DFW 124-2007, f. 11-28-07, cert. ef. 12-1-07; DFW 140-2009, f. 11-3-09, cert. ef. 1-1-10; DFW 168-2010, f. 12-29-10, cert. ef. 1-1-11; DFW 22-2012, f. 3-14-12, cert. ef. 4-1-12; DFW 151-2014, f. & cert. ef. 10-17-14

635-060-0055

Documents Required in Field

(1) A person hunting in any controlled game mammal hunt shall have on his or her person a valid hunting license, Hunter Education Certificate or a Department document which includes their Hunter Education Certificate Number (for persons less than 18 years old), and a controlled hunt tag (if applicable) for the area and season being hunted. The hunting license number shall be the same as that indicated on the controlled hunt tag.

Exception: Controlled hunts continuing or occurring after December 31, 2015 may have a 2016 hunting license number on the controlled hunt tag.

(2) A tag or permit holder for a hunt after December 31, 2015 shall have on his or her person a valid 2016 hunting license.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

Hist.: FWC 32-1978, f. & ef. 6-30-78; FWC 29-1979, f. & ef. 8-2-79; FWC 33-1980, f. & ef. 6-30-80; FWC 7-1981, f. 2-18-81, ef. 6-1-81; FWC 10-1981, f. & ef. 3-31-81; FWC 22-1981, f. & ef. 6-29-81; FWC 38-1982, f. & ef. 6-25-82; FWC 34-1984, f. & ef. 7-24-84; FWC 43-1985, f. & ef. 8-22-85; FWC 35-1986, f. & ef. 8-7-86; FWC 11-1987, f. & ef. 3-6-87; FWC 12-1988, f. & cert. ef. 3-10-88; FWC 37-1988, f. & cert. ef. 6-13-88; FWC 14-1989, f. & cert. ef. 3-28-89; FWC 48-1989, f. & cert. ef. 7-25-89; FWC 23-1990, f. & cert. ef. 3-21-90; FWC 18-1991, f. & cert. ef. 3-12-91; FWC 14-1992, f. 3-10-92, cert. ef. 3-13-92 (and corrected 3-13-92); FWC 36-1993, f. & cert. ef. 6-14-93; FWC 51-1993, f. & cert. ef. 8-25-93; FWC 6-1994, f. & cert. ef. 1-26-94; FWC 45-1994(Temp), f. & cert. ef. 7-29-94; FWC 94-1994, f. & cert. ef. 12-22-94; FWC 63-1995, f. & cert. ef. 8-3-95; FWC 21-1996, f. & cert. ef. 5-1-96; 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 47-1999, f. & cert. ef. 6-16-99; DFW 92-1999, f. 12-8-99, cert. ef. 1-1-00; DFW 82-2000, f. 12-21-00, cert. ef. 1-1-01; DFW 121-2001, f. 12-24-01, cert. ef. 1-1-02; DFW 4-2003, f. 1-17-03, cert. ef. 4-1-03; DFW 119-2003, f. 12-4-03, cert. ef. 4-1-04; DFW 131-2004, f. 12-21-04, cert. ef. 4-1-05; DFW 132-2005, f. 12-1-05, cert. ef. 4-1-06; DFW 126-2006, f. 12-7-06, cert. ef. 4-1-07; DFW 118-2007, f. 10-31-07, c. cert. ef. 1-1-08; DFW 150-2008, f. 12-18-08, cert. ef. 1-1-09; DFW 140-2009, f. 11-3-09, cert. ef. 1-1-10; DFW 117-2010, f. & cert. ef. 8-13-10; DFW 168-2010, f. 12-29-10, cert. ef. 1-1-11; DFW 117-2013, f. & cert. ef. 10-10-13; DFW 151-2014, f. & cert. ef. 10-17-14

Rule Caption: Treaty Indian Commercial Fall Sturgeon Set-Line Fishery Set In The Dalles Pool

Adm. Order No.: DFW 152-2014(Temp)

Filed with Sec. of State: 10-23-2014

Certified to be Effective: 10-23-14 thru 11-29-14

Notice Publication Date:

Rules Amended: 635-041-0063

Subject: This amended rule sets the 2014 Treaty Tribe white sturgeon set-line fishery in The Dalles Pool, effective 6:00 a.m. Monday, October 27 through 6:00 p.m. Saturday, November 29, 2014. Fishing for the purpose of commercial sales and subsistence is allowed. Modifications are consistent with joint state action taken October 23, 2014, by the Departments of Fish and Wildlife for the states of Oregon and Washington at a meeting of the Columbia River Compact in cooperation with the Columbia River Treaty Tribes.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-041-0063

Sturgeon Setline Fishery

(1) White sturgeon may be taken by setline for commercial purposes from 6:00 a.m. Monday, October 27 through 6:00 p.m. Saturday, November 29, 2014 (34.5 days) from The Dalles Pool only.

(a) White sturgeon taken must be 43-54 inches in fork length.

(b) White sturgeon taken in The Dalles Pool during open fishing periods may be sold at any time or kept for subsistence use.

(2) Closed areas are set forth under OAR 635-041-0045.

(3) During the white sturgeon setline season it shall be unlawful to:

(a) Operate any fishing gear other than setlines except as provided in OAR 635-041-0060;

(b) Operate any setline having more than 100 hooks;

(c) Use other than single hooks size 9/0 or larger;

(d) Operate any setline on which the buoy or marker does not have the tribal identification number of the individual operating the line clearly

ADMINISTRATIVE RULES

marked on it and which is attached in a manner that will not allow it to float visibly on the surface at all times.

(4) Notwithstanding OAR 635-041-0045(6)–(11), it is lawful during the open season to fish for white sturgeon by means of set lines in the Columbia River within areas at and adjacent to the mouths of rivers.

Stat. Auth.: ORS 183.325 & 506.119
Stats. Implemented: ORS 506.129 & 507.030
Hist.: FWC 89, f. & ef. 1-28-77; FWC 2-1978, f. & ef. 1-31-78; FWC 7-1978, f. & ef. 2-21-78; FWC 2-1979, f. & ef. 1-25-79, Renumbered from 635-035-0063; FWC 6-1980, f. & ef. 1-28-80; FWC 12-1980, f. & ef. 2-29-80; FWC 64-1980(Temp), f. & ef. 11-7-80; FWC 1-1981, f. & ef. 1-19-81; FWC 6-1982, f. & ef. 1-28-82; FWC 2-1983, f. 1-21-83, ef. 2-1-83; FWC 9-1983(Temp), f. & ef. 3-1-83; FWC 4-1984, f. & ef. 1-31-84; FWC 2-1985, f. & ef. 1-30-85; FWC 4-1986(Temp), f. & ef. 1-28-86; FWC 79-1986(Temp), f. & ef. 12-22-86; FWC 2-1987, f. & ef. 1-23-87; FWC 10-1988, f. & cert. ef. 3-4-88; FWC 48-1988, f. & cert. ef. 6-21-88; FWC 5-1989, f. 2-6-89, cert. ef. 2-7-89; FWC 12-1989(Temp), f. & cert. ef. 3-21-89; FWC 54-1989(Temp), f. & cert. ef. 8-7-89; FWC 9-1991, f. & cert. ef. 1-31-91; FWC 37-1991(Temp), f. & cert. ef. 4-3-91; FWC 4-1992, f. 1-30-92, cert. ef. 2-1-92; FWC 13-1992(Temp), f. & cert. ef. 3-5-92; FWC 41-1992(Temp), f. 6-30-92, cert. ef. 7-1-92; FWC 107-1992(Temp), f. & cert. ef. 10-9-92; FWC 7-1993, f. & cert. ef. 2-1-93; FWC 15-1996(Temp), f. & cert. ef. 4-1-96; FWC 25-1996(Temp), f. 5-14-96, cert. ef. 5-15-96; FWC 23-1997(Temp), f. 4-4-97, cert. ef. 4-7-97; FWC 35-1997(Temp), f. & cert. ef. 6-13-97; FWC 40-1997(Temp), f. 6-20-97, cert. ef. 6-23-97; DFW 23-1998(Temp), f. & cert. ef. 3-20-98 thru 6-30-98; DFW 50-1998(Temp), f. 6-25-98, cert. ef. 6-26-98 thru 7-24-98; DFW 57-1998(Temp), f. & cert. ef. 7-24-98 thru 12-31-98; DFW 22-1999(Temp), f. & cert. ef. 4-1-99 thru 4-23-99; DFW 28-1999(Temp), f. & cert. ef. 4-23-99 thru 7-31-99; DFW 41-1999(Temp), f. & cert. ef. 6-7-99 thru 7-31-99; DFW 79-1999(Temp), f. 10-8-99, cert. ef. 10-11-99 thru 12-31-99; DFW 14-2000(Temp), f. 3-17-00, cert. ef. 3-20-00 thru 7-31-00; DFW 31-2000(Temp), f. 6-9-00, cert. ef. 6-10-00 thru 7-31-00; DMV 43-2000(Temp), f. 8-7-00, cert. ef. 8-8-00 thru 8-20-00; DFW 66-2000(Temp), f. 9-29-00, cert. ef. 10-2-00 thru 12-31-00; DFW 43-2001(Temp), f. 5-23-01, cert. ef. 5-24-01 thru 11-20-01; DFW 65-2001(Temp), f. & cert. ef. 7-24-01 thru 12-31-01; DFW 94-2001(Temp), f. 9-26-01, cert. ef. 9-27-01 thru 12-31-01; DFW 114-2001(Temp), f. & cert. ef. 12-13-01 thru 12-31-01; DFW 51-2002(Temp), f. & cert. ef. 5-22-02 thru 9-1-02; DFW 104-2002(Temp), f. & cert. ef. 9-19-02 thru 12-31-02; DFW 121-2002(Temp), f. 10-24-02, cert. ef. 10-27-02 thru 12-31-02; DFW 49-2003(Temp), f. & cert. ef. 6-5-03 thru 9-1-03; DFW 58-2003(Temp), f. & cert. ef. 7-9-03 thru 12-31-03; DFW 67-2003(Temp), f. 7-18-03, cert. ef. 7-21-03 thru 12-31-03; DFW 104-2003(Temp), f. 10-10-03, cert. ef. 10-11-03 thru 12-31-03; DFW 120-2005(Temp), f. & cert. ef. 10-11-05 thru 12-31-05; Administrative correction 1-19-06; DFW 69-2006(Temp), f. 7-28-06, cert. ef. 7-31-06 thru 12-31-06; DFW 131-2006(Temp), f. 12-20-06, cert. ef. 1-1-07 thru 6-29-07; DFW 9-2007, f. & cert. ef. 2-14-07; DFW 60-2007(Temp), f. 7-30-07, cert. ef. 8-1-07 thru 12-31-07; Administrative Correction 1-24-08; DFW 142-2008, f. & cert. ef. 11-21-08; DFW 19-2009, f. & cert. ef. 2-26-09; DFW 88-2009(Temp), f. 7-31-09, cert. ef. 8-1-09 thru 12-31-09; Administrative correction 1-25-10; DFW 103-2011(Temp), f. 7-29-11, cert. ef. 8-1-11 thru 10-31-11; DFW 142-2011(Temp), f. 10-6-11, cert. ef. 10-8-11 thru 10-31-11; DFW 150-2011(Temp), f. 10-25-11, cert. ef. 10-26-11 thru 11-30-11; DFW 152-2011(Temp), f. 11-1-11, cert. ef. 11-2-11 thru 12-31-11; DFW 95-2012(Temp), f. 7-27-12, cert. ef. 7-30-12 thru 8-11-12; Administrative correction, 8-27-12; DFW 40-2013(Temp), f. 5-23-13, cert. ef. 5-24-13 thru 6-15-13; Administrative correction, 7-18-13; DFW 152-2014(Temp), f. & cert. ef. 10-23-14 thru 11-29-14

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Rule Caption: Columbia River Treaty Indian Commercial Fall Salmon Season Extended.

Adm. Order No.: DFW 153-2014(Temp)

Filed with Sec. of State: 10-23-2014

Certified to be Effective: 10-31-14 thru 12-31-14

Notice Publication Date:

Rules Amended: 635-041-0045, 635-041-0075

Rules Suspended: 635-041-0045(T), 635-041-0075(T)

Subject: This amended rule extends the period for commercial sales of fish caught during the Treaty Indian commercial fall salmon platform and hook-and-line fisheries in Zone 6 of the Columbia River. The fishing period authorized for the Treaty Indian fall commercial salmon platform and hook-and-line fisheries originally scheduled to end October 31 is extended to run through 6:00 p.m. Wednesday December 31, 2014. Modifications are consistent with joint state action taken October 23, 2014, by the Departments of Fish and Wildlife for the states of Oregon and Washington at a meeting of the Columbia River Compact in cooperation with the Columbia River Treaty Tribes.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-041-0045

Closed Commercial Fishing Areas

Unless otherwise specified in this rule and OAR 635-041-0063, the following waters are closed to commercial fishing:

(1) All Oregon tributaries of the Columbia River.

(2) The Columbia River westerly and downstream of the Bridge of the Gods except:

(a) From Friday, August 1 through Wednesday, December 31, 2014 sales are allowed by enrolled members of the Yakima, Warm Springs, Nez Perce, and Umatilla tribes when lawfully permitted by Treaty regulations under provisions of the agreements with the states of Oregon and Washington. Allowable sales include Chinook, steelhead, sockeye, coho,

walleye, shad, yellow perch, bass and carp. Fish landed during lawfully permitted seasons may be sold at any time. Sturgeon caught in the tribal fisheries below Bonneville Dam may not be retained or sold. Fish may not be sold on USACE property below Bonneville Dam, but may be caught and transported off USACE property for sale.

(b) Gear is restricted to subsistence fishing gear allowed under Treaty regulations which may include hoopnets, dipnets, spears, gaffs, clubs, fouling hooks and rod and reel with hook-and-line.

(c) Platform and hook-and-line fisheries from the Bridge of the Gods downstream to the subsistence fishing deadline as described in OAR 635-041-0020(1) are open to commercial sales whenever sales are authorized for platform and hook-and-line fisheries in the remainder of Bonneville Pool.

(3) The Columbia River easterly and upstream of a line extending at a right angle across the thread of the river from a deadline marker one mile downstream of McNary Dam.

(4) The Columbia River between a line extending at a right angle across the thread of the river from a deadline marker at the west end of 3-Mile Rapids located approximately 1.8 miles below The Dalles Dam, upstream to a line from a deadline marker on the Oregon shore located approximately 3/4 mile above The Dalles Dam east fishway exit, thence at a right angle to the thread of the river to a point in midriver, thence downstream to Light "1" on the Washington shore; except that dip nets, bag nets, and hoop nets are permitted during commercial salmon and shad fishing seasons at the Lone Pine Indian fishing site located immediately above The Dalles Interstate Bridge.

(5) The Columbia River between a line extending at a right angle across the thread of the river from a deadline marker at Preachers Eddy light below the John Day Dam and a line approximately 4.3 miles upstream extending from a marker on the Oregon shore approximately one-half mile above the upper easterly bank of the mouth of the John Day River, Oregon, extending at a right angle across the thread of the river to a point in midriver, thence turning downstream to a marker located on the Washington shore approximately opposite the mouth of the John Day River.

(6) The Columbia River within areas at and adjacent to the mouths of the Deschutes River and the Umatilla River. The closed areas are along the Oregon side of the Columbia River and extend out to the midstream from a point one-half mile above the intersection of the upper bank of the tributary with the Columbia River to a point one mile downstream from the intersection of the lower bank of the tributary with the Columbia River. All such points are posted with deadline markers.

(7) The Columbia River within an area and adjacent to the mouth of the Big White Salmon River. The closed area is along the Washington side of the Columbia River and extends out to midstream at right angles to the thread of the Columbia River between a marker located 1/2 mile downstream from the west bank upstream to Light "35".

(8) The Columbia River within an area at and adjacent to the mouth of Drano Lake (Little White Salmon River). The closed area is along the Washington side of the Columbia River and extends out to midstream at right angles to the thread of the Columbia River between Light "27" upstream to a marker located approximately 1/2 mile upriver of the outlet of Drano Lake.

(9) The Columbia River within an area and adjacent to the mouth of the Wind River. The closed area is along the Washington side of the Columbia River and extends to midstream at right angles to the thread of the Columbia River between markers located 1-1/4 miles downstream from the west bank and 1/2 mile upstream from the east bank.

(10) The Columbia River within areas at and adjacent to the mouth of Hood River. The closed area is along the Oregon side of the Columbia River and extends to midstream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles downriver from the west bank at end of the breakwall at the west end of the Port of Hood River and 1/2 mile upriver from the east bank.

(11) The Columbia River within a radius of 150 feet of the Spring Creek Hatchery fishway, except that during the period of August 25-September 20 inclusive the closed area is along the Washington side of the Columbia River and extends to midstream at right angles to the thread of the Columbia River between a marker located 1 1/2 miles downriver of the Spring Creek Hatchery fishway up to the downstream marker of the Big White Salmon sanctuary located approximately 1/2 mile upriver of the Spring Creek Hatchery fishway.

(12) Herman Creek upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

ADMINISTRATIVE RULES

(13) The Columbia River within an area and adjacent to the mouth of the Klickitat River. The closed area is along the Washington side of the Columbia River and extends to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1 1/8 miles downstream from the west bank.

Stat. Auth.: ORS 183.325, 506.109 & 506.119
Stats. Implemented: ORS 506.129 & 507.030
Hist.: FWC 89, f. & ef. 1-28-77; FWC 133, f. & ef. 8-4-77; FWC 149(Temp), f. & ef. 9-21-77 thru 1-18-78; FWC 2-1978, f. & ef. 1-31-78; FWC 7-1978, f. & ef. 2-21-78; FWC 2-1979, f. & ef. 1-25-79. Renumbered from 635-035-0045; FWC 6-1980, f. & ef. 1-28-80; FWC 44-1980(Temp), f. & ef. 8-22-80; FWC 1-1981, f. & ef. 1-19-81; FWC 6-1982, f. & ef. 1-28-82; FWC 49-1983(Temp), f. & ef. 9-26-83; FWC 4-1984, f. & ef. 1-31-84; FWC 55-1985(Temp), f. & ef. 9-6-85; FWC 4-1986 (Temp), f. & ef. 1-28-86; FWC 25-1986(Temp), f. & ef. 6-25-86; FWC 42-1986, f. & ef. 8-15-86; FWC 2-1987, f. & ef. 1-23-87; FWC 10-1988, f. & cert. ef. 3-4-88; FWC 54-1989 (Temp), f. & cert. ef. 8-7-89; FWC 90-1989, f. & cert. ef. 9-6-89; FWC 80-1990(Temp), f. & cert. ef. 8-8-90; DFW 142-2008, f. & cert. ef. 11-21-08; DFW 23-2011, f. & cert. ef. 3-21-11; DFW 40-2011(Temp), f. & cert. ef. 5-5-11 thru 10-31-11; DFW 43-2011(Temp), f. & cert. ef. 5-10-11 thru 10-31-11; DFW 60-2011(Temp), f. & cert. ef. 6-6-11 thru 10-31-11; DFW 63-2011(Temp), f. & cert. ef. 6-9-11 thru 10-31-11; DFW 66-2011(Temp), f. & cert. ef. 6-14-11, cert. ef. 6-16-11 thru 10-31-11; DFW 88-2011(Temp), f. & cert. ef. 7-8-11, cert. ef. 7-10-11 thru 10-31-11; DFW 119-2011(Temp), f. & cert. ef. 8-26-11, cert. ef. 8-29-11 thru 10-31-11; Administrative correction, 11-18-11; DFW 5-2012(Temp), f. & cert. ef. 1-30-12, cert. ef. 2-1-12 thru 3-31-12; DFW 18-2012(Temp), f. & cert. ef. 2-28-12, cert. ef. 2-29-12 thru 6-15-12; DFW 46-2012(Temp), f. & cert. ef. 5-14-12, cert. ef. 5-15-12 thru 6-30-12; DFW 74-2012(Temp), f. & cert. ef. 6-29-12, cert. ef. 7-1-12 thru 10-31-12; DFW 87-2012(Temp), f. & cert. ef. 7-11-12, cert. ef. 7-12-12 thru 8-31-12; DFW 94-2012(Temp), f. & cert. ef. 7-27-12 thru 10-31-12; DFW 119-2012(Temp), f. & cert. ef. 9-11-12 thru 10-31-12; DFW 143-2012(Temp), f. & cert. ef. 11-8-12 thru 1-29-13; DFW 8-2013(Temp), f. & cert. ef. 1-31-13, cert. ef. 2-1-13 thru 3-31-13; DFW 18-2013(Temp), f. & cert. ef. 3-6-13 thru 6-15-13; DFW 57-2013(Temp), f. & cert. ef. 6-16-13 thru 7-31-13; DFW 88-2013(Temp), f. & cert. ef. 8-9-13, cert. ef. 8-12-13 thru 12-31-13; DFW 116-2013(Temp), f. & cert. ef. 10-8-13, cert. ef. 10-9-13 thru 12-31-13; DFW 22-2014(Temp), f. & cert. ef. 3-11-14, cert. ef. 3-12-14 thru 7-31-14; DFW 37-2014(Temp), f. & cert. ef. 5-6-14 thru 7-31-14; DFW 105-2014(Temp), f. & cert. ef. 7-30-14, cert. ef. 8-1-14 thru 10-31-14; DFW 153-2014(Temp), f. & cert. ef. 10-23-14, cert. ef. 10-31-14 thru 12-31-14

635-041-0075

Fall Salmon Season

(1) Salmon, steelhead, shad, walleye, catfish, bass, yellow perch, and carp may be taken for commercial purposes from Zone 6, in the Columbia River Treaty Indian platform and hook-and-line fisheries, from: 12:01 a.m. Friday, August 1 through 6:00 p.m. Wednesday, December 31, 2014.

(a) Gear used in the fishery described above is restricted to subsistence fishing gear which includes hoopnets, dipnets, and rod and reel with hook-and-line.

(b) Closed areas as set forth in OAR 635-041-0045 remain in effect.

(c) Legal size white sturgeon caught from platforms or hook-and-line gear during any open commercial set line fishery in that pool may also be sold. Fish caught during any open period may be sold at any time.

(2) Salmon, steelhead, shad, walleye, catfish, bass, yellow perch, and carp may be taken for commercial purposes from Zone 6, in the Columbia River Treaty Indian gill net fisheries, during the following period: 6:00 a.m. Monday, October 13 through 6:00 p.m. Thursday, October 16, 2014 (3.5 days).

(a) Salmon, steelhead, shad, yellow perch, bass, walleye, catfish and carp landed during any open gill net fishing period may be sold at any time or retained for subsistence purposes. Sturgeon may not be sold. However, white sturgeon between 43 and 54 inches in fork length taken from The Dalles and John Day pools and white sturgeon between 38 and 54 inches in fork length taken from the Bonneville Pool may be kept for subsistence purposes. Fish caught during any open period may be sold at any time.

(b) Gear is restricted to gill nets with an 8-inch minimum mesh size.

(c) Closed areas in Zone 6, including a modified Spring Creek sanctuary which has been reduced in size to a 150-foot radius around the hatchery ladder, are in effect as set forth in OAR 635-041-0045.

(3) For the period beginning 12:01 a.m. Friday, August 1 through 11:59 p.m. Friday, October 31, 2014, commercial sales of salmon, steelhead, walleye, shad, catfish, carp, bass and yellow perch caught in Yakama Nation tributary fisheries in the Klickitat River; Wind River; and Drano Lake are allowed for Yakama Nation members during those days and hours when these tributaries are open under lawfully enacted Yakama Nation fishing periods. Gear is restricted to subsistence fishing gear which includes hoopnets, dipnets, and rod and reel with hook-and-line, except that fish may also be taken by gill net in Drano Lake.

Stat. Auth.: ORS 496.118 & 506.119
Stats. Implemented: ORS 506.109, 506.129 & 507.030
Hist.: FWC 25-1979, f. & ef. 8-2-79; FWC 36-1979(Temp), f. & ef. 8-22-79; FWC 47-1979(Temp), f. & ef. 9-21-79; FWC 44-1980(Temp), f. & ef. 8-22-80; FWC 46-1980(Temp), f. & ef. 9-13-80; FWC 33-1981(Temp), f. & ef. 9-15-81; FWC 58-1982(Temp), f. & ef. 8-27-82; FWC 62-1982(Temp), f. & ef. 9-7-82; FWC 63-1982(Temp), f. & ef. 9-14-82; FWC 75-1982(Temp), f. & ef. 10-29-82; FWC 36-1983, f. & ef. 8-18-83; FWC 49-1983(Temp), f. & ef. 9-26-83; FWC 51-1983(Temp), f. & ef. 9-30-83; FWC 55-1983(Temp), f. & ef. 10-4-83; FWC 46-1984, f. & ef. 8-30-84; FWC 55-1984(Temp), f. & ef. 9-10-84; FWC 58-1984(Temp), f. & ef. 9-17-84; FWC 61-1984 (Temp), f. & ef. 9-21-84; FWC 70-1984(Temp), f. & ef. 10-9-84; FWC 47-1985, f. & ef. 8-23-85; FWC 60-1985(Temp), f. & ef. 9-13-85;

FWC 63-1985(Temp), f. & ef. 9-24-85; FWC 42-1986, f. & ef. 8-15-86; FWC 53-1986(Temp), f. & ef. 9-4-86; FWC 54-1986(Temp), f. & ef. 9-5-86; FWC 57-1986(Temp), f. & ef. 9-11-86; FWC 60-1986(Temp), f. & ef. 9-26-86; FWC 62-1986(Temp), f. & ef. 10-2-86; FWC 63-1987, f. & ef. 8-7-87; FWC 74-1987(Temp), f. & ef. 9-4-87; FWC 75-1987 (Temp), f. & ef. 9-1-87; FWC 78-1987(Temp), f. & ef. 9-15-87; FWC 80-1987(Temp), f. & ef. 9-18-87; FWC 87-1987(Temp), f. & ef. 10-9-87; FWC 89-1987(Temp), f. & ef. 10-12-87; FWC 67-1988, f. & cert. ef. 8-15-88; FWC 72-1988(Temp), f. & cert. ef. 8-19-88; FWC 77-1988(Temp), f. & cert. ef. 9-2-88; FWC 91-1988(Temp), f. & cert. ef. 9-16-88; FWC 95-1988 (Temp), f. & cert. ef. 9-27-88, cert. ef. 9-28-88; FWC 54-1989(Temp), f. & cert. ef. 8-7-89; FWC 87-1989(Temp), f. & cert. ef. 9-1-89; FWC 95-1989(Temp), f. & cert. ef. 9-19-89; FWC 96-1989 (Temp), f. & cert. ef. 9-21-89; FWC 99-1989(Temp), f. & cert. ef. 9-27-89; FWC 100-1989(Temp), f. & cert. ef. 9-28-89; FWC 80-1990(Temp), f. & cert. ef. 8-8-90; FWC 90-1990, f. & cert. ef. 8-31-90; FWC 96-1990(Temp), f. & cert. ef. 9-10-90; FWC 98-1990(Temp), f. & cert. ef. 9-17-90; FWC 85-1991, f. & cert. ef. 8-7-91, cert. ef. 8-12-91; FWC 96-1991, f. & cert. ef. 9-9-91; FWC 101-1991(Temp), f. & cert. ef. 9-10-91; FWC 103-1991(Temp), f. & cert. ef. 9-17-91, cert. ef. 9-18-91; FWC 110-1991(Temp), f. & cert. ef. 9-27-91; FWC 73-1992(Temp), f. & cert. ef. 8-10-92; FWC 86-1992(Temp), f. & cert. ef. 9-1-92, cert. ef. 9-2-92; FWC 87-1992(Temp), f. & cert. ef. 9-7-92; FWC 91-1992(Temp), f. & cert. ef. 9-16-92, cert. ef. 9-17-92; FWC 96-1992(Temp), f. & cert. ef. 9-22-92, cert. ef. 9-23-92; FWC 105-1992(Temp), f. & cert. ef. 10-2-92, cert. ef. 10-5-92; FWC 107-1992 (Temp), f. & cert. ef. 10-9-92; FWC 47-1993, f. & cert. ef. 8-6-93, cert. ef. 8-9-93; FWC 52-1993, f. & cert. ef. 8-30-93; FWC 57-1993(Temp), f. & cert. ef. 9-13-93; FWC 59-1993(Temp), f. & cert. ef. 9-17-93, cert. ef. 9-20-93; FWC 61-1993(Temp), f. & cert. ef. 9-24-93; FWC 55-1994(Temp), f. & cert. ef. 8-26-94, cert. ef. 8-29-94; FWC 61-1994(Temp), f. & cert. ef. 9-7-94, cert. ef. 9-8-94; FWC 74-1994(Temp), f. & cert. ef. 10-12-94; FWC 68-1995(Temp), f. & cert. ef. 8-29-95; FWC 72-1995(Temp), f. & cert. ef. 9-1-95; FWC 75-1995(Temp), f. & cert. ef. 9-13-95; FWC 46-1996, f. & cert. ef. 8-23-96; FWC 48-1996(Temp), f. & cert. ef. 9-13-96; FWC 51-1996(Temp), f. & cert. ef. 9-9-96, cert. ef. 9-9-96; FWC 53-1996(Temp), f. & cert. ef. 9-26-96; FWC 54-1996(Temp), f. & cert. ef. 9-23-96; FWC 48-1997, f. & cert. ef. 8-25-97; FWC 52-1997(Temp), f. & cert. ef. 9-29-97, cert. ef. 9-2-97; FWC 57(Temp), f. & cert. ef. 9-9-97; FWC 60-1997(Temp), f. & cert. ef. 9-16-97, cert. ef. 9-17-97; FWC 68-1998(Temp), f. & cert. ef. 8-25-98 thru 9-25-98; FWC 76-1998(Temp), f. & cert. ef. 8-9-98 thru 9-25-98; DFW 77-1998(Temp), f. & cert. ef. 9-15-98, cert. ef. 9-19-98 thru 9-25-98; DFW 79-1998(Temp), f. & cert. ef. 9-21-98, cert. ef. 9-22-98 thru 9-25-98; DFW 80-1998(Temp), f. & cert. ef. 9-23-98, cert. ef. 9-24-98 thru 9-25-98; DFW 59-1999(Temp), f. & cert. ef. 8-23-99 thru 9-11-99; DFW 62-1999(Temp), f. & cert. ef. 9-2-99, cert. ef. 9-3-99 thru 9-11-99; DFW 65-1999(Temp), f. & cert. ef. 9-14-99, cert. ef. 9-15-99 thru 9-17-99; DFW 69-1999(Temp), f. & cert. ef. 9-17-99 thru 9-18-99; DFW 72-1999(Temp), f. & cert. ef. 9-21-99, cert. ef. 9-22-99 thru 10-22-99; DFW 74-1999(Temp), f. & cert. ef. 9-28-99, cert. ef. 9-29-99 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 60-2000(Temp), f. & cert. ef. 9-11-00, cert. ef. 9-12-00 thru 12-31-00; DFW 61-2000(Temp), f. & cert. ef. 9-19-00 thru 12-31-00; Administrative correction 6-19-01; DFW 75-2001(Temp), f. & cert. ef. 8-20-01 thru 9-8-01; DFW 87-2001(Temp), f. & cert. ef. 9-10-01, cert. ef. 9-11-01 thru 9-15-01; DFW 91-2001(Temp), f. & cert. ef. 9-19-01 thru 12-31-01; DFW 94-2001(Temp), f. & cert. ef. 9-26-01, cert. ef. 9-27-01 thru 12-31-01; DFW 100-2001(Temp), f. & cert. ef. 10-16-01, cert. ef. 10-17-01 thru 12-31-01; DFW 89-2002(Temp), f. & cert. ef. 8-16-02, cert. ef. 8-18-02 thru 12-31-02; DFW 98-2002(Temp), f. & cert. ef. 8-30-02 thru 12-31-02; DFW 102-2002(Temp), f. & cert. ef. 9-13-02 thru 12-31-02; DFW 104-2002(Temp), f. & cert. ef. 9-19-02 thru 12-31-02; DFW 113-2002(Temp), f. & cert. ef. 10-14-02, cert. ef. 10-15-02 thru 12-31-02; DFW 77-2003(Temp), f. & cert. ef. 8-13-03 thru 12-31-03; DFW 81-2003(Temp), f. & cert. ef. 8-25-03, cert. ef. 8-26-03 thru 12-31-03; DFW 91-2003(Temp), f. & cert. ef. 9-12-03, cert. ef. 9-16-03 thru 12-31-03; DFW 97-2003(Temp), f. & cert. ef. 9-22-03, cert. ef. 9-24-03 thru 12-31-03; DFW 101-2003(Temp), f. & cert. ef. 9-26-03, cert. ef. 10-1-03 thru 12-31-03; DFW 103-2003(Temp), f. & cert. ef. 10-3-03, cert. ef. 10-8-03 thru 12-31-03; DFW 104-2003(Temp), f. & cert. ef. 10-10-03, cert. ef. 10-11-03 thru 12-31-03; DFW 88-2004(Temp), f. & cert. ef. 8-23-04 thru 12-31-04; DFW 95-2004(Temp), f. & cert. ef. 9-17-04, cert. ef. 9-19-04 thru 12-31-04; DFW 99-2004(Temp), f. & cert. ef. 9-24-04 thru 12-31-04; DFW 104-2004(Temp), f. & cert. ef. 10-13-04 thru 12-31-04; DFW 110-2004(Temp), f. & cert. ef. 10-29-04 thru 12-31-04; Administrative correction, 2-18-05; DFW 96-2005(Temp), f. & cert. ef. 8-22-05 thru 12-31-05; DFW 104-2005(Temp), f. & cert. ef. 9-12-05 thru 12-31-05; DFW 109-2005(Temp), f. & cert. ef. 9-19-05 thru 12-31-05; DFW 113-2005(Temp), f. & cert. ef. 9-28-05 thru 12-31-05; DFW 120-2005(Temp), f. & cert. ef. 10-11-05 thru 12-31-05; Administrative correction 1-19-06; DFW 71-2006(Temp), f. & cert. ef. 7-31-06, cert. ef. 8-1-06 thru 12-31-06; DFW 86-2006(Temp), f. & cert. ef. 8-18-06, cert. ef. 8-21-06 thru 12-31-06; DFW 94-2006(Temp), f. & cert. ef. 9-11-06 thru 12-31-06; DFW 101-2006(Temp), f. & cert. ef. 9-15-06, cert. ef. 9-18-06 thru 12-31-06; DFW 107-2006(Temp), f. & cert. ef. 9-28-06, cert. ef. 10-3-06 thru 12-31-06; DFW 115-2006(Temp), f. & cert. ef. 10-13-06, cert. ef. 10-15-06 thru 12-31-06; Administrative correction 1-16-07; DFW 60-2007(Temp), f. & cert. ef. 7-30-07, cert. ef. 8-1-07 thru 12-31-07; DFW 77-2007(Temp), f. & cert. ef. 8-17-07, cert. ef. 8-22-07 thru 12-31-07; DFW 88-2007(Temp), f. & cert. ef. 9-10-07, cert. ef. 9-11-07 thru 12-31-07; DFW 95-2007(Temp), f. & cert. ef. 9-21-07, cert. ef. 9-25-07 thru 12-31-07; DFW 100-2007(Temp), f. & cert. ef. 9-28-07, cert. ef. 10-3-07 thru 12-31-07; DFW 110-2007(Temp), f. & cert. ef. 10-16-07, cert. ef. 10-20-07 thru 12-31-07; DFW 106-2008(Temp), f. & cert. ef. 9-4-08, cert. ef. 9-6-08 thru 10-31-08; DFW 109-2008(Temp), f. & cert. ef. 9-12-08, cert. ef. 9-15-08 thru 10-31-08; DFW 112-2008(Temp), f. & cert. ef. 9-17-08, cert. ef. 9-18-08 thru 10-31-08; DFW 117-2008(Temp), f. & cert. ef. 9-22-08 thru 10-31-08; DFW 122-2008(Temp), f. & cert. ef. 9-29-08 thru 10-31-08; DFW 125-2008(Temp), f. & cert. ef. 10-6-08, cert. ef. 10-7-08 thru 10-31-08; DFW 134-2008(Temp), f. & cert. ef. 10-17-08 thru 10-31-08; DFW 141-2008(Temp), f. & cert. ef. 11-10-08, cert. ef. 11-12-08 thru 11-30-08; DFW 88-2009(Temp), f. & cert. ef. 7-31-09, cert. ef. 8-1-09 thru 12-31-09; DFW 95-2009(Temp), f. & cert. ef. 8-19-09, cert. ef. 8-24-09 thru 12-31-09; DFW 111-2009(Temp), f. & cert. ef. 9-11-09, cert. ef. 9-13-09 thru 9-30-09; DFW 114-2009(Temp), f. & cert. ef. 9-18-09, cert. ef. 9-21-09 thru 10-31-09; DFW 119-2009(Temp), f. & cert. ef. 9-29-09 thru 10-31-09; DFW 129-2009(Temp), f. & cert. ef. 10-13-09, cert. ef. 10-14-09 thru 10-31-09; Administrative correction 11-19-09; DFW 111-2010(Temp), f. & cert. ef. 7-30-10, cert. ef. 8-1-10 thru 10-31-10; DFW 120-2010(Temp), f. & cert. ef. 8-18-10, cert. ef. 8-24-10 thru 10-31-10; DFW 128-2010(Temp), f. & cert. ef. 9-10-10 thru 10-31-10; DFW 136-2010(Temp), f. & cert. ef. 9-24-10, cert. ef. 9-27-10 thru 10-31-10; DFW 142-2010(Temp), f. & cert. ef. 10-8-10, cert. ef. 10-9-10 thru 10-31-10; DFW 149-2010(Temp), f. & cert. ef. 10-18-10, cert. ef. 10-19-10 thru 10-31-10; Administrative correction 11-23-10; DFW 103-2011(Temp), f. & cert. ef. 7-29-11, cert. ef. 8-1-11 thru 10-31-11; DFW 119-2011(Temp), f. & cert. ef. 8-26-11, cert. ef. 8-29-11 thru 10-31-11; DFW 124-2011(Temp), f. & cert. ef. 9-8-11, cert. ef. 9-12-11 thru 10-31-11; DFW 130-2011(Temp), f. & cert. ef. 9-15-11, cert. ef. 9-19-11 thru 10-31-11; DFW 133-2011(Temp), f. & cert. ef. 9-21-11, cert. ef. 9-22-11 thru 10-31-11; DFW 138-2011(Temp), f. & cert. ef. 10-3-11 thru 10-31-11; DFW 142-2011(Temp), f. & cert. ef. 10-6-11, cert. ef. 10-8-11 thru 10-31-11; Administrative correction, 11-18-11; DFW 94-2012(Temp), f. & cert. ef. 7-27-12 thru 10-31-12; DFW 107-2012(Temp), f. & cert. ef. 8-15-12, cert. ef. 8-21-12 thru 10-31-12; DFW 119-2012(Temp), f. & cert. ef. 9-10-12, cert. ef. 9-11-12 thru 10-31-12; DFW 120-2012(Temp), f. & cert. ef. 9-18-12 thru 10-31-12; DFW 124-2012(Temp), f. & cert. ef. 9-25-12, cert. ef. 9-26-12 thru 10-31-12; DFW 127-2012(Temp), f. & cert. ef. 10-2-12 thru 10-31-12; DFW 143-2012(Temp), f. & cert. ef. 11-7-12, cert. ef. 11-8-12 thru 1-29-13; Administrative correction, 2-25-13; DFW 88-2013(Temp), f. & cert. ef. 8-9-13, cert. ef. 8-12-13 thru 12-31-13; DFW 89-2013(Temp), f. & cert. ef. 8-14-13, cert. ef. 8-19-13 thru 12-31-13; DFW 98-

ADMINISTRATIVE RULES

2013(Temp), f. 9-6-13, cert. ef. 9-10-13 thru 10-31-13; DFW 102-2013(Temp), f. 9-13-13, cert. ef. 9-16-13 thru 10-31-13; DFW 106-2013(Temp), f. 9-19-13, cert. ef. 9-24-13 thru 10-31-13; DFW 111-2013(Temp), f. 9-27-13, cert. ef. 9-30-13 thru 10-31-13; DFW 116-2013(Temp), f. 10-8-13, cert. ef. 10-9-13 thru 12-31-13; DFW 105-2014(Temp), f. 7-30-14, cert. ef. 8-1-14 thru 10-31-14; DFW 118-2014(Temp), f. 8-7-14, cert. ef. 8-18-14 thru 10-31-14; DFW 134-2014(Temp), f. 9-19-14, cert. ef. 9-23-14 thru 10-31-14; DFW 140-2014(Temp), f. 9-24-14, cert. ef. 9-25-14 thru 10-31-14; DFW 142-2014(Temp), f. 10-2-14, cert. ef. 10-3-14 thru 10-31-14; DFW 146-2014(Temp), f. 10-8-14, cert. ef. 10-13-14 thru 10-31-14; DFW 153-2014(Temp), f. 10-23-14, cert. ef. 10-31-14 thru 12-31-14

Rule Caption: Mainstem Columbia River Late Fall Commercial Drift Gill Net Season Modified.

Adm. Order No.: DFW 154-2014(Temp)

Filed with Sec. of State: 10-23-2014

Certified to be Effective: 10-23-14 thru 12-31-14

Notice Publication Date:

Rules Amended: 635-042-0060

Rules Suspended: 635-042-0060(T)

Subject: This amended rule authorizes additional fishing periods for the 2014 late fall commercial salmon drift gill net fishery in zones 1 through 5 of the Columbia River mainstem. The first additional fishing period is in Zones 4 through 5 and is scheduled to begin at 7:00 p.m. Sunday, October 26, 2014. Modifications are consistent with joint state action taken October 23, 2014 by the Departments of Fish and Wildlife for the states of Oregon and Washington at a meeting of the Columbia River Compact.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-042-0060

Late Fall Salmon Season

(1) Late Fall Salmon Fishery Zones 1–3.

(a) Salmon may be taken for commercial purposes from the Columbia River in Zones 1 through 3, upper deadline 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 during the following fishing periods:

7:00 a.m. to 7:00 p.m. Thursday, October 23, 2014 (12 hours);

7:00 a.m. to 7:00 p.m. Friday, October 24, 2014 (12 hours);

7:00 a.m. to 7:00 p.m. Monday, October 27, 2014 (12 hours);

7:00 a.m. to 7:00 p.m. Tuesday, October 28, 2014 (12 hours);

7:00 a.m. to 7:00 p.m. Wednesday, October 29, 2014 (12 hours);

7:00 a.m. to 7:00 p.m. Thursday, October 30, 2014 (12 hours); and

7:00 a.m. to 7:00 p.m. Friday, October 31, 2014 (12 hours);

(b) For the fishing periods described in section (1)(a) above, gear is restricted to drift gill nets with a 6 inch maximum mesh size. Mesh size is determined as described in OAR 635-042-0010(3) except the mesh size for nets with a maximum mesh size of 3-3/4 inches or less is determined by placing three consecutive meshes under hand tension and the measurement is taken from the inside of one knot to the inside of the opposite knot of the center mesh. Hand tension means sufficient linear tension to draw opposing knots of meshes into contact. The multiple net rule is in effect for all authorized fishing periods. Nets not authorized for a specific 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 a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater. Nets fished any time between official sunset and official sunrise must have lighted buoys on both ends of the net. If the net is attached to the boat, then one lighted buoy on the end of the net opposite the boat is required.

(c) For the fishing periods described in section (1)(a) above sturgeon and chum salmon may not be possessed or sold by participating vessels. Allowable sales are Chinook, coho, pink, and sockeye salmon and shad.

(d) Sanctuaries in effect for fishing periods described in section (1)(a) above are: Elokomina-A, Cowlitz River, Kalama-A, and Lewis-A for all fishing periods; and Grays Bay beginning October 27.

(2) Late Fall Salmon Fishery Zones 4-5.

(a) Salmon may be taken for commercial purposes from the Columbia River in Zones 4 through 5, lower deadline 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 during the following fishing periods:

7:00 p.m. Thursday October 23 to 7 a.m. Friday October 24, 2014 (12 hours)

7:00 p.m. Sunday, October 26 to 7 a.m. Monday, October 27, 2014 (12 hours);

7:00 p.m. Tuesday, October 28 to 7 a.m. Wednesday, October 29, 2014 (12 hours);

and

7:00 p.m. Thursday, October 30 to 7 a.m. Friday, October 31, 2014 (12 hours)

(b) For the fishing periods described in section (2)(a) above, gear is restricted to drift gill nets with an 8-inch minimum mesh size. The multiple

net rule is in effect for all authorized fishing periods. Nets not authorized for a specific 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 a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater. Nets fished any time between official sunset and official sunrise must have lighted buoys on both ends of the net. If the net is attached to the boat, then one lighted buoy on the end of the net opposite the boat is required.

(c) For the fishing periods described in sections (2)(a) above white sturgeon and chum salmon may not be possessed or sold by participating vessels. Allowable sales are Chinook, coho, pink, and sockeye salmon and shad.

(d) For the fishing periods described in section (2)(a) above, Washougal and Sandy River sanctuaries are in effect.

Stat. Auth.: ORS 183.325, 506.109 & 506.119

Stats. Implemented: ORS 506.129 & 507.030

Hist.: FWC 40-1979, f. & ef. 9-10-79; FWC 45-1979(Temp), f. & ef. 9-21-79; FWC 52-1979(Temp), f. & ef. 11-2-79; FWC 48-1980(Temp), f. & ef. 9-19-80; FWC 51-1980(Temp), f. & ef. 9-22-80; FWC 55-1980(Temp), f. & ef. 9-26-80; FWC 56-1980(Temp), f. & ef. 9-29-80; FWC 58-1980(Temp), f. & ef. 10-17-80; FWC 37-1981(Temp), f. & ef. 9-24-81; FWC 38-1981(Temp), f. & ef. 9-29-81; FWC 69-1982(Temp), f. & ef. 9-30-82; FWC 72-1982(Temp), f. & ef. 10-20-82; FWC 56-1983(Temp), f. & ef. 10-5-83; FWC 54-1984(Temp), f. & ef. 9-10-84; FWC 59-1984(Temp), f. & ef. 9-18-84; FWC 66-1984(Temp), f. & ef. 9-26-84; FWC 68-1984(Temp), f. & ef. 10-2-84; FWC 58-1985(Temp), f. & ef. 9-13-85; FWC 62-1985(Temp), f. & ef. 9-24-85; FWC 66-1985(Temp), f. & ef. 10-11-85; FWC 54-1986(Temp), f. & ef. 9-5-86; FWC 64-1986(Temp), f. & ef. 10-3-86; FWC 67-1986(Temp), f. & ef. 10-17-86; FWC 74-1987(Temp), f. & ef. 9-4-87; FWC 75-1987(Temp), f. & ef. 9-11-87; FWC 80-1987(Temp), f. & ef. 9-18-87; FWC 87-1987(Temp), f. & ef. 10-9-87; FWC 91-1987(Temp), f. & ef. 10-16-87; FWC 85-1988(Temp), f. & cert. ef. 9-9-88; FWC 93-1988(Temp), f. & cert. ef. 9-16-88; FWC 99-1988(Temp), f. & cert. ef. 10-7-88; FWC 100-1988(Temp), f. 10-21-88, cert. ef. 10-24-88; FWC 94-1989(Temp), f. 9-15-89, cert. ef. 9-17-89; FWC 97-1989(Temp), f. & cert. ef. 9-21-89; FWC 109-1989(Temp), f. & cert. ef. 10-6-89; FWC 113-1989(Temp), f. & cert. ef. 11-9-89; FWC 100-1990(Temp), f. & cert. ef. 9-18-90; FWC 101-1990(Temp), f. & cert. ef. 9-19-90; FWC 102-1990(Temp), f. & cert. ef. 9-20-90; FWC 114-1990, f. & cert. ef. 10-8-90; FWC 105-1991, f. & cert. ef. 9-20-91; FWC 118-1991, f. & cert. ef. 10-4-91; FWC 122-1991(Temp), f. & cert. ef. 10-18-91; FWC 129-1991(Temp), f. 11-1-91, cert. ef. 11-3-91; FWC 97-1992(Temp), f. & cert. ef. 9-22-92; FWC 100-1992(Temp), f. 9-25-92, cert. ef. 9-27-92; FWC 107-1992(Temp), f. & cert. ef. 10-9-92; FWC 109-1992(Temp), f. 10-19-92, cert. ef. 10-20-92; FWC 110-1992(Temp), f. & cert. ef. 10-22-92; FWC 80-1995(Temp), f. 9-27-95, cert. ef. 10-9-95; FWC 46-1996, f. & cert. ef. 8-23-96; FWC 58-1996(Temp), f. 9-27-96, cert. ef. 9-30-96; FWC 60-1996(Temp), f. & cert. ef. 10-7-96; FWC 62(Temp), f. 10-18-96, cert. ef. 10-21-96; FWC 61-1997(Temp), f. 9-23-97, cert. ef. 9-24-97; FWC 62-1997(Temp), f. & cert. ef. 10-6-97; FWC 64-1997(Temp), f. & cert. ef. 10-14-97; FWC 65-1997(Temp), f. & cert. ef. 10-20-97; FWC 68-1997(Temp), f. & cert. ef. 11-3-97; FWC 79-1999(Temp), f. 10-8-99, cert. ef. 10-11-99 thru 12-31-99; DFW 83-1999(Temp), f. 10-26-99, cert. ef. 10-27-99 thru 12-31-99; DFW 87-1999(Temp), f. & cert. ef. 11-4-99 thru 11-5-99; Administrative correction 11-17-99; DFW 62-2000(Temp), f. 9-15-00, cert. ef. 9-19-00 thru 12-31-00; DFW 68-2000(Temp), f. 10-6-00, cert. ef. 10-9-00 thru 12-31-00; DFW 71-2000(Temp), f. 10-20-00, cert. ef. 10-23-00 thru 12-31-00; DFW 74-2000(Temp), f. 10-27-00, cert. ef. 10-30-00 thru 12-31-00; Administrative correction 6-20-01; DFW 89-2001(Temp), 9-14-01 thru 12-31-01; DFW 92-2001(Temp), f. & cert. ef. 9-19-01 thru 12-31-01; DFW 93-2001(Temp), f. 9-21-01, cert. ef. 9-24-01 thru 12-31-01; DFW 98-2001(Temp), f. 10-8-01, cert. ef. 12-31-01; DFW 106-2001(Temp), f. & cert. ef. 10-26-01 thru 12-31-01; DFW 104-2002(Temp), f. & cert. ef. 9-19-02 thru 12-31-02; DFW 106-2002(Temp), f. & cert. ef. 9-24-02 thru 12-31-02; DFW 109-2002(Temp), f. & cert. ef. 9-27-02 thru 12-31-02; DFW 112-2002(Temp), f. 10-10-02, cert. ef. 10-14-02 thru 12-31-02; DFW 122-2002(Temp), f. 10-24-02, cert. ef. 10-28-02 thru 12-31-02; DFW 92-2003(Temp), f. 9-12-03, cert. ef. 9-15-03 thru 12-31-03; DFW 95-2003(Temp), f. & cert. ef. 9-17-03 thru 12-31-03; DFW 98-2003(Temp), f. 9-22-03, cert. ef. 9-23-03 thru 12-31-03; DFW 105-2003(Temp), f. 10-10-03, cert. ef. 10-12-03 thru 12-31-03; DFW 107-2003(Temp), f. 10-21-03, cert. ef. 10-26-03 thru 12-31-03; DFW 95-2004(Temp), f. 9-17-04, cert. ef. 9-19-04 thru 12-31-04; DFW 98-2004(Temp), f. & cert. ef. 9-22-04 thru 12-31-04; DFW 99-2004(Temp), f. & cert. ef. 9-24-04 thru 12-31-04; DFW 101-2004(Temp), f. & cert. ef. 9-29-04 thru 12-31-04; DFW 102-2004(Temp), f. 10-1-04, cert. ef. 10-4-04 thru 12-31-04; DFW 109-2004(Temp), f. & cert. ef. 10-19-04 thru 12-31-04; Administrative correction, 2-18-05; DFW 109-2005(Temp), f. & cert. ef. 9-19-05 thru 12-31-05; DFW 110-2005(Temp), f. & cert. ef. 9-26-05 thru 12-31-05; DFW 113-2005(Temp), f. & cert. ef. 9-28-05 thru 12-31-05; DFW 116-2005(Temp), f. 10-4-05, cert. ef. 10-5-05 thru 12-31-05; DFW 120-2005(Temp), f. & cert. ef. 10-11-05 thru 12-31-05; DFW 124-2005(Temp), f. & cert. ef. 10-18-05 thru 12-31-05; DFW 126-2005(Temp), f. 10-21-05, cert. ef. 10-23-05 thru 12-31-05; Administrative correction 1-19-06; DFW 102-2006(Temp), f. 9-15-06, cert. ef. 9-19-06 thru 12-31-06; DFW 106-2006(Temp), f. 9-22-06, cert. ef. 9-25-06 thru 12-31-06; DFW 111-2006(Temp), f. 9-29-06, cert. ef. 10-2-06 thru 12-31-06; DFW 112-2006(Temp), f. 10-4-06, cert. ef. 10-8-06 thru 12-31-06; DFW 114-2006(Temp), f. & cert. ef. 10-12-06 thru 12-31-06; DFW 120-2006(Temp), f. & cert. ef. 10-18-06 thru 12-31-06; Administrative correction 1-16-07; DFW 91-2007(Temp), f. 9-18-07, cert. ef. 9-19-07 thru 12-31-07; DFW 94-2007(Temp), f. 9-21-07, cert. ef. 9-24-07 thru 12-31-07; DFW 97-2007(Temp), f. 9-25-07, cert. ef. 9-26-07 thru 12-31-07; DFW 98-2007(Temp), f. 9-26-07, cert. ef. 9-27-07 thru 12-31-07; DFW 99-2007(Temp), f. 9-28-07, cert. ef. 10-1-07 thru 12-31-07; DFW 104-2007(Temp), f. & cert. ef. 10-3-07 thru 12-31-07; DFW 107-2007(Temp), f. & cert. ef. 10-10-07 thru 12-31-07; DFW 109-2007(Temp), f. 10-16-07, cert. ef. 10-17-07 thru 12-31-07; DFW 111-2007(Temp), f. 10-22-07, cert. ef. 10-23-07 thru 12-31-07; DFW 112-2007(Temp), f. 10-24-07, cert. ef. 10-25-07 thru 12-31-07; DFW 113-2008(Temp), f. 9-17-08, cert. ef. 9-18-08 thru 12-31-08; DFW 119-2008(Temp), f. & cert. ef. 9-24-08 thru 12-31-08; DFW 127-2008(Temp), f. 10-7-08, cert. ef. 10-8-08 thru 12-31-08; DFW 132-2008(Temp), f. 10-14-08, cert. ef. 10-15-08 thru 12-31-08; DFW 136-2008(Temp), f. & cert. ef. 10-21-08 thru 12-31-08; DFW 117-2009(Temp), f. 9-23-09, cert. ef. 9-24-09 thru 10-31-09; DFW 120-2009(Temp), f. & cert. ef. 9-30-09 thru 10-31-09; DFW 122-2009(Temp), f. & cert. ef. 10-5-09 thru 10-31-09; DFW 124-2009(Temp), f. & cert. ef. 10-7-09 thru 10-31-09; DFW 130-2009(Temp), f. & cert. ef. 10-13-09 thru 10-31-09; DFW 134-2009(Temp), f. & cert. ef. 10-20-09 thru 10-31-09; DFW 135-2009(Temp), f. & cert. ef. 10-27-09 thru 10-31-09; Administrative correction 11-19-09; DFW 139-2010(Temp), f. & cert. ef. 10-5-10 thru 11-30-10; DFW 146-2010(Temp), f. 10-13-10, cert. ef. 10-14-10 thru 11-30-10; DFW 150-

ADMINISTRATIVE RULES

2010(Temp), f. 10-18-10, cert. ef. 10-19-10 thru 11-30-10; Administrative correction 12-28-10; DFW 23-2011, f. & cert. ef. 3-21-11; DFW 126-2012(Temp), f. & cert. ef. 9-27-12 thru 10-31-12; DFW 128-2012(Temp), f. 10-3-12, cert. ef. 10-4-12 thru 10-31-12; DFW 133-2012(Temp), f. 10-15-12, cert. ef. 10-16-12 thru 10-31-12; Administrative correction 11-23-12; DFW 119-2013(Temp), f. 10-15-13, cert. ef. 10-16-13 thru 10-31-13; DFW 120-2013(Temp), f. 10-22-13, cert. ef. 10-23-13 thru 11-1-13; Administrative correction, 11-22-13; DFW 144-2014(Temp), f. 10-8-14, cert. ef. 10-9-14 thru 12-31-14; DFW 154-2014(Temp), f. & cert. ef. 10-23-14 thru 12-31-14

Rule Caption: Amend Rules to Add Ohio to Cervid Part Importation Ban

Adm. Order No.: DFW 155-2014(Temp)

Filed with Sec. of State: 10-28-2014

Certified to be Effective: 10-28-14 thru 4-26-15

Notice Publication Date:

Rules Amended: 635-065-0765

Subject: This temporary rule amends rules to add Ohio to the list of states from which the importation of certain cervid parts is banned.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-065-0765

Tagging, Possession, Transportation and Evidence of Sex

(1) When the owner of any game mammal tag kills a game mammal for which a tag is issued, the owner shall immediately remove in its entirety only the month and day of kill and attach the tag in plain sight securely to the game mammal. The tag shall be kept attached to such carcass or remain with any parts thereof so long as the same are preserved.

(2) It is unlawful to have in possession any game mammal tag from which all or part of any date has been removed or mutilated except when the tag is legally validated and attached to a game mammal.

(3) It is unlawful to possess the meat or carcass of any deer, elk, pronghorn antelope, bighorn sheep, or Rocky Mountain goat without evidence of sex while in the field, forest, or in transit on any of the highways or premises open to the public in Oregon, except processed or cut and wrapped meat. Evidence of sex for deer, elk, pronghorn antelope, bighorn sheep, or Rocky Mountain goat is:

(a) The animal's scalp which shall include the attached eyes and ears, if animal is female; or ears, antlers or horns, and eyes if the animal is male, or;

(b) The head naturally attached to at least one quarter of the carcass or;

(c) Reproductive organs (testicles, scrotum, or penis if male; vulva or udder (mammary) if female) naturally attached to one quarter of the carcass or to another major portion of meat.

(A) For hunts with antler or horn restrictions, if the head is not attached to the carcass, in addition to leaving the testicles, scrotum, or penis naturally attached to one quarter of the carcass or to another major portion of meat, the head or skull plate with both antlers or horns naturally attached shall accompany the carcass or major portions of meat.

(B) For hunts where only white-tailed deer and for hunts where only mule deer are legal: in addition to evidence of sex, (testicles, scrotum, penis, vulva, udder, mammary), either the head or tail shall remain naturally attached to one quarter of the carcass or to another major portion of meat as evidence of the species taken.

(4) When any game mammal or part thereof is transferred to the possession of another person, a written record describing the game mammal or part being transferred indicating the name and address of the person whose tag was originally attached to the carcass and the number of that tag shall accompany such transfer and shall remain with such game mammal or part so long as the same is preserved or until replaced by a tag or seal of the Department.

(5) All game mammals in possession in the field or forest or in transit more than 48 hours after the close of the open season for such mammal must be tagged with a tag or metal seal by the Department or by the Oregon State Police.

(6) All game mammals or portions thereof shipped by commercial carrier shall be tagged with a tag or metal seal provided by the Department or by the Oregon State Police.

(7) It is unlawful to receive or have in possession any game mammal or part thereof which:

(a) Is not properly tagged;

(b) Was taken in violation of any wildlife laws or regulations; or

(c) Was taken by any person who is or may be exempt from the jurisdiction of such laws or regulations.

(8) No person shall possess any game mammal or part thereof which has been illegally killed, found or killed for humane reasons, except shed

antlers, unless he has notified and received permission from the Department or personnel of the Oregon State Police prior to transporting.

(9) No person shall possess the horns of bighorn sheep or Rocky Mountain goat that were not taken legally during an authorized season. Any horns of bighorn sheep or Rocky Mountain goat obtained by the Department may be made available to scientific and educational institutions and for ceremonial purposes.

(10) Except for the following parts, importation of a cervid carcass or parts of a cervid carcass is prohibited if the cervid was killed in a state or province with a documented case of Chronic Wasting Disease:

(a) Meat that is cut and wrapped commercially or privately;

(b) Meat that has been boned out;

(c) Quarters or other portions of meat with no part of the spinal column or head attached;

(d) Hides and/or capes with no head attached;

(e) Skull plates with antlers attached that have been cleaned of all meat and brain tissue;

(f) Antlers with no tissue attached;

(g) Upper canine teeth (buglers, whistlers, ivories);

(h) Finished taxidermy heads.

(11) For the purposes of the parts and carcass import ban in subsection 10, the states or provinces with a documented case of Chronic Wasting Disease (CWD) are Alberta, Colorado, Illinois, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming, and Saskatchewan. The Department shall add by temporary rule any additional states or provinces when any new cases of CWD arise.

(12) The parts and carcass import ban in subsection (11) does not apply to parts or carcasses shipped to the National Fish and Wildlife Forensics Laboratory (Ashland, Oregon) for the purpose of law enforcement investigations and also does not apply to parts or carcasses of reindeer/caribou.

(13) Cervid carcasses or parts of cervid carcasses found in Oregon in violation of the parts and carcass ban in subsection 10 shall be disposed of in a manner as follows:

(a) Brain tissue, spinal columns, and whole heads or heads minus the cleaned skull plate and attached antlers, shall be disposed of either by incineration at temperatures exceeding 800° F or at lined landfills registered by Oregon Department of Environmental Quality capable of accepting animal carcasses without environmental contamination; rendering is not an allowed means of disposal.

(b) The person(s) who imported parts in violation of the parts and carcass ban in subsection 10 shall pay for appropriate disposal of cervid carcasses or parts of cervid carcasses.

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. & ef. 6-9-77; FWC 33-1978, f. & ef. 6-30-78; FWC 28-1979, f. & ef. 8-2-79; FWC 33-1980, f. & ef. 6-30-80; FWC 6-1981, f. & ef. 1-23-81; FWC 11-1981, f. & ef. 3-31-81; FWC 20-1981, f. & ef. 6-19-81; FWC 37-1982, f. & ef. 6-25-82; FWC 34-1984, f. & ef. 7-24-84; FWC 43-1988, f. & ef. 8-22-85; FWC 35-1986, f. & ef. 8-7-86; FWC 11-1987, f. & ef. 3-6-87; FWC 41-1987, f. & ef. 7-6-87; FWC 13-1988, f. & cert. ef. 3-10-88; FWC 63-1989, f. & cert. ef. 8-15-89; FWC 24-1990, f. & cert. ef. 3-21-90; FWC 9-1997, f. & cert. ef. 2-27-97; DFW 49-1998, f. & cert. ef. 6-22-98; DFW 1-1999, f. & cert. ef. 1-14-99; DFW 92-1999, f. 12-8-99, cert. ef. 1-1-00; DFW 82-2000, f. 12-21-00, cert. ef. 1-1-01; DFW 90-2002(Temp), f. & cert. ef. 8-16-02 thru 2-11-03; DFW 114-2002(Temp), f. & cert. ef. 10-18-02 thru 2-11-03; DFW 126-2002, f. & cert. ef. 11-12-02; DFW 127-2002(Temp), f. & cert. ef. 11-14-02 thru 2-11-03; DFW 2-2003, f. & cert. ef. 1-17-03; DFW 50-2003, f. & cert. ef. 6-13-03; DFW 61-2003, f. & cert. ef. 7-16-03; DFW 118-2003, f. 12-4-03, cert. ef. 1-1-04; DFW 53-2005, f. & cert. ef. 6-14-05; DFW 111-2005(Temp), f. & cert. ef. 9-23-05 thru 10-31-05; Administrative correction 11-18-05; DFW 128-2005, f. 12-1-05, cert. ef. 1-1-06; DFW 135-2008, f. & cert. ef. 10-17-08; DFW 2-2009, f. & cert. ef. 1-9-09; DFW 8-2010(Temp), f. & cert. ef. 1-25-10 thru 7-24-10; DFW 21-2010(Temp), f. & cert. ef. 2-26-10 thru 8-24-10; DFW 36-2010(Temp), f. & cert. ef. 3-30-10 thru 9-25-10; DFW 83-2010, f. & cert. ef. 6-15-10; DFW 62-2011, f. & cert. ef. 6-3-11; DFW 92-2012(Temp), f. & cert. ef. 7-23-12 thru 1-19-13; DFW 136-2012, f. & cert. ef. 10-24-12; DFW 137-2012(Temp), f. & cert. ef. 10-24-12 thru 4-22-13; DFW 4-2013, f. 1-15-13, cert. ef. 2-1-13; DFW 10-2013, f. & cert. ef. 2-7-13; DFW 138-2013, f. & cert. ef. 12-20-13; DFW 155-2014(Temp), f. & cert. ef. 10-28-14 thru 4-26-15

Rule Caption: Prior Year 5,000 Pound Landing Requirement Temporarily Removed from Brine Shrimp Permit Renewal Rule.

Adm. Order No.: DFW 156-2014(Temp)

Filed with Sec. of State: 11-10-2014

Certified to be Effective: 11-10-14 thru 1-31-15

Notice Publication Date:

Rules Amended: 635-005-0705

Subject: This amended rule allows the renewal of Brine Shrimp permits without the previously required 5,000 pound landing from the

ADMINISTRATIVE RULES

previous year. Due to low water in Lake Abert, in 2014, harvesters were unable to use their boats and harvest enough Brine Shrimp to satisfy the 5,000 pounds in landings required by permanent rule for permit renewal.

Rules Coordinator: Therese Kucera—(503) 947-6033

635-005-0705

Renewal of Permit

(1) Brine Shrimp Permits may be renewed the following year by submitting to the Department a \$100.00 fee (plus a \$2.00 license agent fee) and a complete application date-stamped or postmarked by January 31 of the year for which renewal is sought.

(2) An application for renewal of a Brine Shrimp Permit shall be considered complete if it is legible, has all information requested in the form, and is accompanied by the required fee in full. Any application which is not complete shall be returned, and unless it is thereafter resubmitted and deemed complete by December 31 of the permit year sought, the individual may not be considered to have applied for renewal in a timely manner.

(3) It is the responsibility of the permittee to ensure that an application is complete and is filed in a timely manner. Failure of the Department to return an application for incompleteness or of an individual to receive a returned application may not be grounds for treating the application as having been filed in a timely and complete manner.

Stat. Auth.: ORS 506.036, 506.109, 506.119 & 506.129

Stats. Implemented: ORS 506.109 & 506.129

Hist.: DFW 76-2012, f. 6-28-12, cert. ef. 7-1-12; DFW 131-2013(Temp), f. & cert. ef. 12-9-13 thru 6-7-14; Administrative correction, 6-30-14; DFW 156-2014(Temp), f. & cert. ef. 11-10-14 thru 1-31-15

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

Rule Caption: K-Plan Services

Adm. Order No.: APD 36-2014(Temp)

Filed with Sec. of State: 11-10-2014

Certified to be Effective: 11-10-14 thru 5-8-15

Notice Publication Date:

Rules Amended: 411-035-0010

Subject: The Department of Human Services (Department) needs to immediately amend OAR 411-035-0010 to be less restrictive in the definitions for Activities of Daily Living (ADL), Instrumental Activities of Daily Living (IADL), and any other related definitions. This needs to be done because the K-State Plan approved by the Center for Medicare and Medicaid Services (CMS) did not apply the limitations from OAR 411-015-0006 and 411-015-0007 to the ADL and IADL definitions and services provided for in this rule. This will be accomplished by removing the references to OAR 411-015-0006 and 411-015-0007 in the definitions for ADL, IADL, and any other related definitions in this rule.

Rules Coordinator: Kimberly Colkitt-Hallman—(503) 945-6398

411-035-0010

Definitions

Unless the context indicates otherwise, the following definitions apply to the rules in OAR chapter 411, division 035:

(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, but are not limited to, eating, dressing/grooming, bathing/personal hygiene, mobility (ambulation and transfer), elimination (toileting, bowel, and bladder management), and cognition/behavior.

(3) “ADL” means “activities of daily living” as defined in this rule.

(4) “Alert Systems” means a unit that is worn by the individual or is located in the individual’s home for the purpose of generating notification that an emergency has or may occur.

(5) “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 or individuals 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 ORS 410.210 to 410.300.

(6) “Assistive Technology” means equipment that provides additional security and support to an individual and replaces the need for human interventions. Assistive technologies enable an individual to self-direct their care and maximize their independence.

(7) “Back-up systems”, for the purpose of these rules, mean devices or electronic systems, which secure help in emergencies, safety in the community, or are other reminders that help an individual with activities, including, but not limited to, medication management, eating, or other types of monitoring.

(8) “Case Manager” means an employee of the Department or Area Agency on Aging who assesses the service needs of an individual, determines eligibility, and offers service choices to the eligible individual. The case manager authorizes and implements an individual’s service plan, and monitors the services delivered as described in OAR chapter 411, division 028.

(9) “Chore Services” means specific services intended to ensure the individual’s home is safe and allows for independent living.

(10) “Consumer” or “Consumer-Employer” means the person applying for or eligible for Medicaid home or community-based services.

(11) “Cost Effective” means being responsible and accountable with Department resources by offering less costly alternatives when providing choices that adequately meet an individual’s service needs. Less costly alternatives may include other programs available from the Department, the utilization of assistive devices, natural supports, architectural modifications, and alternative service resources (defined in OAR 411-015-0005). Less costly alternatives may include resources not paid for by the Department.

(12) “Department” means the Department of Human Services (DHS).

(13) “Durable Medical Equipment”, is an apparatus, such as a walker, which is primarily used to serve a medical purpose and is appropriate to use in the individual’s home.

(14) “Environmental Modifications” means the changes made to adapt living spaces to meet specific service needs of eligible individuals with physical limitations to maintain their health, safety, and independence.

(15) “Exception” means the individual has service needs above the limits described in this rule, and documented in the assessment and service plan that warrant an exception for payment.

(16) “IADL” means “instrumental activities of daily living” as defined in this rule.

(17) “Individual” means the person applying for or eligible for services.

(18) “In-Home Services” mean the 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.

(19) “Instrumental Activities of Daily Living (IADL)” means those activities that include, but are not limited to, activities other than the activities of daily living, required by an individual to continue independent living. Activities include, but are not limited to, housekeeping, laundry, meal preparation, medication management, shopping, and transportation.

(20) “Long-Term Care” means the Medicaid system through which the Department provides nursing facility, community-based, and in-home services to eligible adults who are aged, blind, or have physical disabilities.

(21) “Medication Reminders” are devices used for the purpose of prompting an individual to take their medication.

(22) “Natural Supports” means resources and supports (e.g. relatives, friends, neighbors, significant others, 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.

(23) “Person-centered Assessment and Service Plans” means:

(a) A process, either formal or informal, for gathering and organizing information that helps an individual:

(A) Determine and describe choices about personal goals, activities, 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.

(b) The methods for gathering information vary, but all are consistent with individual needs and preferences.

(24) “Personal Emergency Response Systems” mean a type of electronic back-up system that:

ADMINISTRATIVE RULES

- (a) Secures help for individuals in an emergency;
- (b) Ensures a consumer's safety in the community; and
- (c) Includes other reminders that help an individual with their activities of daily living and instrumental activities of daily living.

(25) "Rate Schedule" means the rate schedule maintained by the Department at [http://www.dhs.state.or.us/spd/tools/program/osip/rate schedule.pdf](http://www.dhs.state.or.us/spd/tools/program/osip/rate%20schedule.pdf). Printed copies may be obtained by calling (503) 945-6398 or writing the Department of Human Services, Aging and People with Disabilities, ATTN: Rule Coordinator, 500 Summer Street NE, E-48, Salem, Oregon 97301.

(26) "Representative" means a person with longstanding involvement in assuring the individual's health, safety, and welfare that is appointed by an individual to participate in service planning on the individual's behalf. In all cases, unless the individual is incapable, the individual's consent is obtained before designating a representative on the individual's behalf. When feasible, the individual's authorization of a representative is made in writing or by another method that clearly indicates the individual's free choice. An individual's representative is not a paid provider to an individual receiving services and supports.

(27) "Service Need" means the assistance an individual requires from another person, or equipment that replaces the need for another person, for those functions or activities.

(28) "Transition Services" means those services and supports necessary for an individual to transition from a nursing facility or the Oregon State Hospital to a community-based care or in-home setting.

(29) "Voluntary Consumer Training Services" means activities to empower and inform individuals receiving in-home services regarding their rights, role, and responsibilities as employers of care providers.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 409.050, 410.040, 410.090, 410.210 - 410.300 & 441.520

Hist.: APD 16-2014, f. & cert. ef. 6-4-14; APD 36-2014(Temp), f. & cert. ef. 11-10-14 thru 5-8-15

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**Department of Human Services,
Self-Sufficiency Programs
Chapter 461**

Rule Caption: Amending OAR relating to when the Department may reopen ERDC without a new application

Adm. Order No.: SSP 28-2014(Temp)

Filed with Sec. of State: 10-29-2014

Certified to be Effective: 10-29-14 thru 4-26-15

Notice Publication Date:

Rules Amended: 461-115-0050

Subject: OAR 461-115-0050 about when an application must be filed is being amended to allow the Department to reopen families in the Employment Related Day Care (ERDC) program without requiring a new application when the family meets certain conditions. Under this amendment, as of October 1, 2014, the Department may reopen ERDC without a new application when all the following conditions are met:

The case closed during the certification period;

The family reports a change in circumstances prior to the end of the month following the closure; and

The reported change will make them eligible for ERDC.

Rules Coordinator: Kris Skaro—(503) 945-6067

461-115-0050

When an Application Must Be Filed

(1) An individual must file an application, or may amend a completed application, as a prerequisite to receiving benefits as follows:

(a) An individual may apply for the TA-DVS program as provided in OAR 461-135-1220.

(b) In all programs except the TA-DVS program:

(A) Except as provided otherwise in this rule, an individual wishing to apply for program benefits must submit a complete application on a form approved by the Department.

(B) An application is complete if all of the following requirements are met:

(i) All information necessary to determine the individual's eligibility and benefit amount is provided on the application for each individual in the filing group.

(ii) The applicant, even if homeless, provides a mailing address.

(iii) The application is signed. An individual required but unable to sign the application may sign with a mark, witnessed by another individual.

(iv) The application is received by the Department, except an electronic application (see OAR 461-001-0000) meets the requirements of this paragraph only when submitted to and received by the Department with an electronic signature.

(2) A new application is not required in the following situations:

(a) In the SNAP program, when a single application can be used both to determine an individual is ineligible in the month of application and to determine the individual is eligible the next month. This can be done when:

(A) Anticipated changes make the filing group (see OAR 461-110-0370) eligible the second month; or

(B) The filing group provides verification between 30 and 60 days following the filing date (see OAR 461-115-0040), under OAR 461-180-0080.

(b) In all programs except the SNAP program, when a single application can be used both to determine an individual is ineligible on the date of request (see OAR 461-115-0030) and to determine the individual is eligible when anticipated changes make the filing group eligible within 45 days from the date of request.

(c) When the case is closed and reopened during the same calendar month.

(d) When benefits were suspended for one month because of the level of income, and the case is reopened the month following the month of suspension.

(e) When reinstating medical benefits for a pregnant woman covered by OAR 461-135-0950, notwithstanding subsection (g) of this section.

(f) In the GAM, OSIPM, and QMB programs, when the medical benefits of an individual are suspended because the individual lives in a public institution (see OAR 461-135-0950), if the inmate is released within 12 months of admission and the inmate provides notification to the Department within 10 days of the release.

(g) In the ERDC program, starting October 1, 2014, a case that closed during the certification period (see OAR 461-001-0000) may be reopened without a new application if the individual reports a change in circumstances prior to the end of the month following the closure and the reported change will make the individual eligible.

(3) When an individual establishes a new date of request prior to the end of the month following the month of case closure, unless the Department determines a new application is required, a new application is not required in the following situations:

(a) In the OSIPM program, when the individual's case closed due to failure to make a liability payment required under OAR 461-160-0610.

(b) In the OSIPM-EPD program, when the individual's case closed due to failure to make a participant fee payment required under OAR 461-160-0800.

(4) A new application is required to add a newborn child to a benefit group (see OAR 461-110-0750) according to the following requirements:

(a) For the REF and TANF programs:

(A) A new application is not required if the child is listed on the application as "unborn" and there is sufficient information about the child to establish its eligibility.

(B) A new application is required if the child is not included on the application as "unborn."

(b) In the REFM program, no additional application is required to add a newborn to a benefit group receiving benefits from one of the listed programs if eligibility can be determined without submission of a new application.

(c) In the GAM, OSIPM, QMB, and REFM programs, no additional application is required to add an assumed eligible newborn to a benefit group currently receiving Department medical program benefits.

(d) In the ERDC and SNAP programs, an application is not required to add the child to the benefit group.

(e) In all programs other than ERDC, GAM, QMB, REF, REFM, SNAP, and TANF, an application is required.

(5) A new application is required to add an individual, other than a newborn child, to a benefit group according to the following requirements:

(a) In the ERDC and SNAP programs, a new application is not required.

(b) In the REF, REFM, and TANF programs, an individual may be added by amending a current application if the information is sufficient to determine eligibility; otherwise a new application is required.

(c) In all programs other than the ERDC, REF, REFM, SNAP, and TANF programs, a new application is required.

(6) An individual whose TANF grant is closing may request ERDC orally or in writing.

ADMINISTRATIVE RULES

(7) Except for an applicant for the OSIPM, QMB, or SNAP programs, an individual may change between programs administered by the Department using the current application if the following conditions are met:

- (a) The individual makes an oral or written request for the change.
- (b) The Department has sufficient evidence to determine eligibility and benefit level for the new program without a new application.
- (c) The program change can be effected while the individual is eligible for the first program.

(8) In the OSIP, OSIPM, and QMB programs, a new application is not required to redetermine eligibility if the following conditions are met:

- (a) The individual currently is receiving benefits from one of these programs; and
- (b) The Department has sufficient evidence to redetermine eligibility for the same program or determine eligibility for the new program without a new application or by amending the current application.

Stat. Auth: ORS 409.050, 411.060, 411.070, 411.404, 411.704, 411.816, 412.049, 414.025, 414.231, 414.826, 414.839
Stats. Implemented: ORS 409.050, 411.060, 411.070, 411.117, 411.404, 411.704, 411.706, 411.816, 412.049, 414.025, 414.231, 414.826, 414.839
Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 12-1990, f. 3-30-90, cert. ef. 4-1-90; AFS 23-1990, f. 9-28-90, cert. ef. 10-1-90; AFS 30-1990, f. 12-31-90, cert. ef. 1-1-91; AFS 3-1991(Temp), f. & cert. ef. 1-17-91; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 2-1992, f. 1-30-92, cert. ef. 2-1-92; AFS 20-1992, f. 7-31-92, cert. ef. 8-1-92; AFS 12-1993, f. & cert. ef. 7-1-93; AFS 2-1994, f. & cert. ef. 2-1-94; AFS 10-1995, f. 3-30-95, cert. ef. 4-1-95; AFS 27-1996, f. 6-27-1996, cert. ef. 7-1-96; AFS 36-1996, f. 10-31-96, cert. ef. 11-1-96; AFS 9-1997, f. & cert. ef. 7-1-97; AFS 13-1997, f. 8-28-97, cert. ef. 9-1-97; AFS 4-1998, f. 2-25-98, cert. ef. 3-1-98; AFS 5-1998(Temp), f. & cert. ef. 3-11-98 thru 5-31-98; AFS 8-1998, f. 4-28-98, cert. ef. 5-1-98; AFS 17-1998, f. & cert. ef. 10-1-98; AFS 2-1999, f. 3-26-99, cert. ef. 4-1-99; AFS 1-2000, f. 1-13-00, cert. ef. 2-1-00; AFS 25-2000, f. 9-29-00, cert. ef. 10-1-00; AFS 19-2001, f. 8-31-01, cert. ef. 9-1-01; AFS 21-2001(Temp), f. & cert. ef. 10-1-01 thru 12-31-01; AFS 22-2001, f. & cert. ef. 10-1-01; AFS 27-2001, f. 12-21-01, cert. ef. 1-1-02; SSP 22-2004, f. & cert. ef. 10-1-04; SSP 4-2005, f. & cert. ef. 4-1-05; SSP 15-2006, f. 12-29-06, cert. ef. 1-1-07; SSP 7-2007, f. 6-29-07, cert. ef. 7-1-07; SSP 10-2007, f. & cert. ef. 10-1-07; SSP 2-2008(Temp), f. & cert. ef. 1-28-08 thru 6-30-08; SSP 17-2008, f. & cert. ef. 7-1-08; SSP 26-2008, f. 12-31-08, cert. ef. 1-1-09; SSP 13-2009, f. & cert. ef. 7-1-09; SSP 17-2009(Temp), f. 7-29-09, cert. ef. 8-1-09 thru 1-28-10; SSP 22-2009(Temp), f. & cert. ef. 8-28-09 thru 1-28-10; SSP 38-2009, f. 12-31-09, cert. ef. 1-1-10; SSP 39-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SSP 18-2010, f. & cert. ef. 7-1-10; SSP 26-2011(Temp), f. 9-30-11, cert. ef. 10-1-11 thru 3-29-12; SSP 35-2011, f. 12-27-11, cert. ef. 1-1-12; SSP 19-2013(Temp), f. 7-31-13, cert. ef. 8-1-13 thru 1-28-14; SSP 28-2013(Temp), f. & cert. ef. 10-1-13 thru 1-28-14; SSP 37-2013, f. 12-31-13, cert. ef. 1-1-14; SSP 15-2014, f. & cert. ef. 7-1-14; SSP 28-2014(Temp), f. & cert. ef. 10-29-14 thru 4-26-15

Rule Caption: Amending OAR to allow receipt of concurrent TANF and Chafee benefits

Adm. Order No.: SSP 29-2014(Temp)

Filed with Sec. of State: 11-3-2014

Certified to be Effective: 11-3-14 thru 5-1-15

Notice Publication Date:

Rules Amended: 461-165-0030

Subject: OAR 461-165-0030 about concurrent and duplicate program benefits needs to be amended to increase the support available to young adults who are transitioning out of the foster care system to independent living. By removing the current restriction on receiving duplicate benefits, this amendment allows eligible young adults to access both Chafee and TANF grants which provides additional resources to support their transition.

Rules Coordinator: Kris Skaro—(503) 945-6067

461-165-0030

Concurrent and Duplicate Program Benefits

(1) An individual may not receive benefits from the Department of the same type (that is, cash, medical, or SNAP benefits) for the same period as a member of two or more different benefit groups (see OAR 461-110-0750) or from two or more separate programs, except as noted in this rule. Except as allowed in subsection (g) of this section, this provision includes a prohibition against an individual receiving TANF concurrently with another cash assistance program funded under Title IV-E of the Social Security Act.

(a) A client may receive EA, HSP, and TA-DVS benefits and cash payments from other programs for the same time period.

(b) If a GA client becomes eligible for the TANF program, the client's benefits are supplemented during the first month of eligibility for TANF to the TANF payment standards.

(c) An REF or TANF recipient may receive ERDC for a child (see OAR 461-001-0000) in the household group (see OAR 461-110-0210), but who may not be included in the REF or TANF filing group.

(d) A child who is a member of an ERDC benefit group may also be a member of one of the following benefit groups:

- (A) An OSIP-AB benefit group.

(B) A TANF benefit group when living with a nonneedy caretaker relative (see OAR 461-001-0000), if the caretaker relative is not the child's parent.

(C) A TANF benefit group when living with a needy caretaker relative receiving SSI.

(e) A client in the SNAP program who leaves a filing group (see OAR 461-110-0370) that includes an individual who abused them and enters a domestic violence shelter (see OAR 461-001-0000) or safe home (see OAR 461-001-0000) for victims of domestic violence (see OAR 461-001-0000) may receive SNAP benefits twice during the month the client enters the domestic violence shelter or safe home.

(f) A QMB client may also receive medical benefits from OSIPM, REFM, or an OCCS medical program with the exception of OHP-OPC, OHP-OPU, OHP-OP6, OHP-CHIP, MAGI Adult, and MAGI CHIP.

(g) An individual may receive Chafee (see OAR 413-030-0400 to 413-030-0455) and TANF benefits during the same time period. As of January 1, 2013, receipt of both Chafee and TANF benefits will not result in an overpayment.

(2) An individual may not receive benefits of the same type (that is, cash, medical, or SNAP benefits) for the same period from both Oregon and another state or tribal food distribution program, except as follows:

(a) Medical benefits may be authorized for an eligible client if the client's provider refuses to submit a bill to the Medicaid agency of another state and the client would not otherwise receive medical care.

(b) Cash benefits may be authorized for a client in the Pre-TANF program if benefits from another state will end by the last day of the month in which the client applied for TANF.

(3) In the SNAP program, each individual who has been included as a member of the filing group in Oregon or another state is subject to all of the restrictions in section (2) of this rule.

Stat. Auth.: ORS 411.060, 411.070, 411.404, 411.816, 412.049, 412.124, 414.826
Stats. Implemented: ORS 411.060, 411.070, 411.117, 411.404, 411.704, 411.706, 411.816, 412.049, 412.124, 414.025, 414.826, 414.839
Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 30-1990, f. 12-31-90, cert. ef. 1-1-91; AFS 13-1991, f. & cert. ef. 7-1-91; AFS 42-1996, f. 12-31-96, cert. ef. 1-1-97; AFS 9-1997, f. & cert. ef. 7-1-97; AFS 9-1999, f. & cert. ef. 7-1-99; AFS 14-1999, f. & cert. ef. 11-1-99; AFS 25-2000, f. 9-29-00, cert. ef. 10-1-00; SSP 1-2003, f. 1-31-03, cert. ef. 2-1-03; SSP 7-2003, f. & cert. ef. 4-1-03; SSP 33-2003, f. 12-31-03, cert. ef. 1-4-04; SSP 17-2004, f. & cert. ef. 7-1-04; SSP 10-2006, f. 6-30-06, cert. ef. 7-1-06; SSP 10-2007, f. & cert. ef. 10-1-07; SSP 11-2007(Temp), f. & cert. ef. 10-1-07 thru 3-29-08; SSP 5-2008, f. 2-29-08, cert. ef. 3-1-08; SSP 26-2008, f. 12-31-08, cert. ef. 1-1-09; SSP 39-2009(Temp), f. 12-31-09, cert. ef. 1-1-10 thru 6-30-10; SSP 18-2010, f. & cert. ef. 7-1-10; SSP 30-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; SSP 38-2013, f. 12-31-13, cert. ef. 1-1-14; SSP 29-2014(Temp), f. & cert. ef. 11-3-14 thru 5-1-15

Rule Caption: Allowing JPI benefits to close without a decision notice in certain cases

Adm. Order No.: SSP 30-2014(Temp)

Filed with Sec. of State: 11-14-2014

Certified to be Effective: 11-14-14 thru 5-12-15

Notice Publication Date:

Rules Amended: 461-175-0210

Subject: OAR 461-175-0210 regarding notices required when a client has moved or their whereabouts are unknown is being amended to allow the Department to close Job Participation Incentive (JPI) benefits without sending a decision notice when the Department determines the benefit group has moved out of state or when mail is returned with no forwarding address. JPI is a \$10.00 monthly incentive paid to employed SNAP clients and is issued as a monthly food benefit on the Oregon Trail Card (EBT).

Rules Coordinator: Kris Skaro—(503) 945-6067

461-175-0210

Notice Situation; Client Moved or Whereabouts Unknown

(1) To end benefits if a client has moved out of state, the Department sends the following decision notice (see OAR 461-001-0000):

(a) In the ERDC, GA, GAM, OSIP, OSIPM, QMB, REF, REFM, and TANF programs:

(A) The Department sends a timely continuing benefit decision notice (see OAR 461-001-0000) to clients who have moved out of state.

(B) The Department sends a basic decision notice (see OAR 461-001-0000) if the client becomes eligible for benefits in another state.

(b) In the SNAP and JPI programs, no decision notice is required if the Department determines that the benefit group (see OAR 461-110-0750) has moved out of Oregon.

(2) If Department mail or benefits have been returned with no forwarding address, the Department gives the client the benefits if the client's

ADMINISTRATIVE RULES

whereabouts become known during the period covered by the returned benefits. See OAR 461-165-0130 for when SNAP benefits can be sent out of state. If the client's whereabouts are unknown, the Department ends benefits by sending the following decision notice to their last known address:

(a) In all programs except the SNAP and JPI programs, a basic decision notice.

(b) In the SNAP and JPI programs, no decision notice is required.

Stat. Auth.: ORS 411.060, 411.095, 411.404, 411.816, 412.049

Stats. Implemented: ORS 411.060, 411.095, 411.404, 411.816, 412.049

Hist.: AFS 80-1989, f. 12-21-89, cert. ef. 2-1-90; AFS 12-1990, f. 3-30-90, cert. ef. 4-1-90; AFS 23-1990, f. 9-28-90, cert. ef. 10-1-90; AFS 19-1993, f. & cert. ef. 10-1-93; AFS 2-1994, f. & cert. ef. 2-1-94; AFS 3-1997, f. 3-31-97, cert. ef. 4-1-97; AFS 13-1997, f. 8-28-97, cert. ef. 9-1-97; SSP 24-2004, f. 12-30-04, cert. ef. 1-1-05; SSP 32-2010, f. & cert. ef. 10-1-10; SSP 37-2011(Temp), f. 12-30-11, cert. ef. 1-1-12 thru 6-29-12; SSP 22-2012, f. 6-29-12, cert. ef. 6-30-12; SSP 30-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; SSP 33-2013(Temp), f. & cert. ef. 10-3-13 thru 3-30-14; SSP 37-2013, f. 12-31-13, cert. ef. 1-1-14; SSP 30-2014(Temp), f. & cert. ef. 11-14-14 thru 5-12-15

Department of Justice Chapter 137

Rule Caption: Qualifications of mediators and schedule of fees for an Environmental Claims Mediation Program.

Adm. Order No.: DOJ 14-2014(Temp)

Filed with Sec. of State: 10-31-2014

Certified to be Effective: 10-31-14 thru 4-28-15

Notice Publication Date:

Rules Adopted: 137-130-0001, 137-130-0005, 137-130-0010, 137-130-0110, 137-130-0210

Subject: The rules describe the schedule of fees and qualifications, training and experience for mediators who participate in the environmental claims mediation program established by SB 814 (2013.) The environmental claims mediation program uses mediators to assist an insurer and their insured resolve a dispute involving an environmental claim. The rules list various combinations of subject matter expertise (i.e. expertise in environmental and insurance issues) and process expertise (i.e. experience and training as a mediator) that a mediator must have to participate in the program. The rules also allow a mediator to serve if agreed to by the parties in a specific case. The rules require the mediator's fees to be published on the Department of Justice website and that the fees will be split among the parties to the mediation.

Rules Coordinator: Carol Riches—(503) 947-4700

137-130-0001

Purpose

These division 130 rules govern the Environmental Claims Mediation Program created by Oregon Laws 2013, chapter 350.

Stat. Auth.: ORS 465.484(2)(e)

Stats. Implemented: ORS 465.484(2), ORS 465.483(3)(b)

Hist.: DOJ 14-2014(Temp), f. & cert. ef. 10-31-14 thru 4-28-15

137-130-0005

Application

These division 130 rules apply to any Mediation resulting from a request for Environmental Claim Mediation pursuant to Oregon laws 2013, ch 350.

Stat. Auth.: ORS 465.484(2)(e)

Stats. Implemented: ORS 465.484(2), ORS 465.483(3)(b)

Hist.: DOJ 14-2014(Temp), f. & cert. ef. 10-31-14 thru 4-28-15

137-130-0010

Definitions

As used in these division 130 rules:

(1) "Environmental Claims Mediation Program" means the Mediation program established under Oregon Laws 2013, chapter 350.

(2) "Environmental Claims Mediation" means a Mediation conducted pursuant to Oregon Laws 2013 Chapter 350 Section 6.

(3) "Environmental Claims Mediator Roster" means the roster of qualified Mediators established by the Mediation Service Provider pursuant to these rules.

(4) "Mediation" is defined in ORS 36.110(5).

(5) "Mediation Communications" is defined in ORS 36.110(7).

(6) "Mediation Service Provider" ("MSP") means the entity appointed by the Attorney General pursuant to Oregon Laws 2013, chapter 350, section 6.

(7) "Mediation Session" means a meeting involving the mediator, the insured and the insurer.

(8) "Mediator" is defined in ORS 36.110(9).

(9) "Party" is defined in ORS 36.234.

Stat. Auth.: ORS 465.484(2)(e)

Stats. Implemented: ORS 465.484(2), ORS 465.483(3)(b)

Hist.: DOJ 14-2014(Temp), f. & cert. ef. 10-31-14 thru 4-28-15

137-130-0110

Mediator Qualifications, Training and Experience

(1) The Mediation Service Provider shall publish, in writing and on its website, an Environmental Claims Mediator Roster composed of those Mediators who meet or exceed the minimum qualifications set forth below, and who have entered into an agreement with the Mediation Service Provider for the provision of Environmental Claims Mediation.

(2) To be included on the Environmental Claim Mediation Roster a mediator must:

(a) Provide the MSP with the mediator's experience and education, including but not limited to:

(A) The number of mediations conducted, approximate number of hours of mediation experience, and approximate number of hours dealing with cases or matters related to environmental matters or insurance claims;

(B) General mediator training;

(C) Specific subject training;

(D) Education level; and

(E) Continuing education.

(b) Provide to the MSP the Mediator's:

(A) Professional standards of mediation practice to which the mediator adheres;

(B) Contact information;

(C) Languages spoken;

(D) Website links, if applicable;

(E) Counties of Oregon where they are willing to serve and the counties they are able to serve without charging travel expenses; and

(F) Fee information.

(c) Certify to the MSP that the Mediator has:

(A) The equivalent of at least 5 (five) years of full-time experience in the environmental or insurance fields in their professional capacity. This professional role may have included, but is not limited to, the role of attorney, insurance or environmental professional, judge, hearing officer or mediator;

(B) Conducted at least 20 Mediations of any type or subject matter and have over 200 hours of experience as a Mediator; or

(C) Conducted 5 (five) mediations involving environmental insurance claims.

(d) Certify to the MSP that the Mediator has participated in or conducted 30 hours of basic mediator training meeting the standards in Section 3.2 of the Oregon Judicial Department Court Connected Mediator Qualification Rules effective August 1, 2005, or a comparable, integrated training;

(e) Certify to the MSP that the Mediator has, within five years prior to the date of application to join the Roster, participated in a total 16 hours of training in the following areas:

(A) Program orientation approved by the MSP; and

(B) Subject-matter training related to environmental matters or insurance claims, including but not limited to:

(i) Environmental cleanup;

(ii) Key cases and substantive law related to environmental insurance claims;

(iii) Court procedures, laws and rules relevant to environmental insurance claims; or

(iv) Role playing exercises involving the negotiated or mediated resolution of environmental insurance claims.

(f) Certify to the MSP that the Mediator will, if included on the Roster, complete 6 (six) hours of continuing education every two years on topics related to environmental matters or insurance claims in a course approved for continuing education by the MSP, a state or national professional accrediting organization or bar association.

(3) A Mediator who meets the minimum qualifications as a Mediator under these rules and is added to the Environmental Claims Mediator Roster may not represent that fact as license or certification of their competency for anything other than their role in the Environmental Claims Mediation Program.

(4) Notwithstanding any other provision of these rules:

(a) If all the parties to an Environmental Claims Mediation agree in writing to the use of a mediator who is not on the Environmental Claims

ADMINISTRATIVE RULES

Mediator Roster, and that Mediator enters into an agreement with the MSP as provided in Section (1) of this rule, that Mediator may serve as the Mediator in that specific matter.

(b) A mediator who enters into an agreement under section 4(a) of this rule may be included on the Environmental Claims Mediator Roster upon satisfaction of the requirements of (2)(a), (2)(b), (2)(d) and certification that the Mediator has completed the program orientation referred to in section (2)(e)(i) of this rule.

(5) Notwithstanding any other provision of these rules, if a Mediator is eligible for inclusion on the Environmental Claims Mediator Roster on the basis that they have conducted 5 (five) or more mediations involving environmental insurance claims, the Mediator shall be excused from compliance with the requirements of (2)(d), (2)(e)(ii) and (2)(f) above.

(6) Upon becoming aware that a mediator does not meet the requirements of this rule or has performed in a manner inconsistent with the mediator's professional standards identified in section 2(b)(i) of this rule, the MSP shall remove that mediator from the Roster.

Stat. Auth.: ORS 465.484(2)(e)
Stats. Implemented: ORS 465.484(2), ORS 465.483(3)(b)
Hist.: DOJ 14-2014(Temp), f. & cert. ef. 10-31-14 thru 4-28-15

137-130-0210

Mediation Fees

(1) The fees for each Mediator on the Environmental Claims Mediator Roster, and any other fees that may be charged to the parties to an Environmental Claims Mediation shall be provided by the Mediation Service Provider to the Department of Justice and published on the Mediation Service Provider's website and at the Department of Justice website at http://www.doj.state.or.us/adr/pages/environmental_claims.aspx.

(2) Unless agreed otherwise by the parties in writing, the Mediation Service Provider shall ensure that the fees and costs of the Mediation are billed equally to the parties to the Mediation.

(3) The Mediation Service Provider shall ensure that the parties are billed for the Mediator's services consistent with the published fee schedule.

(4) The Mediation Service Provider shall provide to the Department of Justice a schedule for any additional fees charged for mediation services that are not included in the Mediator's hourly rate. This fee schedule shall be published on the Mediation Service Provider's website and at the Department of Justice website at http://www.doj.state.or.us/adr/pages/environmental_claims.aspx.

Stat. Auth.: ORS 465.484(2)(e)
Stats. Implemented: ORS 465.484(2), ORS 465.483(3)(b)
Hist.: DOJ 14-2014(Temp), f. & cert. ef. 10-31-14 thru 4-28-15

Department of Public Safety Standards and Training Chapter 259

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

Adm. Order No.: DPSST 29-2014

Filed with Sec. of State: 10-22-2014

Certified to be Effective: 10-22-14

Notice Publication Date: 10-1-2014

Rules Repealed: 259-040-0000

Subject: 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 it is being repealed to eliminate confusion.

Rules Coordinator: Sharon Huck—(503) 378-2432

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

Adm. Order No.: DPSST 30-2014

Filed with Sec. of State: 10-22-2014

Certified to be Effective: 10-22-14

Notice Publication Date: 10-1-2014

Rules Amended: 259-008-0070, 259-009-0070

Rules Repealed: 259-008-0070(T), 259-009-0070(T)

Subject: DPSST recently learned that the rule language in 259-008-0070 and 259-009-0070 relating to the denial and revocation of crim-

inal 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 permanent rule change repeals the temporary rules.

Rules Coordinator: Sharon Huck—(503) 378-2432

259-008-0070

Denial/Revocation

(1) It is the responsibility of the Board to set the standards, and of the Department to uphold them, to ensure the highest levels of professionalism and discipline. These standards shall be upheld at all times unless the Board determines that neither the safety of the public nor respect of the profession is compromised.

(2) Definitions. For purposes of this rule, the following definitions apply:

(a) "Denial" or "Deny" means the refusal to grant a certification for mandatory grounds or discretionary disqualifying misconduct as identified in this rule, pursuant to the procedures identified in (9) of this rule.

(b) "Discretionary Disqualifying Misconduct" means misconduct identified in OAR 259-008-0070(4).

(c) "Revocation" or "Revoke" means to withdraw the certification of a public safety professional for mandatory grounds or discretionary disqualifying misconduct as identified in this rule, pursuant to the procedures identified in section (9) of this rule.

(3) Mandatory Grounds for Denying or Revoking Certification of a Public Safety Professional:

(a) Standards and Certification must deny or revoke the certification of any public safety professional after written notice and hearing, based upon a finding that:

(A) The public safety professional has been discharged for cause from employment as a public safety professional. For purposes of this rule, "discharged for cause," means an employer-initiated termination of employment for any of the following reasons after a final determination has been made. If, after service by Standards and Certification of a Notice of Intent to Deny or Revoke Certifications (NOI), the public safety professional provides notice to Standards and Certification within the time stated in the NOI that the discharge has not become final, then Standards and Certification may stay further action, pending a final determination.

(i) Dishonesty: Includes untruthfulness, dishonesty by admission or omission, deception, misrepresentation, falsification;

(ii) Disregard for the Rights of Others: Includes violating the constitutional or civil rights of others, conduct demonstrating a disregard for the principles of fairness, respect for the rights of others, protecting vulnerable persons, and the fundamental duty to protect and serve the public.

(iii) Gross Misconduct: means an act or failure to act that creates a danger or risk to persons, property, or to the efficient operation of the agency, recognizable as a gross deviation from the standard of care that a reasonable public safety professional would observe in a similar circumstance;

(iv) Incompetence: means a demonstrated lack of ability to perform the essential tasks of a public safety professional that remedial measures have been unable to correct; or

(v) Misuse of Authority: Includes abuse of public trust, abuse of authority to obtain a benefit, avoid a detriment, or harm another, and abuse under the color of office.

(B) The public safety professional has been convicted in this state or any other jurisdiction of a crime designated under the law where the conviction occurred as being punishable as a felony or as a crime for which a maximum term of imprisonment of more than one year may be imposed;

(C) The public safety professional has been convicted of violating any law of this state or any other jurisdiction involving the unlawful use, possession, delivery or manufacture of a controlled substance, narcotic or dangerous drug, except the Department may deny certification for a conviction of possession of less than one ounce of marijuana, which occurred prior to certification; or

ADMINISTRATIVE RULES

(D) The public safety professional has been convicted in this state of any of the following offenses, or of their statutory counterpart(s) in any other jurisdiction, designated under the law where the conviction occurred as being punishable as a crime:

25.785(3) (False Submission of a Statement Regarding Social Security Number);
106.041(5) (Intentional False Statement on Marriage License; Application);
162.075 (False swearing);
162.085 (Unsworn falsification);
162.145 (Escape in the third degree);
162.175 (Unauthorized departure);
162.195 (Failure to appear in the second degree);
162.235 (Obstructing governmental or judicial administration);
162.247 (Interfering with a peace officer);
162.257 (Interfering with a firefighter or emergency medical technician);
162.295 (Tampering with physical evidence);
162.305 (Tampering with public records);
162.315 (Resisting arrest);
162.335 (Compounding);
162.365 (Criminal impersonation);
162.369 (Possession of false law enforcement identification);
162.375 (Initiating a false report);
162.385 (Giving false information to a peace officer for a citation or arrest warrant);
162.415 (Official misconduct in the first degree);
163.200 (Criminal mistreatment in the second degree);
163.454 (Custodial sexual misconduct in the second degree);
163.687 (Encouraging child sexual abuse in the third degree);
163.732 (Stalking);
164.045 (Theft in the second degree);
164.085 (Theft by deception);
164.095 (Theft by receiving);
164.125 (Theft of services);
164.235 (Possession of a burglary tool or theft device);
164.877 (Unlawful tree spiking; unlawful possession of substance that can damage certain wood processing equipment);
165.007 (Forgery in the second degree);
165.017 (Criminal possession of a forged instrument in the second degree);
165.037 (Criminal simulation);
165.042 (Fraudulently obtaining a signature);
165.047 (Unlawfully using slugs);
165.055 (Fraudulent use of a credit card);
165.065 (Negotiating a bad check);
165.080 (Falsifying business records);
165.095 (Misapplication of entrusted property);
165.100 (Issuing a false financial statement);
165.102 (Obtain execution of documents by deception);
165.118(1) (Unlawfully Altering Metal Property);
165.118(2)(a)(b) (False Statement on a Metal Property Record);
165.825 (Sale of drugged horse);
166.065(1)(b) (Harassment);
166.155 (Intimidation in the second degree);
166.270 (Possession of weapons by certain felons);
166.350 (Unlawful possession of armor-piercing ammunition);
166.416 (Providing false information in connection with a transfer of a firearm);
166.418 (Improperly transferring a firearm);
166.470 (Limitations and conditions for sales of firearms);
167.007 (Prostitution);
167.075 (Exhibiting an obscene performance to a minor);
167.080 (Displaying obscene materials to minors);
167.132 (Possession of gambling records in the second degree);
167.147 (Possession of a gambling device);
167.222 (Frequenting a place where controlled substances are used);
167.262 (Adult using minor in commission of controlled substance offense);
167.320 (Animal abuse in the first degree);
167.330 (Animal neglect in the first degree);
167.332 (Prohibition against possession of domestic animal);
167.333 (Sexual assault of animal);
167.337 (Interfering with law enforcement animal);
167.355 (Involvement in animal fighting);
167.370 (Participation in dogfighting);
167.431 (Participation in cockfighting);
167.820 (Concealing the birth of an infant);
305.815 (False Swearing of Return, Statement or Other Tax Document);
307.990 (Willful False Statement to Property Tax Assessment Officer);
398.224 (Refusal to Appear to Testify);
462.415(2) (Racing a Prohibited Animal);
462.420 (Stimulating or Depressing Participating Animal);
462.430 (Influencing the Results of Races);
462.450 (Possession, Transportation or Use of Drugs at Race Course);
462.460 (Racing an Animal Under Name or Designation Other than Registered Name or Designation or Altering License);
462.470 (Aiding or Abetting Racing Animal Under Name or Designation Other than Registered Name or Designation);
475.525 (Sale of drug paraphernalia);
475.840 (Manufacture or deliver a controlled substance);
475.860 (Unlawful delivery of marijuana);
475.864 (Unlawful possession of marijuana);
475.906 (Distribution of controlled substance to minors);
475.910 (Application of controlled substance to the body of another person);
475.912 (Unlawful delivery of imitation controlled substance);
475.914 (Unlawful acts, registrant delivering or dispensing controlled substance);
475.916 (Prohibited acts involving records and fraud);
475.918 (Falsifying drug test results);
475.920 (Providing drug test falsification equipment);
475.950 (Failure to report precursor substances transaction);
475.955 (Failure to report missing precursor substances);
475.960 (Illegally selling drug equipment);

475.965 (Providing false information on precursor substances report or record);
475.969 (Unlawful possession of phosphorus);
475.971 (Unlawful possession of anhydrous ammonia);
475.973 (Unlawful possession of ephedrine, pseudoephedrine or phenylpropranolamine; unlawful distribution);
475.975 (Unlawful possession of iodine in its elemental form);
475.976 (Unlawful possession of iodine matrix);
657.300 (False Statements or Failure to Report Material Fact by Employer);
657.495 (Fraudulently Lowering Contributions);
658.415 (False Swearing or Affirmation of Application of License, Proof of Insurance and Financial Responsibilities of Farm Labor Contractors);
659.810 (Filing a False Statement with Employment Agency to Secure Labor);
679.170(3) (Fraudulent Alteration of Diploma, Certificate or Transcript);
679.170(5) (Willful False Statement to Oregon Board of Dentistry);
689.995 (Willfully Furnishing False Information; Pharmacists, Drug Outlets, Drug Sales);
807.520 (False swearing to receive license);
807.620 (Giving false information to police officer);

(E) Any offense involving any acts of domestic violence as defined in ORS 135.230.

(b) Standards and Certification must take action on a mandatory disqualifying conviction, regardless of when it occurred, unless Standards and Certification, or the Board, has previously reviewed the conviction and approved the public safety professional for certification under a prior set of standards.

(4) Discretionary disqualifying misconduct as Grounds for Denying or Revoking Certification(s) of a Public Safety Professional:

(a) Standards and Certification may deny or revoke the certification of any public safety professional after written notice, and a hearing, if requested, based upon a finding that:

(A) The public safety professional falsified any information submitted on the application for certification or on any documents submitted to the Board or Department;

(B) The public safety professional has engaged in conduct that fails to meet the applicable minimum standards as described in subsection (b), minimum training or the terms and conditions established under ORS 181.640;

(C) The public safety professional has engaged in conduct that resulted in the conviction of an offense, punishable as a crime, other than a mandatory disqualifying crime listed in section (3) of this rule, in this state or any other jurisdiction. Presumptive categories have been identified for the crimes listed in subsection (4), based solely on the elements of the crime. Other categories may apply based on the conduct leading to the conviction; or

(D) A public safety officer failed to attend at least one session with a mental health professional within six months after the public safety officer was involved in using deadly physical force, as required by ORS 181.789.

(b) For purposes of this rule, discretionary disqualifying misconduct includes misconduct falling within the following categories:

(A) Category I: Dishonesty: Includes untruthfulness, dishonesty by admission or omission, deception, misrepresentation, falsification;

(B) Category II: Disregard for the Rights of Others: Includes violating the constitutional or civil rights of others, and conduct demonstrating a disregard for the principles of fairness, respect for the rights of others, protecting vulnerable persons, and the fundamental duty to protect or serve the public;

(C) Category III: Misuse of Authority: Includes abuse of public trust, obtaining a benefit, avoidance of detriment, or harming another, and abuses under the color of office;

(D) Category IV: Gross Misconduct: Means an act or failure to act that creates a danger or risk to persons, property, or to the efficient operation of the agency, recognizable as a gross deviation from the standard of care that a reasonable public safety professional would observe in a similar circumstance;

(E) Category V: Misconduct: Misconduct includes conduct that violates the law, practices or standards generally followed in the Oregon public safety profession. By definition, all criminal convictions meet the definition of Misconduct within this category.

NOTE: It is the intent of this rule that "Contempt of Court" meets the definition of Misconduct within this category; or

(F) Category VI: Insubordination: Includes a refusal by a public safety professional to comply with a rule or order, where the order was reasonably related to the orderly, efficient, or safe operation of the agency, and where the public safety professional's refusal to comply with the rule or order constitutes a substantial breach of that person's duties.

(c) For discretionary disqualifying misconduct, the applicable category will be determined based on the facts of each case. Discretionary disqualifying misconduct under (a)(C) includes, but is not limited to, the following list, which identifies the applicable category for each listed discretionary offense, based on the elements of the crime.

ADMINISTRATIVE RULES

NOTE: Those criminal convictions not listed below are presumptively considered Misconduct (Category V):

25.260 (Unlawful Disclosure of Confidential Records of Child Support Division) — Category II;
162.405 (Official Misconduct in the Second Degree) — Category III;
162.425 (Misuse of Confidential Information) — Category III;
162.465 (Unlawful Legislative Lobbying) — Category I;
163.160 (Assault in the Fourth Degree) — Category II;
163.187 (Strangulation) — Category II;
163.190 (Menacing) — Category II;
163.195 (Recklessly Endangering Another Person) — Category IV;
163.212 (Unlawful Use of Stun Gun, Tear Gas or Mace in the Second Degree) — Category IV;
163.415 (Sexual Abuse in the Third Degree) — Category II;
163.435 (Contributing to the Sexual Delinquency of a Minor) — Category II;
163.445 (Sexual Misconduct) — Category II;
163.465 (Public Indecency) — Category II;
163.467 (Private Indecency) — Category II;
163.545 (Child Neglect in the Second Degree) — Category IV;
163.693 (Failure to Report Child Pornography) — Category IV;
163.575 (Endangering the Welfare of a Minor) — Category III;
163.700 (Invasion of Personal Privacy) — Category II;
163.709 (Unlawful Directing of Light from a Laser Pointer) — Category IV;
164.162 (Mail Theft or Receipt of Stolen Mail) — Category I;
164.265 (Criminal Trespass While in Possession of a Firearm) — Category IV;
164.272 (Unlawful Entry into a Motor Vehicle) — Category IV;
164.335 (Reckless Burning) — Category IV;
164.785 (Placing Offensive Substances in waters/on highways or property) — Category IV;
164.845 (FTA on Summons for ORS 164.813 or 164.825) — Category IV;
164.887 (Interference with Agricultural Operations) — Category II;
165.540 (Obtaining Contents of Communications) — Category IV;
165.570 (Improper Use of Emergency Reporting System) — Category IV;
165.572 (Interference with Making a Report) — Category II;
165.577 (Cellular Counterfeiting in the Third Degree) — Category I;
165.805 (Misrepresentation of Age by a Minor) — Category I;
166.025 (Disorderly Conduct in the Second Degree) — Category IV;
166.027 (Disorderly Conduct in the First Degree) — Category IV;
166.075 (Abuse of Venerated Objects) — Category II;
166.076 (Abuse of a Memorial to the Dead) — Category II;
166.090 (Telephonic Harassment) — Category II;
166.095 (Misconduct with Emergency Telephone Calls) — Category IV;
166.155 (Intimidation in the Second Degree) — Category II;
166.180 (Negligently Wounding Another) — Category IV;
166.190 (Pointing a Firearm at Another) — Category IV;
166.240 (Carrying a Concealed Weapon) — Category IV;
166.250 (Unlawful Possession of a Firearm) — Category IV;
166.320 (Setting of a Springgun or Setgun) — Category IV;
166.385 (Possession of Hoax Destructive Device) — Category IV;
166.425 (Unlawful Purchase of Firearm) — Category I;
166.427 (Register of Transfers of Used Firearms) — Category IV;
166.480 (Sale or Gift of Explosives to Children) — Category IV;
166.635 (Discharging Weapon or Throwing Object at Trains) — Category IV;
166.638 (Discharging Weapon Across Airport Operational Surfaces) — Category IV;
166.649 (Throwing Object off Overpass in the Second Degree) — Category IV;
167.312 (Research and Animal Interference) — Category II;
167.315 (Animal Abuse in the Second Degree) — Category IV;
167.325 (Animal Neglect in the Second Degree) — Category IV;
167.340 (Animal Abandonment) — Category IV;
167.352 (Interfering with Assistance, Search and Rescue or Therapy Animal) — Category IV;
167.385 (Unauthorized Use of Livestock Animal) — Category II;
167.388 (Interference with Livestock Production) — Category II;
167.808 (Unlawful Possession of Inhalants) — Category IV;
167.810 (Creating a Hazard) — Category IV;
167.822 (Improper Repair Vehicle Inflatable Restraint System) — Category IV;
241.525 (Corrupt Practices) — Category III;
Chapter 319 (Any Violation Involving a False Statement — Motor Vehicle and Aircraft Fuel Tax) — Category I;
411.320 (Disclosure and Use of Public Assistance Records) — Category II;
468.956 (Refusal to Produce Material Subpoenaed by the Commission) — Category IV;
471.410 (Providing Liquor to Person under 21 or to Intoxicated Person) — Category IV;
609.805 (Misrepresentation of Pedigree; Mutilation of Certificate or Proof of Pedigree) — Category I;
609.990(3)(a) (Violation of ORS 609.098 — Maintaining a Dangerous Dog) — Category IV;
632.470 (False Representation as to Raising, Production or Packaging) — Category I;
632.475 (Possession of Unlabeled, Falsely Labeled or Deceptively Packed Products) — Category I;
657.295 (Violation of Unemployment Insurance Witness Fees, Disputed Claims Expenses and Counsel Fees) — Category I;
659.800 (Use of Force or Misrepresentation to Prevent Employment) — Category I;
659.805 (Blacklisting and Blackmailing) — Category II;
659.815 (Deceptive Representations or Advertisements by Persons Employing Labor) — Category I;
659.845 (Fraudulently Accepting Advancement and Refusing to Work) — Category I;
661.040 (Violation of Limitations of Fees Charged laborers by Collective Bargaining Agents) — Category I;
661.260 (False Filing or Fraudulent Filing) — Category I;
688.120 (Fraudulent Representation as a Physical Therapist or Physical Therapist Assistant) — Category I;
731.260 (False or Misleading Filings; Insurance Code) — Category I;
803.225 (Failure to Designate Replica Vehicle in Title or Registration Application) — Category I;

807.430 (Misuse of Identification Card) — Category I;
807.510 (Transfer of documents for the purpose of misrepresentation) — Category I;
807.530 (False Application for License) — Category I;
807.580 (Using Invalid License) — Category I;
807.590 (Permitting Misuse of License) — Category I;
807.600 (Using Another's License) — Category I;
811.060 (Vehicular Assault of Bicyclist or Pedestrian) — Category IV;
811.140 (Reckless Driving) — Category IV;
811.182 (Criminal Driving While Suspended or Revoked) — Category IV;
811.231 (Reckless Endangerment of Highway Workers) — Category IV;
811.540 (Fleeing or Attempt to Elude a Police Officer) — Category IV;
811.700 (Failure to Perform Duties of Driver when Property is Damaged) — Category IV;
811.740 (False Accident Report) — Category I;
813.010 (Driving Under the Influence of Intoxicants) — Category IV;
825.990(3)(d) (False Material Statement or Representation in any Application, Label, Manifest, Record, Report, Permit or Other Document Filed, Maintained or Used for Purposes of Compliance) — Category I;
825.990(3)(e) (Failure to Include Material Information Required by Department of Transportation) — Category I;
830.035(2) (Fleeing; Attempts to Elude) — Category IV;
830.053 (False or Fraudulent Report of Theft of Boat) — Category I;
830.315(1) (Reckless Operation) — Category IV;
830.325 (Operate a Boat while Under the Influence of Intoxicating Liquor or Controlled Substance) — Category IV;
830.475(1) (Failure to Perform the Duties of an Operator at Accident) — Category IV;
830.730 (False Information) — Category I;
830.994 (Operate a Boat in Violation of a Court Order) — Category IV;
837.080 (Prohibited Operation of an Aircraft) — Category IV.

(d) **Initial Periods of Ineligibility.** Upon determination to proceed with the denial or revocation of a public safety professional's certification based on discretionary disqualifying misconduct identified in subsection (a), an initial minimum period of ineligibility to apply for certification will be determined based upon the category of misconduct (i.e., Dishonesty, Disregard for Rights of Others, Misuse of Authority, Gross Misconduct, Misconduct or Insubordination).

(e) Following review and recommendation by a Policy Committee, the Board will determine the initial minimum period of ineligibility for discretionary disqualifying misconduct identified in subsection (a) from the time frame identified below for each category of discretionary disqualifying misconduct:

- (A) Category I: Dishonesty (5 years to Lifetime).
- (B) Category II: Disregard for Rights of Others (5 years to 15 years).
- (C) Category III: Misuse of Authority (5 years to 10 years).
- (D) Category IV: Gross Misconduct (5 years to 10 years).
- (E) Category V: Misconduct (3 years to 7 years).
- (F) Category VI: Insubordination (3 years to 7 years).

(5) **Eligibility to Reapply; Ineligibility Periods.** A person is not eligible to reapply for training or certification if the person had training or certification denied or revoked for:

- (a) Mandatory grounds identified in section (3) of this rule; or
- (b) Discretionary Disqualifying Misconduct identified in section (4) of this rule that is determined to be a Category I lifetime disqualifier.

(6) **Eligibility to reapply for certification:**

(a) In determining the initial minimum period of ineligibility within any category for discretionary disqualifying misconduct listed in section (4) of this rule, the Board will take into consideration any mitigating or aggravating factors, subject to the provisions of section (9) of this rule.

(b) The initial minimum period of ineligibility will be included in any Final Order of the Department.

(c) Any subsequent eligibility to apply for certification will be determined by the Board, after Policy Committee review, subject to the provisions of section (11) of this rule.

(7) **Guidelines for Denial or Revocation Based on Discretionary Disqualifying Misconduct.** In determining whether to take action on a conviction, Standards and Certification must use the following guidelines:

(a) In making a decision on a discretionary denial or revocation, Standards and Certification will consider the implementation dates relating to new mandatory conviction notification requirements adopted in 2003 and statutory changes dealing with lifetime disqualifier convictions for public safety professionals adopted in 2001.

(b) Standards and Certification will not take action on a conviction constituting discretionary disqualifying misconduct that occurred prior to January 1, 2001. However, Standards and Certification may consider such conviction as evidence that a public safety professional does not meet the established moral fitness guidelines.

(c) Standards and Certification may take action on any conviction constituting discretionary disqualifying misconduct that occurred after January 1, 2001; however, crimes with a presumptive category of only Misconduct (Category V) may be appropriate for summary staff disposition or administrative closure if the conviction occurred seven years or more

ADMINISTRATIVE RULES

prior to the date of review and it represents the sole criminal conviction in the public safety professional's history.

(d) The Board may reconsider any mandatory conviction which subsequently becomes a conviction constituting discretionary disqualifying misconduct, upon the request of the public safety professional.

(e) The length of ineligibility for training or certification based on a conviction begins on the date of conviction.

(f) Standards and Certification will not take action against a public safety professional or agency for failing to report, prior to January 1, 2003, a conviction that constitutes discretionary disqualifying misconduct.

(g) Standards and Certification may take action against a public safety professional or agency for failing to report, after January 1, 2003, any conviction that constitutes discretionary disqualifying misconduct.

(8) Scope of Revocation. Whenever the Department revokes the certification of any public safety professional under the provisions of OAR 259-008-0070, the revocation will encompass all public safety certificates, except fire certification(s), the Department has issued to that person.

(9) Denial and Revocation Procedure.

(a) Agency Initiated Review: When the entity utilizing a public safety professional requests that a public safety professional's certification be denied or revoked, it must submit in writing to Standards and Certification the reason for the requested denial or revocation and all factual information supporting the request.

(b) Standards and Certification Initiated Review: Upon receipt of factual information from any source, and pursuant to ORS 181.662, Standards and Certification may request that the public safety professional's certification be denied or revoked.

(c) Standards and Certification Staff Review: When Standards and Certification receives information, from any source, that a public safety professional may not meet the established standards for Oregon public safety professionals, Standards and Certification will review the request and the supporting factual information to determine if the request for denial or revocation meets statutory and administrative rule requirements.

(A) If the reason for the request does not meet the statutory and administrative rule requirements for denial or revocation Standards and Certification will notify the requestor.

(B) If the reason for the request does meet statutory and administrative rule requirements but is not supported by adequate factual information, Standards and Certification will request further information from the employer or conduct its own investigation of the matter.

(C) If Standards and Certification determines that a public safety professional may have engaged in discretionary disqualifying misconduct listed in subsection (4), the case may be presented to the Board, through a Policy Committee.

(D) Standards and Certification will seek input from the affected public safety professional, allowing him or her to provide, in writing, information for the Policy Committee and Board's review.

(E) In misconduct cases where there has been an arbitrator's opinion related to the public safety professional's employment, Standards and Certification will proceed as follows:

(i) If the arbitrator's opinion finds that underlying facts supported the allegations of misconduct, Standards and Certification will proceed as identified in paragraphs (A) through (D) of this subsection.

(ii) If the arbitrator has ordered employment reinstatement after a discharge for cause without a finding related to whether the misconduct occurred, Standards and Certification will proceed as identified in paragraphs (A) through (D) of this subsection.

(iii) If the arbitrator's opinion finds that underlying facts did not support the allegation(s) of misconduct, Standards and Certification will proceed as identified in paragraph (A) of this subsection and administratively close the matter.

(d) Policy Committee and Board Review: In making a decision to authorize initiation of proceedings under subsection (e) of this rule, based on discretionary disqualifying misconduct, the Policy Committees and Board may consider mitigating and aggravating circumstances, including, but not limited to, the following:

(A) When the misconduct occurred in relation to the public safety professional's employment in public safety (i.e., before, during after);

(B) If the misconduct resulted in a conviction:

(i) Whether it was a misdemeanor or violation;

(ii) The date of the conviction(s);

(iii) Whether the public safety professional was a minor at the time and tried as an adult;

(iv) Whether the public safety professional served time in prison or jail and the length of incarceration;

(v) Whether restitution was ordered, and whether the public safety professional met all obligations;

(vi) Whether the public safety professional has ever been on parole or probation. If so, the date the parole or probation period expired or will expire; and

(vii) Whether the public safety professional has more than one conviction and over what period of time;

(C) Whether the public safety professional engaged in the same misconduct more than once and over what period of time;

(D) Whether the actions of the public safety professional reflect adversely on the profession or would cause a reasonable person to have substantial doubts about the public safety professional's honesty, fairness, respect for the rights of others, or for the laws of the state or the nation;

(E) Whether the misconduct involved domestic violence;

(F) Whether the public safety professional self-reported the misconduct;

(G) Whether the conduct adversely reflects on the fitness of the public safety professional to perform as a public safety professional;

(H) Whether the conduct renders the public safety professional otherwise unfit to perform their duties because the agency or public has lost confidence in the public safety professional; and

(I) What the public safety professional's physical or emotional condition was at the time of the conduct.

(e) Initiation of Proceedings: Upon determination that the reason for denial or revocation is supported by factual data meeting the statutory and administrative rule requirements, a contested case notice will be prepared and served on the public safety professional.

(f) Contested Case Notice:

(A) All contested case notices will be prepared in accordance with the applicable provisions of the Attorney General's Model Rules or Procedures adopted under OAR 259-005-0015.

(B) In discretionary cases heard by a policy committee, the contested case notice will be served on the public safety professional prior to Board review. If the Board disapproves the policy committee's recommendation, the Department will withdraw the Contested Case Notice.

(g) Response Time:

(A) A party who has been served with a "Contested Case Notice of Intent to Deny Certification" has 60 days from the date of mailing or personal service of the notice in which to file a written request for a hearing with the Department.

(B) A party who has been served with the "Contested Case Notice of Intent to Revoke Certification" has 20 days from the date of mailing or personal service of the notice in which to file a written request for hearing with the Department.

(h) Default Orders:

(A) If a timely request for a hearing is not received, the Contested Case Notice will become a final order denying or revoking certification pursuant to OAR 137-003-0672.

(B) If a timely request for a hearing is not received in cases heard by a policy committee, the Contested Case Notice will become a final order denying or revoking certification pursuant to OAR 137-003-0672, pending Board affirmation.

(i) Hearing Request: If a timely request for a hearing is received, the Department will refer the matter to the Office of Administrative Hearings in accordance with OAR 137-003-0515.

(j) Proposed and Final Orders:

(A) In cases in which a hearing is requested, proposed orders, exceptions, and final orders will be issued pursuant to the applicable provisions of the Attorney General's Model Rules of Procedures adopted under OAR 259-005-0015.

(B) Department-proposed amendments to a proposed order issued by an Administrative Law Judge in a case that was originally heard by a policy committee must be considered and approved by the policy committee that originally reviewed the case before a final order can be issued.

(k) Stipulated Order Revoking Certification: The Department may enter a stipulated order revoking the certification of a public safety professional upon the person's voluntary agreement to terminate an administrative proceeding to revoke a certification, or to relinquish a certification, under the terms and conditions outlined in the stipulated order.

(10) Appeal Procedure. A public safety professional, aggrieved by the findings and Order of the Department may, as provided in ORS 183.480, file an appeal with the Court of Appeals from the final Order of the Department.

(11) Reapplication Process.

ADMINISTRATIVE RULES

(a) Any public safety professional whose certification has been denied or revoked pursuant to section (4) of this rule, may reapply for certification within the applicable timeframes described in sections (4) through (6) of this rule. The initial minimum ineligibility period will begin on the date an Order of the Department denying or revoking certification becomes final. The initial minimum ineligibility period will cease when the applicable timeframe stated in the Order has been satisfied.

(b) Any public safety professional whose certification has been denied or revoked based on discretionary disqualifying misconduct may not reapply for certification until:

(A) The initial minimum period of ineligibility stated in an Order of the Department denying or revoking certification has been satisfied;

(i) If the initial period of ineligibility for the individual was for a period of less than the maximum period identified in section (4) of this rule, and the Board determines that an individual must remain ineligible to apply for certification, then the individual may not reapply for certification under the provisions of this rule until after the maximum initial period of ineligibility identified in (4) of this rule has been satisfied.

(ii) If the individual has satisfied the maximum initial period of ineligibility and the Board determines that an individual must remain ineligible to apply for certification, then the individual may not submit any further requests for an eligibility determination, and the original denial or revocation remains permanent.

(B) A written request for an eligibility determination has been submitted to the Department and a Policy Committee has recommended that a public safety professional's eligibility to apply for public safety or instructor certification be restored and the Board has upheld the recommendation;

(i) A request for an eligibility determination should include documentation or information that supports the public safety professional's request for eligibility to apply for certification.

(ii) In considering a request for an eligibility determination, the Policy Committee and the Board may consider mitigating and aggravating circumstances identified in Section 9(d) of this rule.

(iii) After reviewing a written request for an eligibility determination, the Board, through a Policy Committee, may determine that the individual's eligibility to apply for certification be restored if the criteria for certification have been met; or determine that the factors that originally resulted in denial or revocation have not been satisfactorily mitigated and the individual must remain ineligible to apply for certification.

(C) The public safety professional is employed or utilized by a public safety agency or the Department; and

(D) All requirements for certification have been met.

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

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

Hist.: PS 12, f. & ef. 12-19-77; PS 1-1979, f. 10-1-79, ef. 10-3-79; PS 1-1980(Temp), f. & ef. 6-26-80; PS 2-1980, f. & ef. 12-8-80; PS 1-1981, f. 9-26-81, ef. 11-2-81; PS 1-1983, f. & ef. 12-15-83; PS 1-1985, f. & ef. 4-24-85; Renumbered from 259-010-0055, PS 1-1990, f. & cert. ef. 2-7-90; PS 2-1995, f. & cert. ef. 9-27-95; PS 2-1996, f. 5-15-96, cert. ef. 5-20-96; 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; BPSST 14-2001(Temp), f. & cert. ef. 10-26-01 thru 4-5-02; BPSST 5-2002(Temp), f. & cert. ef. 4-6-02 thru 8-1-02; BPSST 16-2002, f. & cert. ef. 7-5-02; BPSST 22-2002, f. & cert. ef. 11-18-02; DPSST 7-2003, f. & cert. ef. 4-11-03; DPSST 7-2004, f. & cert. ef. 4-23-04; DPSST 10-2006, f. & cert. ef. 7-6-06; DPSST 16-2008, f. & cert. ef. 10-15-08; DPSST 21-2008, f. 12-15-08, cert. ef. 1-1-09; DPSST 11-2011, f. & cert. ef. 7-1-11; DPSST 11-2012, f. & cert. ef. 4-24-12; DPSST 19-2012, f. & cert. ef. 8-31-12; DPSST 22-2012, f. & cert. ef. 10-23-12; DPSST 26-2012(Temp), f. & cert. ef. 12-14-12 thru 6-12-13; DPSST 3-2013, f. & cert. ef. 1-22-13; DPSST 21-2013, f. & cert. ef. 9-23-13; DPSST 1-2014, f. & cert. ef. 1-2-14; DPSST 4-2014, f. & cert. ef. 1-28-14; DPSST 7-2014(Temp), f. & cert. ef. 2-27-14 thru 8-1-14; DPSST 16-2014, f. & cert. ef. 6-24-14; DPSST 20-2014, f. & cert. ef. 7-30-14; DPSST 21-2014(Temp), f. & cert. ef. 7-31-14 thru 1-27-14; DPSST 30-2014, f. & cert. ef. 10-22-14

259-009-0070

Denial/Revocation

(1) It is the responsibility of the Board to set the standards, and of the Department to uphold them, to ensure the highest levels of professionalism and discipline. These standards will be upheld at all times, unless the Board determines that the safety of the public or respect of the profession is compromised.

(2) Definitions. For purposes of this rule, the following definitions will apply:

(a) "Denial" or "Deny" means the refusal to grant a fire service certification for mandatory grounds or discretionary disqualifying misconduct as identified in this rule, pursuant to the procedures identified in (6) of this rule.

(b) "Discretionary Conviction" means a conviction identified in OAR 259-009-0070(4).

(c) "Discretionary Disqualifying Misconduct" means misconduct identified in OAR 259-009-0070(4).

(d) "Revocation" or "Revoke" means to withdraw the certification of a fire service professional or instructor for mandatory grounds or discretionary disqualifying misconduct as identified in this rule, pursuant to the procedures identified in section (6) of this rule.

(3) Mandatory Grounds for Denying or Revoking Certification of a Fire Service Professional or Instructor:

(a) The Department must deny or revoke the certification of any fire service professional or instructor, after written notice, and a hearing if requested, based upon a finding that:

(A) The fire service professional or instructor has been convicted in this state of a crime listed in ORS 137.700 or in any other jurisdiction of a crime that, if committed in this state would constitute a crime listed in 137.700. Those crimes are:

163.095 Attempted Aggravated Murder;

163.115 Attempted Murder;

163.115 Murder;

163.118 Manslaughter in the First Degree;

163.125 Manslaughter in the Second Degree;

163.149 Aggravated Vehicular Homicide;

163.175 Assault in the Second Degree;

163.185 Assault in the First Degree;

163.225 Kidnapping in the Second Degree;

163.235 Kidnapping in the First Degree;

163.365 Rape in the Second Degree;

163.375 Rape in the First Degree;

163.395 Sodomy in the Second Degree;

163.405 Sodomy in the First Degree;

163.408 Sexual Penetration in the Second Degree;

163.411 Sexual Penetration in the First Degree;

163.427 Sexual Abuse in the First Degree;

163.670 Using a Child in a Display of Sexually Explicit Conduct;

164.325 Arson in the First Degree (See exception under OAR 259-009-0070(4));

164.405 Robbery in the Second Degree;

164.415 Robbery in the First Degree;

167.017 Compelling Prostitution.

(B) The fire service professional or instructor has been discharged for cause from employment as a fire service professional or instructor.

(b) For purposes of this rule, "discharged for cause", means an employer initiated termination of employment for any of the following reasons after a final determination has been made. If, after service by the Department of a Notice of Intent to Deny or Revoke Certifications (NOI), the fire service professional or instructor provides notice to the Department within the time stated in the NOI that the discharge has not become final, then the Department may stay further action pending a final determination.

(A) Dishonesty: Includes untruthfulness, dishonesty by admission or omission, deception, misrepresentation, falsification;

(B) Disregard for the Rights of Others: Includes violating the constitutional or civil rights of others, conduct demonstrating a disregard for the principles of fairness, respect for the rights of others, protecting vulnerable persons, and the fundamental duty to protect and serve the public;

(C) Gross Misconduct: An act or failure to act that creates a danger or risk to persons, property, or to the efficient operation of the agency, recognizable as a gross deviation from the standard of care that a reasonable fire service professional or instructor would observe in a similar circumstance;

(D) Incompetence: A demonstrated lack of ability to perform the essential tasks of a fire service professional or instructor that remedial measures have been unable to correct;

(E) Misuse of Authority: Includes abuse of public trust, abuse of authority to obtain a benefit, avoid a detriment, or harm another, and abuse under the color of office;

(4) Discretionary disqualifying misconduct as Grounds for Denying or Revoking Certification(s) of a Fire Service Professional or Instructor:

(a) The Department may deny or revoke the certification of any fire service professional or instructor, after written notice, and a hearing, if requested, based upon a finding that:

(A) The fire service professional or instructor falsified any information submitted on the application for certification or on any documents submitted to the Board or Department;

(B) The fire service professional or instructor has been convicted of an offense listed in subsection (4)(c), punishable as a crime, other than a mandatory disqualifying crime listed in section (3) of this rule, in this state or any other jurisdiction.

(b) For purposes of this rule, the Department, through the Fire Policy Committee and Board, has defined core values that are integral to the fire service profession. These values are:

(A) Category I: Honesty. Honesty includes straightforwardness of conduct; integrity, adherence to the facts; freedom from subterfuge or duplicity; truthfulness and sincerity.

ADMINISTRATIVE RULES

(B) Category II: Professionalism. Professionalism includes the conduct, aims, or qualities that characterize or mark a profession or a professional person; extreme competence in an occupation or pursuit.

(C) Category III: Justice. Justice includes just treatment, the quality or characteristics of being just, impartial, or fair.

(c) Pursuant to ORS 181.662(3)(b), the Department has determined that, in the absence of a determination to the contrary by the Fire Policy Committee and Board, a fire service professional or instructor who has been convicted of the following crimes has violated the core values of the fire service profession and may not be fit to receive or hold certification:

25.785(3) (False Submission Social Security Number) — Category I;
92.337 (Furnishing False Information or Making a False Representation) — Category I;
162.015 (Bribe Giving) — Category III;
162.025 (Bribe Receiving) — Category III;
162.065 (Perjury) — Category I;
162.117 (Public Investment Fraud) — Category I;
162.155 (Escape in the Second Degree) — Category II;
162.165 (Escape in the First Degree) — Category II;
162.185 (Supplying Contraband) — Category II;
162.205 (Failure to Appear in the First Degree) — Category II;
162.265 (Bribing a Witness) — Category III;
162.275 (Bribe Receiving by a Witness) — Category III;
162.285 (Tampering with a Witness) — Category III;
162.305 (Tampering with Public Records) — Category III;
162.325 (Hindering Prosecution) — Category III;
162.355 (Simulating Legal Process) — Category III;
162.365 (Criminal Impersonation) — Category I;
162.367 (Criminal Impersonation of a Peace Officer) — Category I;
162.415 (Official Misconduct in the First Degree) — Category II;
163.145 (Criminally Negligent Homicide) — Category III;
163.160 (Assault in the Fourth Degree) — Category III;
163.165 (Assault in the Third Degree) — Category III;
163.205 (Criminal Mistreatment in the First Degree) — Category III;
163.207 (Female Genital Mutilation) — Category III;
163.208 (Assaulting a Public Safety Officer) — Category III;
163.213 (Unlawful Use of an Electrical Stun Gun, Tear Gas or Mace in the First Degree) — Category II;
163.245 (Custodial Interference in the Second Degree) — Category III;
163.257 (Custodial Interference in the First Degree) — Category III;
163.275 (Coercion) — Category III;
163.355 (Rape in the Third Degree) — Category III;
163.425 (Sexual Abuse in the Second Degree) — Category III;
163.465 (Public Indecency) — Category III;
163.515 (Bigamy) — Category III;
163.525 (Incest) — Category III;
163.535 (Abandonment of a Child) — Category III;
163.537 (Buying or Selling a Person Under 18 years of age) — Category III;
163.547 (Child Neglect in the First Degree) — Category III;
163.555 (Criminal Non-Support) — Category III;
163.684 (Encouraging Child Sexual Abuse in the First Degree) — Category III;
163.686 (Encouraging Child Sexual Abuse in the Second Degree) — Category III;
163.688 (Possession of Materials Depicting Sexually Explicit Conduct of a Child in the Second Degree) — Category III;
163.689 (Possession of Materials Depicting Sexually Explicit Conduct of a Child in the Second Degree) — Category III;
163.732 (Stalking) — Category III;
163.750 (Violating Court's Stalking Protective Order) — Category III;
164.045 (Theft in the Second Degree) — Category I;
164.055 (Theft in the First Degree) — Category I;
164.057 (Aggravated Theft in the First Degree) — Category I;
164.075 (Theft by Extortion) — Category I;
164.125 (Theft of Services: by Deception) — Category I;
164.135 (Unauthorized Use of a Vehicle) — Category I;
164.140 (Criminal Possession of Rented or Leased Personal Property: felony only) — Category I;
164.170 (Laundering a Monetary Instrument) — Category I;
164.172 (Engaging in a Financial Transaction in Property Derived from Unlawful Activity) — Category I;
164.215 (Burglary in the Second Degree) — Category III;
164.225 (Burglary in the First Degree) — Category III;
164.235 (Possession of a Burglary Tool or Theft Device) — Category III;
164.315 (Arson in the Second Degree) — Category II;
164.325 (Arson in the First Degree — If not a conviction under ORS 137.700) — Category II;
164.365 (Criminal Mischief in the First Degree) — Category III;
164.377 (Computer Crime) — Category III;
164.395 (Robbery in the Third Degree) — Category III;
164.868 (Unlawful Labeling of a Sound Recording) — Category III;
164.869 (Unlawful Recording of a Live Performance) — Category III;
164.872 (Unlawful Labeling of a Videotape Recording) — Category III;
164.885 (Endangering Aircraft) — Category II;
164.889 (Interference with Agricultural Research) — Category III;
165.013 (Forgery in the First Degree) — Category I;
165.022 (Criminal Possession of a Forged Instrument in the First Degree) — Category I;
165.032 (Criminal Possession of a Forgery Device) — Category I;
165.055 (Fraudulent Use of a Credit Card: Felony Only) — Category I;
165.065 (Negotiating a Bad Check) — Category I;
165.070 (Possessing Fraudulent Communications Device) — Category I;
165.074 (Unlawful Factoring of Payment Card Transaction) — Category I;
165.085 (Sports Bribery) — Category III;
165.090 (Sports Bribe Receiving) — Category III;
165.579 (Cellular Counterfeiting in the Second Degree) — Category III;

165.581 (Cellular Counterfeiting in the First Degree) — Category III;
165.692 (Making False Claim for Health Care Payment) — Category I;
165.800 (Identity Theft) — Category I;
165.810 (Unlawful Possession of a Personal Identification Device) — Category I;
165.813 (Unlawful Possession of Fictitious Identification) — Category I;
166.005 (Treason) — Category II;
166.015 (Riot) — Category II;
166.085 (Abuse of Corpse in the Second Degree) — Category II;
166.087 (Abuse of Corpse in the First Degree) — Category II;
166.155 (Intimidation in the Second Degree) — Category III;
166.165 (Intimidation in the First Degree) — Category III;
166.220 (Unlawful Use of Weapon) — Category II;
166.270 (Possession of Weapons by Certain Felons: Felony only) — Category II;
166.275 (Possession of Weapons by Inmates of Institutions) — Category II;
166.370 (Possession of Firearm or Dangerous Weapon in Public Building or Court Facility: Exceptions; Discharging Firearm at School) — Category II;
166.382 (Possession of Destructive Device Prohibited) — Category II;
166.384 (Unlawful Manufacture of Destructive Device) — Category II;
166.429 (Firearms Used in Felony) — Category II;
166.438 (Transfer of Firearms at Gun Shows: Felony Only) — Category II;
166.450 (Obliteration or Change of Identification Number on Firearms) — Category II;
166.642 (Felon in Possession of Body Armor) — Category II;
166.643 (Unlawful Possession of Body Armor) — Category II;
166.649 (Throwing an Object Off an Overpass in the Second Degree) — Category III;
166.651 (Throwing an Object Off an Overpass in the First Degree) — Category III;
166.660 (Unlawful Paramilitary Activity) — Category III;
166.720 (Racketeering Activity Unlawful) — Category II;
167.012 (Promoting Prostitution) — Category III;
167.062 (Sadomasochistic Abuse or Sexual Conduct in Live Show: Felony Only) — Category III;
167.164 (Possession of Gray Machine) — Category I;
167.212 (Tampering with Drug Records) — Category I;
167.262 (Adult Using Minor in Commission of Controlled Substance Offense: Felony Only) — Category III;
167.322 (Aggravated Animal Abuse in the First Degree) — Category III;
167.339 (Assaulting Law Enforcement Animal) — Category III;
305.815 (False Return, Statement or Document) — Category I;
411.630 (Unlawfully Obtaining Public Assistance) — Category I;
411.675 (Submitting Wrongful Claim for Payment) — Category I;
411.840 (Unlawfully Obtaining or Disposing of Supplemental Nutrition Assistance) — Category I;
433.010(1) (Willfully Causing the Spread of Communicable Disease) — Category II;
475.840 (Prohibited Acts Generally: Manufacture or Deliver a Controlled Substance) — Category II;
475.846 (Unlawful Manufacture of Heroin) — Category II;
475.848 (Unlawful Manufacture of Heroin Within 1,000 Feet of School) — Category III;
475.850 (Unlawful Delivery of Heroin) — Category II;
475.852 (Unlawful Delivery of Heroin Within 1,000 Feet of School) — Category III;
475.854 (Unlawful Possession of Heroin) — Category II;
475.856 (Unlawful Manufacture of Marijuana) — Category II;
475.858 (Unlawful Manufacture of Marijuana Within 1,000 Feet of School) — Category III;
475.860 (Unlawful Delivery of Marijuana: Felony only) — Category II;
475.862 (Unlawful Delivery of Marijuana Within 1,000 Feet of School) — Category III;
475.864 (Unlawful Possession of Marijuana: Felony only) — Category II;
475.866 (Unlawful Manufacture of 3,4-Methylenedioxymethamphetamine (Ecstasy)) — Category II;
475.868 (Unlawful Manufacture of 3,4-Methylenedioxymethamphetamine (Ecstasy) Within 1,000 Feet of School) — Category III;
475.870 (Unlawful Delivery of 3,4-Methylenedioxymethamphetamine (Ecstasy)) — Category II;
475.872 (Unlawful Delivery of 3,4-Methylenedioxymethamphetamine (Ecstasy) Within 1,000 Feet of School) — Category II;
475.874 (Unlawful Possession of 3,4-Methylenedioxymethamphetamine (Ecstasy)) — Category II;
475.876 (Unlawful Manufacture of Cocaine) — Category II;
475.878 (Unlawful Manufacture of Cocaine Within 1,000 Feet of School) — Category III;
475.880 (Unlawful Delivery of Cocaine) — Category II;
475.882 (Unlawful Delivery of Cocaine Within 1,000 Feet of School) — Category III;
475.884 (Unlawful Possession of Cocaine) — Category II;
475.886 (Unlawful Manufacture of Methamphetamine) — Category II;
475.888 (Unlawful Manufacture of Methamphetamine Within 1,000 Feet of School) — Category III;
475.890 (Unlawful Delivery of Methamphetamine) — Category II;
475.892 (Unlawful Delivery of Methamphetamine Within 1,000 Feet of School) — Category III;
475.894 (Unlawful Possession of Methamphetamine) — Category II;
475.904 (Unlawful Manufacture or Delivery of Controlled Substance Within 1,000 Feet of School) — Category III;
475.908 (Causing Another Person to Ingest a Controlled Substance) — Category III;
475.910 (Application of Controlled Substance to the Body of Another Person) — Category III;
475.914 (Prohibited Acts for Registrants: Deliver or Dispense Controlled Substance) — Category II;
475.962 (Distribution of Equipment, Solvent, Reagent or Precursor Substance with Intent to Facilitate Manufacture of Controlled Substances) — Category II;
475.967 (Possession of Precursor Substance With Intent to Manufacture Controlled Substance) — Category II;
475.977 (Possessing or Disposing of Methamphetamine Manufacturing Waste) — Category II;
476.150 (Entry and Inspection of Premises; Interfering or Preventing Entry) —

ADMINISTRATIVE RULES

Category II;
476.380 (Burning without a Permit) — Category II;
476.510 to 476.610 (Violations of the Emergency Conflagration Act) — Category II;
532.140 (Branding or Marking Forest Products and Booming Equipment with the Intent to Injure or Defraud) — Category I;
632.470 (False Representation as to Raising, Production or Packing, Class A Misdemeanor) — Category I;
632.475 (Possession of Unlabeled, Falsely Labeled or Deceptively Packed Products, Class A Misdemeanor) — Category I;
659.815 (Deceptive Representations or Advertisements by Persons Employing Labor) — Category I;
688.120 (Fraudulent Representation) — Category I;
689.995(3) (Willfully Furnishing False Information) — Category I;
689.995(4) (Making or Causing to be Made Any False Representations) — Category I;
731.260 (False or Misleading Filings) — Category I;
759.360(2) and (3)(False Statements or False Representation) — Category I;
811.182 (Criminal Driving While Suspended or Revoked) — Category II;
811.540 (Fleeing or Attempting to Elude Police Officer: Felony Only) — Category II;
811.705 (Failure to Perform Duties of a Driver to Person Injured) — Category II;
813.010 (DUI: Felony Only) — Category II.

(A) Any crime that requires the fire service professional or instructor to register as a sex offender.

(B) “Attempt,” “Solicitation,” or “Conspiracy” to commit a crime listed in ORS 137.700 or in any other jurisdiction that, if committed in this state would constitute an attempt, solicitation, or conspiracy to commit a crime listed in 137.700 and identified in OAR 259-009-0070(3).

(C) Conviction of felony or Class A misdemeanor.

(D) “Attempt,” “Solicitation” or “Conspiracy” to commit a crime identified in this rule as a discretionary disqualifier.

(d) If a fire service professional or instructor held certification on or before January 15, 2008 and applies for a new certification, the Department will proceed as follows:

(A) No action will be taken on a discretionary conviction that occurred prior to January 15, 2003.

(B) The Department will not initiate revocation proceedings based on a discretionary disqualifying conviction that occurred between January 15, 2003 and January 15, 2008.

(C) The Department may initiate denial of a new certification based on a discretionary disqualifying conviction that occurred between January 15, 2003 and January 15, 2008.

(e) If a fire service professional or instructor held certification on January 15, 2008 and applies for or obtains certification after that date, the Department may initiate denial or revocation of all certifications held based on a discretionary disqualifying conviction that occurred prior to January 15, 2008.

(f) If a fire service professional or instructor is convicted of a discretionary disqualifying crime on or after January 15, 2008, the Department may initiate a denial or revocation of all certification(s) upon learning of the conviction.

(5) Initial Minimum Periods of Ineligibility.

(a) Upon determination to proceed with the denial or revocation of a fire service professional’s or instructor’s certification based on discretionary disqualifying misconduct identified in section (4), the Fire Policy Committee and Board will determine an initial minimum period of ineligibility to apply for certification. The initial minimum period of ineligibility will range from 30 days to seven years.

(b) In determining the initial minimum period of ineligibility for discretionary disqualifying misconduct listed in section (4) of this rule, the Fire Policy Committee and the Board will take into consideration any aggravating or mitigating factors subject to the provisions of section (6) of this rule.

(c) A person is not eligible to reapply for training or certification if the person had training or certification denied or revoked for mandatory grounds identified in section (3) of this rule.

(d) The initial minimum period of ineligibility will be included in any Final Order of the Department.

(e) Any subsequent eligibility to apply for certification will be determined by the Board, after a review by the Fire Policy Committee, subject to the provisions of section (8) of this rule.

(6) Denial and Revocation Procedure.

(a) Agency Initiated Review: When an agency utilizing a fire service professional or instructor requests that their certification be revoked or denied, the agency must submit the reason for the requested revocation or denial to the Department, in writing, including all factual information supporting the request.

(b) Department Initiated Review: Upon receipt of factual information from any source, and pursuant to ORS 181.662, the Department may request that the fire service professional’s or instructor’s certification be revoked or denied.

(c) Department Staff Review: When the Department receives information, from any source, that a fire service professional or instructor may not meet established Oregon fire service standards, the Department will review the request and the supporting factual information to determine if the request for denial or revocation meets statutory and administrative rule requirements.

(A) If the reason for the request does not meet the statutory and administrative rule requirements for denial or revocation the Department will notify the requestor.

(B) If the reason for the request does meet statutory and administrative rule requirements, but is not supported by adequate factual information, the Department will request further information from the employer or conduct its own investigation of the matter.

(C) If the Department determines that a fire service professional or instructor may have engaged in discretionary disqualifying misconduct listed in section (4), the case may be presented to the Board, through the Fire Policy Committee.

(D) The Department will seek input from the affected fire service professional or instructor, allowing him or her to provide, in writing, information for the Fire Policy Committee and Board’s review.

(E) In misconduct cases where there has been an arbitrator’s opinion related to the fire service professional’s or instructor’s employment, the Department will proceed as follows:

(i) If the arbitrator’s opinion finds that underlying facts supported the allegations of misconduct, the Department will proceed as identified in paragraphs (A) through (D) of this subsection.

(ii) If the arbitrator has ordered employment reinstatement after a discharge for cause without a finding related to whether the misconduct occurred, the Department will proceed as identified in paragraphs (A) through (D) of this subsection.

(iii) If the arbitrator’s opinion finds that underlying facts did not support the allegation(s) of misconduct, the Department will proceed as identified in paragraph (A) of this subsection and administratively close the matter.

(d) Policy Committee and Board Review. In making a decision to authorize initiation of proceedings under subsection (f) of this rule, based on discretionary disqualifying misconduct, the Fire Policy Committee and Board may consider mitigating and aggravating circumstances including, but not limited to the following:

(A) When the misconduct occurred in relation to the fire service professional’s or instructor’s service as a fire service professional or instructor (i.e., before, during, after);

(B) Whether the fire service professional or instructor served time in prison or jail and the length of incarceration;

(C) Whether restitution was ordered and if the fire service professional or instructor met all obligations;

(D) Whether the fire service professional or instructor has ever been on parole or probation. If so, the date the parole or probation period expired or will expire;

(E) Whether the fire service professional or instructor has more than one conviction and over what period of time;

(F) Whether the misconduct involved domestic violence;

(G) Whether the fire service professional or instructor self-reported the misconduct;

(H) Whether the conduct involved dishonesty, fraud, deceit, or misrepresentation;

(I) Whether the conduct was prejudicial to the administration of justice;

(J) Whether the conduct adversely reflects on the fitness of the fire service professional or instructor to perform as a fire service professional or instructor;

(K) Whether the conduct makes the fire service professional or instructor otherwise unfit to render effective service because of the agency’s or public’s loss of confidence that the fire service professional or instructor possesses the core values integral to the fire service profession; and

(L) What the fire service professional’s or instructor’s physical or emotional condition was at the time of the conduct.

(e) Scope of Revocation. Except as provided in (4) above, when the Department denies or revokes the certification of any fire service professional or instructor under the provisions of OAR 259-009-0070, the revocation will encompass all fire service certificates the Department has issued to that person.

(f) Initiation of Proceedings: Upon determination by the policy committee that the reason for denial or revocation is supported by factual data

ADMINISTRATIVE RULES

meeting the statutory and administrative rule requirements, a contested case notice will be prepared and served on the fire service professional or instructor.

(g) Contested Case Notice:

(A) All contested case notices will be prepared in accordance with the applicable provisions of the Attorney General's Model Rules of Procedures adopted under OAR 259-005-0015.

(B) In discretionary cases heard by a policy committee, the contested case notice will be served on the fire service professional or instructor prior to Board review. If the Board disapproves the policy committee's recommendation, the Department will withdraw the Contested Case Notice.

(h) Response Time:

(A) A party who has been served with a "Contested Case Notice of Intent to Deny Certification" has 60 days from the date of mailing or personal service of the notice in which to file a written request for a hearing with the Department.

(B) A party who has been served with a "Contested Case Notice of Intent to Revoke Certification" has 20 days from the date of mailing or personal service of the notice in which to file a written request for a hearing with the Department.

(i) Default Orders:

(A) If a timely request for a hearing is not received, the Contested Case Notice will become a final order revoking or denying certification pursuant to OAR 137-003-0672.

(B) If a timely request for a hearing is not received in cases heard by a policy committee, the Contested Case Notice will become a final order denying or revoking certification pursuant to OAR 137-003-0672, pending Board affirmation.

(j) Hearing Request: If a timely request for a hearing is received, the Department will refer the matter to the Office of Administrative Hearings in accordance with OAR 137-003-0515.

(k) Proposed and Final Orders:

(A) In cases where a hearing is requested, proposed orders, exceptions, and final orders will be issued pursuant to the applicable provision of the Attorney General's Model Rules of Procedure adopted under OAR 259-005-0015.

(B) Department-proposed amendments to a proposed order issued by an Administrative Law Judge in a case that was originally heard by a policy committee must be considered and approved by the policy committee that originally reviewed the case before a final order can be issued.

(l) Stipulated Order Revoking Certification: The Department may enter a stipulated order revoking the certification of a fire service professional or instructor upon the person's voluntary agreement to terminate an administrative proceeding to revoke a certification, or to relinquish a certification under the terms and conditions outlined in the stipulated order.

(7) Appeal Procedure. A fire service professional or instructor, aggrieved by the findings and Order of the Department may, as provided in ORS 183.480, file an appeal with the Court of Appeals from the final Order of the Department.

(8) Reapplication Process and Eligibility Determinations.

(a) Any fire service professional or instructor whose certification has been denied or revoked under section (4) of this rule for discretionary disqualifying misconduct may reapply for certification within the applicable timeframes described in section (5) of this rule.

(b) Any fire service professional or instructor whose certification has been denied or revoked based on discretionary disqualifying misconduct may not reapply for certification until:

(A) The initial minimum period of ineligibility stated in an Order of the Department denying or revoking certification has been satisfied;

(i) If the initial period of ineligibility for the individual was for a period of less than the maximum period identified in section (5) of this rule, and the Board determines that an individual must remain ineligible to apply for certification, then the individual may not reapply for certification under the provisions of this rule until the maximum initial period of ineligibility identified in (5) of this rule has been satisfied.

(ii) If the individual has satisfied the maximum initial period of ineligibility and the Board determines that an individual must remain ineligible to apply for certification, then the individual may not submit any further requests for an eligibility determination, and the original denial or revocation remains permanent.

(B) A written request for an eligibility determination has been submitted to the Department and the Fire Policy Committee has recommended that a fire service professional's or instructor's eligibility to apply for fire service or instructor certification be restored and the Board has upheld the recommendation;

(i) A request for an eligibility determination should include documentation or information that supports the fire service professional's or instructor's request for eligibility to apply for certification.

(ii) In considering a request for an eligibility determination, the Fire Policy Committee and the Board may consider mitigating and aggravating circumstances identified in section (6)(d) of this rule.

(iii) After reviewing a written request for an eligibility determination, the Board, through the Fire Policy Committee, may determine that the individual's eligibility to apply for certification be restored if the criteria for certification have been met; or determine that the factors that originally resulted in denial or revocation have not been satisfactorily mitigated and the individual must remain ineligible to apply for certification.

(C) The fire service professional or instructor is employed or utilized by a fire service agency; and

(D) All requirements for certification have been met.

[ED. NOTE: Tables referenced are available from the agency.]

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

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

Hist.: BPSST 22-2002, f. & cert. ef. 11-18-02; DPSST 3-2008, f. & cert. ef. 1-15-08; DPSST 7-2009, f. & cert. ef. 7-13-09; DPSST 7-2010, f. 7-15-10, cert. ef. 8-1-10; DPSST 1-2011, f. 2-24-11, cert. ef. 4-1-11; DPSST 11-2011, f. & cert. ef. 7-1-11; DPSST 19-2012, f. & cert. ef. 8-31-12; DPSST 7-2013, f. & cert. ef. 3-26-13; DPSST 22-2013, f. & cert. ef. 10-3-13; DPSST 4-2014, f. & cert. ef. 1-28-14; DPSST 20-2014, f. & cert. ef. 7-30-14; DPSST 21-2014(Temp), f. & cert. ef. 7-31-14 thru 1-27-14; DPSST 30-2014, f. & cert. ef. 10-22-14

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

Rule Caption: Pilot Program: Class C Third Party Testing, Drive Tests

Adm. Order No.: DMV 11-2014

Filed with Sec. of State: 10-28-2014

Certified to be Effective: 11-1-14

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Rules Adopted: 735-061-0210, 735-061-0220, 735-061-0230, 735-061-0240, 735-061-0250, 735-061-0260, 735-061-0270, 735-061-0280, 735-061-0290, 735-061-0300, 735-061-0310, 735-061-0320, 735-061-0330, 735-061-0340, 735-061-0350, 735-061-0360, 735-061-0370, 735-061-0380, 735-061-0390

Subject: These new rules in OAR Chapter 735, Division 61 establish a pilot program for DMV to enter into agreements with select businesses and certify them to perform Class C drive tests on behalf of DMV under the authority of ORS 802.600. The rules establish eligibility requirements, the application and certification process and responsibilities for both the testing businesses and examiners, and establish requirements for inspection and record security, a code of ethics and possible sanctions against a testing business or examiner. DMV is maintaining tight control over this pilot program by inviting only those businesses that are both certified as a Commercial Drive School by DMV and approved by the Transportation Safety Division of ODOT to conduct a traffic safety education course. These businesses must also possess a specified level of experience in these programs. DMV is also limiting the number of examiners that each business may have trained and certified during the pilot program.

DMV will use information gathered during the pilot program to determine whether third party testing of Class C applicants is a program that should continue long term. DMV wants to ascertain whether:

1. The testing conducted by a third party is minimally equivalent to testing conducted by DMV.
2. Third party testing leads to Class C driver license applicants being more quickly and conveniently served.
3. There is any increase in fraudulent activity related to a drive test or issuance of a Class C license.
4. Class C drive testing is a viable business or segment of business for an existing Oregon business.
5. Third party Class C testing leads to lower wait times and better customer service in DMV field offices.
6. There is reason to limit or expand the number of third-party testing businesses in the future.
7. Administrative rules, procedures, forms, etc. created for the pilot project will need to be modified for a permanent program.

ADMINISTRATIVE RULES

Rules Coordinator: Lauri Kunze—(503) 986-3171

735-061-0210

Purpose

(1) The purpose of these rules, OAR 735-061-0210 through 735-061-0390 is to establish criteria by which a third party testing business is authorized to have its examiners give a drive test to a Class C driver license applicant on behalf of DMV.

(2) The rules are written under the authority of ORS 802.600 allowing the department to enter into an agreement with a person who is not an employee of the department to transact a function on behalf of the department.

(3) These rules are adopted to establish a pilot program that will last no more than eighteen months and no less than six months.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0220

Definitions

(1) The following definitions apply to terms in OAR 735-061-0210 through 735-061-0390:

(a) "Certificate of Test Completion" means a document issued to an applicant for a Class C license by a third party examiner that certifies that the applicant has successfully passed a drive test.

(b) "Class C Third Party Examiner Certificate" means a document issued by DMV that authorizes a third party examiner to conduct, on behalf of DMV, a drive test to an applicant for a Class C driver license and issue a Certificate of Test Completion.

(c) "Class C Third Party Testing Agreement" means a written and enforceable agreement between a Class C third party testing business and the Oregon Department of Transportation.

(d) "Class C Third Party Testing Business Certificate" means a document issued by DMV that authorizes a third party testing business to administer, on behalf of DMV, a drive test for applicants for a Class C driver license.

(e) "DMV" means the Driver and Motor Vehicle Services Division of the Oregon Department of Transportation.

(f) "Employee" means an individual who provides personal services to and is under the direction and control of another for compensation. For purposes of these rules, this definition does not include an independent contractor.

(g) "Entity" as used in these rules means:

- (A) An individually owned business;
- (B) A company;
- (C) A corporation;
- (D) An association;
- (E) A cooperative;

(F) A federal, state, county or municipal agency, including a publicly owned and operated educational facility and the Oregon Department of Education;

- (G) An individual;
- (H) A firm; or
- (I) A partnership.

(h) "Immediate family" means the applicant's spouse or partner in a domestic relationship; children, stepchildren, brother, sister, mother, father, mother-in-law, father-in-law, grandmother or grandfather.

(i) "Member of the household" means an individual who lives in the same residence.

(j) "TSD" means the Transportation Safety Division of the Oregon Department of Transportation.

(k) "Third party examiner" means any individual who is issued a Class C Third Party Examiner Certificate by DMV.

(l) "Third party testing business" means an entity issued a Class C Third Party Testing Business Certificate.

(2) The definition "employee" is only applicable as used in OAR 735-061-0210 through 735-061-0370. It is not intended to affect any employer or employee rights, responsibilities or obligations.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0230

Pilot Program For Class C Third Party Testing — General Provisions

(1) DMV may invite entities it views qualified to participate in this Class C Third Party Testing Pilot Program.

(2) If an invited entity is interested in participating in the pilot program it must apply for a Class C Third Party Testing Business Certificate under OAR 735-061-0260.

(3) During the pilot program, DMV will certify only a limited number of examiners per testing business. Only a certified examiner may administer the Class C drive test.

(4) A third party testing business may replace a third party examiner who is no longer employed or whose certificate has been suspended if DMV has the capacity to provide the required training.

(5) DMV will accept a test score but will be unable to issue a license upon receipt of the Certificate of Test Completion if the applicant has not provided DMV all required proof that the applicant is eligible to be issued a license. If DMV accepts a test score but is unable to issue a license to the applicant at that time, the test score remains valid for two years.

(6) DMV will reject a test score if:

(a) The applicant does not take the Certificate of Test Completion to DMV within 30 days of the date of the test;

(b) The applicant was not 16 years of age or older at the time of the test;

(c) The applicant had not observed the necessary waiting period, described in OAR 735-062-0070, following a test failure;

(d) The applicant's right to apply for driving privileges was suspended, revoked or cancelled at the time of the test;

(e) The envelope containing the Certificate of Test Completion appears to have been opened or the Certificate of Test Completion appears to have been altered; or

(f) There is no copy of the applicant's photo identification in the envelope or the copy of the photo identification in the envelope is not of the person at the counter at DMV.

(g) In addition, for a person under 18 years of age, DMV will reject a test score if the applicant has not held an instruction permit for a minimum of six months at the time of the test.

(7) If DMV rejects a test score the person must retest at a time and in a manner that results in an acceptable test score before DMV may issue a license.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0240

Class C Third Party Testing Agreement

(1) A Class C third party testing business and DMV must enter into a Third Party Testing Agreement declaring the rights and responsibilities of DMV and the third party testing business.

(2) The terms of the agreement begin upon execution of the agreement by all parties and expire at the end of the pilot program authorized in these rules.

(3) If the program continues beyond the pilot stage, the Class C third party testing business may enter into a new agreement with DMV by meeting all qualifications and requirements described in the new agreement.

(4) The agreement may be terminated by DMV if:

(a) The authorized representative of the Class C third party testing business made a false statement or intentional misrepresentation of facts in an application for a Class C Third Party Testing Business Certificate;

(b) The Class C Third Party Testing Business Certificate is suspended, revoked, canceled or voluntarily withdrawn; or

(c) DMV ends this pilot program, for any reason.

(5) A Class C Third Party Testing Business may terminate the agreement with DMV if it no longer wishes to participate in this pilot program. To terminate the agreement the Class C Third Party Testing Business must:

(a) Notify DMV, Driver Programs Section, in writing that it will stop conducting tests at the end of business on a specific date that is at least three days after the notice is received by DMV;

(b) Return to DMV, Driver Programs Section, all unused Certificates of Test Completion; and

(c) Agree to an inspection of all records regarding the Class C third party testing business within 10 days after terminating the agreement.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0250

Qualifications for a Class C Third Party Testing Business

To qualify as Class C third party testing business during this pilot program, an entity must:

ADMINISTRATIVE RULES

(1) Hold a valid, current commercial driver training school certificate issued under ORS 822.515 and in accordance with OAR Chapter 735, Division 160;

(2) Have continuously operated the commercial driver training school described in section (1) of this rule for a minimum of two years immediately prior to submitting an application for a Class C Third Party Testing Business Certificate.

(3) Be the provider of a traffic safety education course that is certified under ORS 802.345 and in accordance with OAR Chapter 737, Division 15;

(4) Have continuously provided the traffic safety education course described in section (3) of this rule for a minimum of 18 months immediately prior to submitting an application for a Class C Third Party Testing Business Certificate.

(5) Have one or more DMV approved Class C drive test routes that meet the specifications provided by DMV;

(6) Have an owner who is certified as a Class C third party examiner or is applying for certification as a Class C third party examiner or employs a certified Class C third party examiner or applicant for a Class C Third Party Examiner Certificate. For purposes of this rule, owner does not include a shareholder of a corporation;

(7) Pass an inspection by DMV as described in OAR 735-061-0360(1);

(8) Sign and abide by all terms of a written Class C Third Party Testing Agreement with DMV as described in OAR 735-061-0240; and

(9) Be in compliance with all state and local business laws or regulations.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0260

Application for a Class C Third Party Testing Business Certificate

(1) To apply for a Class C Third Party Testing Business Certificate, the entity must submit the following to DMV, Class C Third Party Testing Program, 1905 Lana Avenue NE, Salem, Oregon 97314:

(a) A completed application for a Class C Third Party Testing Business Certificate, DMV Form 735-7173;

(b) The original Class C Third Party Testing Agreement, signed by the entity applying or the entity's authorized representative;

(c) Proof of comprehensive commercial liability insurance and proof of comprehensive auto liability insurance, if applicable, that meets the requirements specified in the Class C Third Party Tester Agreement.

(d) One or more proposed drive test route which meets the criteria provided by DMV;

(e) The name of any individual who will apply for certification as a Class C third party examiner; and

(f) The name and address of the third party testing business's designated or registered agent for service of notices, documents or process.

(2) A Class C Third Party Testing Business Certificate is non-transferable.

(3) A false statement or intentional misrepresentation of facts in any Class C third party testing business application is grounds for denying the application, revoking certification or terminating an agreement.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0270

Refusal to Issue Class C Third Party Testing Business Certificate

(1) DMV may not issue a Class C Third Party Testing Business Certificate to any entity when:

(a) DMV determines that information contained in the application is false.

(b) DMV determines that the entity fails to meet any qualification for certification required by these rules.

(2) DMV may not process any application for a Class C Third Party Testing Business Certificate if any portion of the application is incomplete.

(3) If DMV refuses to issue a Class C Third Party Testing Business Certificate, the entity is entitled to a contested case hearing as provided in the Oregon Administrative Procedures Act, ORS 183.413 to 183.500.

(4) An entity must submit a request for a hearing in writing within 60 days of the date of the refusal. A hearing request received in a timely manner will not result in issuance of a certificate; pending the outcome of the hearing.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0280

Responsibilities of a Class C Third Party Testing Business

(1) A Class C third party testing business must:

(a) Allow representatives of DMV to conduct random inspections without prior notice;

(b) Provide DMV a copy of the fees it will charge for conducting tests. If the business changes fees during the pilot it must notify DMV within 5 working days;

(c) Notify DMV in writing within 10 working days of any third party examiner who has discontinued employment;

(d) Notify DMV as described in OAR 735-061-0240(5) if it no longer wishes to participate in this pilot program and will no longer conduct drive tests on behalf of DMV;

(e) Notify DMV within 24 hours after a disqualifying event occurs that the third party testing business no longer meets the qualification requirements set forth in OAR 735-061-0250; or a third party examiner no longer meets the qualification requirements set forth in OAR 735-061-0290;

(f) Ensure that all Class C third party examiners employed by the Class C third party testing business remain in compliance with all administrative rules governing third party examiners;

(g) Notify DMV within 24 hours upon receipt of notice that the third party testing business, any third party examiner employed by the testing business or any owner certified as a third party examiner is the subject of a civil legal action, criminal investigation, arrest or conviction, enrolled in a DUII diversion program, received a complaint related to the administration of a test, or has received any suspension, revocation, cancellation or disqualification of driving privileges;

(h) Notify DMV within 24 hours of any possible data breach of the third party testing business' computer or physical files that could result in a person accessing an applicant's personal information;

(i) If requested, respond to any person who submits a complaint to DMV within 10 working days from the date the third party testing business receives notice of complaint. If the response is in writing, provide DMV a copy of the response. If the response is verbal, provide a written summary to DMV of the conversation that took place;

(j) Correct any deficiency identified by an inspector during an on-site inspection within 30 calendar days of the date notice of deficiency is issued by DMV;

(k) Comply with all statutes, administrative rules related to the Class C Third Party Testing Program and with all terms of the Class C Third Party Testing Agreement;

(l) Maintain all qualification requirements set forth in OAR 735-061-0250;

(m) Inform any applicant denied testing services under section (4)(c) of this rule that the applicant may request to be tested by DMV;

(n) Report to DMV:

(A) Daily — Prior to 4:00 p.m. — Any and all drive tests scheduled for the following day. Prior to 4:00 p.m. on Friday — Any and all drive tests scheduled for the following Saturday or Sunday. The test schedule report must include the applicant's name and date of birth, the examiner name, the date and time of the scheduled test and the drive test route that will be used (if the testing business has more than one approved drive test route);

(B) Daily — Prior to 8:00 a.m. — Any and all failed drive tests conducted the prior day. Prior to 8:00 a.m. on Monday — Any and all failed drive tests conducted on Friday, Saturday or Sunday. The report must list the name, date of birth and test score of any applicant who failed a drive test; and

(C) Monthly — By the 5th day of the month — Submit a copy of a monthly log which must include information on all applicants tested the previous month including the driver's name and date of birth, test score, examiner name and examiner's certificate number, the Certificates of Test Completion issued including any that are voided;

(2) A third party testing business must maintain the following records:

(a) A copy of the photo identification viewed of each applicant tested.

(b) A copy of the fully completed test score sheet (DMV form 735-7171) for each applicant tested, regardless of whether the applicant passed or failed the test. To be fully completed the test score sheet must contain the applicant's full name and date of birth, the drive test route (if business has more than one), the third party examiner's name as well as the test date and test results.

(c) A copy of the fully completed Certificate of Test Completion that was issued to each applicant who passed or failed the test. To be fully completed, the Certificate of Test Completion must contain: the applicant's full name and date of birth; the third party examiner's name, certificate number,

ADMINISTRATIVE RULES

signature and date signed; the third party testing business' name; the date of the test and the applicant's signature and date signed.

(d) A copy of the receipt provided to each applicant who tested showing all fees paid.

(e) Copies of all Certificates of Test Completion that have been voided by the third party examiner.

(f) A copy of the monthly log. The monthly log must contain the applicant's name and date of birth, test score, third party examiner name and certificate number and the number of the Certificate of Test Completion issued if the applicant passed the test.

(g) A copy of any Drive Test Fail Report sent to DMV.

(3) A third party testing business must maintain all records required for at least two years from the date a test was administered as follows:

(a) The records must be kept at the Class C third party testing business' place of business;

(b) If the Class C third party testing business decides to withdraw from this pilot program, the records must be maintained by the designated or registered agent of the third party testing business and must be kept at a location that is convenient to, and accessible for inspection by, DMV; and

(c) The third party testing business or the designated or registered agent must immediately notify DMV in writing if the location of records required to be maintained is changed.

(4) A third party testing business must not:

(a) Falsify any records related to the Class C third party testing business' participation in the program;

(b) Permit anyone except a certified Class C third party examiner to conduct a drive test;

(c) Test an applicant whose requirement to test is due to being in the Medically At-Risk Driver Program or who has a mental or physical condition or impairment that may affect the applicant's ability to safely operate a motor vehicle safely upon the highways;

(d) Ask or allow a Class C third party examiner to test an applicant to whom the examiner provided behind-the-wheel driving training;

(e) Ask or allow a Class C third party examiner to test an applicant who is an immediate family member or a member of the household of an owner or any employee of the Class C Third Party testing business;

(f) Disclose an applicant's personal information as defined in ORS 802.175, or an applicant's test scores to any person unless authorized by DMV;

(g) Transfer the Class C Third Party Testing Business Certificate to any other entity or person; or

(h) Issue, or allow any employee to issue, passing test scores to any applicant who:

(A) Was not tested in accordance with OAR 735-061-0370; or

(B) Failed the test.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0290

Qualifications for Class C Third Party Examiners

To qualify as a Class C third party examiner during this pilot program, a person must meet the following:

(1) Be an owner or employee of a third party testing business. For purposes of this section, owner does not include a shareholder of a corporation;

(2) Be certified as a Commercial Driver Training School Instructor in accordance with OAR 735-160-0075;

(3) Be an approved ODOT-TSD traffic safety education instructor in accordance with OAR 737-015-0070; and

(4) Have enrolled in or successfully completed the Class C third party examiner training course as set forth in OAR 735-061-0340.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0300

Application for a Class C Third Party Examiner Certificate

(1) To apply for a Class C Third Party Examiner Certificate the person must:

(a) Submit a completed application for a Class C Third Party Examiner Certificate, DMV Form 735-7174, to DMV, Class C Third Party Testing Program, 1905 Lana Avenue NE, Salem, Oregon 97314; and

(b) Meet all the qualification requirements set forth in OAR 735-061-0290.

(2) Class C Third Party Examiner Certificates are non-transferable.

(3) A false statement or intentional misrepresentation of facts in any Class C Third Party Examiner application is grounds for denying the application or revoking certification.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0310

Refusal to Issue Class C Third Party Examiner Certificate

(1) DMV may not issue a Class C Third Party Examiner Certificate to any person when:

(a) DMV determines that information contained in the application is false.

(b) DMV determines that the person fails to meet any qualification for certification required by these rules.

(2) DMV may not process any application for a Class C Third Party Examiner Certificate if any portion of the application is incomplete.

(3) If DMV refuses to issue a Class C Third Party Examiner Certificate, the person is entitled to a contested case hearing as provided in the Oregon Administrative Procedures Act, ORS 183.413 to 183.500.

(4) A person must submit a request for a hearing in writing within 60 days of the date of the refusal. A hearing request received in a timely manner will not result in issuance of a certificate, pending the outcome of the hearing.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0320

Responsibilities of a Class C Third Party Examiner

(1) The third party examiner must:

(a) Remain in compliance with the qualifications set forth in OAR 735-061-0290;

(b) Conduct a drive test for an applicant in accordance OAR 735-061-0370;

(c) Conduct a minimum of eight tests every three months;

(d) Comply with all statutes, administrative rules and regulations related to the Class C third party testing program;

(e) Notify the third party testing business within 24 hours upon receipt of notice of:

(A) Any suspension, revocation, cancellation or disqualification of the third party examiner's driving privileges;

(B) A civil legal action related to the third party examiner's employment, qualification or responsibilities as a third party examiner; or

(C) A complaint concerning the third party examiner's administration of a test.

(f) Notify the third party testing business within 24 hours of any criminal investigation, arrest or conviction of the third party examiner involving any crime described in OAR 735-160-0075(2)(d) or any enrollment in a DUII diversion program;

(g) Properly complete all forms and application required by DMV; and

(h) Abide by the Code of Ethics and Rules of Conduct set forth in 735-061-0380.

(2) The third party examiner must not:

(a) Test an applicant to whom the third party examiner has provided behind-the-wheel driver training;

(b) Test an applicant who is an immediate family member or member of the household of the owner, the examiner or any employee of the Class C Third Party Testing Business.

(c) Falsify any records;

(d) Sign or issue a Certificate of Test Completion showing passing test scores to any individual:

(A) To whom the third party examiner did not administer a test in accordance with OAR 735-061-0370; or

(B) Who did not successfully pass a test conducted by the third party examiner.

(e) Conduct a Class C drive test unless certified by DMV;

(f) Transfer his or her Class C Third Party Examiner Certificate to any other person; or

(g) Disclose an applicant's personal information as defined in ORS 802.175 or an applicant's test scores.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

ADMINISTRATIVE RULES

735-061-0330

Third Party Testing Business and Examiner Sanctions

(1) DMV may impose sanctions when it determines a Class C third party testing business or Class C third party examiner has violated any provision of OAR Chapter 735, division 61 rules.

(2) DMV will impose a sanction determined by DMV to be appropriate for the particular violation. In determining an appropriate sanction, DMV may use the specific sanction described in this rule as a minimum sanction and may impose a greater sanction, up to the maximum authorized by these rules, upon consideration of the following criteria:

- (a) The severity of the violation or its impact on the public;
- (b) The number of similar or related violations;
- (c) Whether the violations were willful or intentional; and
- (d) The history of prior sanctions imposed by DMV.

(3) In accordance with OAR 137-003-0560, DMV may immediately suspend a Class C Third Party Testing Business Certificate or Class C Third Party Examiner Certificate if DMV determines there is a serious danger to the public health or safety. DMV may determine there is a serious danger to public safety if it determines that:

(a) A Class C third party testing business or examiner is engaging in fraudulent or criminal activity related to the issuance of a Certificate of Test Completion or has violated any provision of the Code of Ethics and Rules of Conduct set forth in OAR 735-061-0390; or

(b) A Class C third party testing business' general business liability or auto liability insurance has lapsed or is cancelled, or DMV determines a vehicle used for testing is in an unsafe condition.

(4) DMV may permanently revoke a Class C Third Party Testing Business Certificate or Class C Third Party Examiner Certificate if DMV determines the business or examiner participated in fraudulent or criminal activity related to the issuance of a Class C Certificate of Test Completion. Any principal, owner, shareholder, testing business' agent or manager of a Class C third party testing business whose certificate is permanently revoked is not eligible for a Class C Third Party Testing Business Certificate or Examiner Certificate for the duration of this pilot program.

(5) DMV may issue a sanction as follows when a third party testing business violates any provision of OAR Chapter 735 Division 61, other than a provision that would fall under section (3) or section (4) of this rule:

(a) First violation — 30 day suspension of Class C Third Party Testing Business Certificate;

(b) Second violation — 90 day suspension of Class C Third Party Testing Business Certificate;

(c) Third violation — Revocation of the Class C Third Party Testing Business Certificate for the duration of this pilot program.

(6) DMV may issue a sanction as follows when a third party examiner is in violation of any of the provisions of OAR Chapter 735, Division 61 other than a provision that would fall under section (3) or section (4) of this rule:

(a) First violation — 30 day suspension of Class C Third Party Examiner's Certificate;

(b) Second violation — 90 day suspension of Class C Third Party Examiner's Certificate; or

(c) Subsequent violation — Revocation of the Class C Third Party Examiner's Certificate for the duration of this pilot program.

(7) A Class C third party testing business or Class C third party examiner whose certificate has been suspended or revoked is entitled to a contested case hearing as provided in the Oregon Administrative Procedures Act under ORS 183.413 to 183.500.

(8) When DMV takes action to suspend or revoke a Class C Third Party Testing Business Certificate or Class C Third Party Examiner Certificate, DMV will send notice in writing that the action will begin in five days for an immediate suspension or 30 days for any non-immediate suspension or revocation from the date on the notice. The notice will be served by first class mail sent to the most recent address on record with DMV.

(9) Except as provided in section (10) of this rule, a request for a hearing must be submitted in writing to, and received by, DMV within 20 days of the date of the notice of violation. If a hearing request is received in a timely manner the suspension or revocation does not go into effect pending the outcome of the hearing.

(10) If the certificate is immediately suspended as set forth in section (3) of this rule, the request for hearing must be submitted in writing to, and received by, DMV within 90 days of the date of notice of suspension. The suspension remains in effect pending the outcome of the hearing.

(11) Except as provided in OAR 137-003-0528, when no request for a hearing is timely received; the third party testing business or third party

examiner has waived the right to a hearing and the notice becomes the final order by default.

(12) At the end of the suspension period of a Class C Third Party Testing Business Certificate or Class C Third Party Examiner Certificate, DMV must reinstate the certificate unless DMV has ended the pilot program.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0340

Class C Third Party Examiner Training

(1) An applicant for a Class C Third Party Examiner Certificate must successfully complete third party examiner training provided by DMV.

(2) The third party examiner training course is based on the training received by drive examiners employed by DMV. As part of the training, DMV will provide to the third party examiner a Class C Examiner's Manual.

(3) To successfully complete the third party examiner training the individual must:

(a) Attend all required training classes;

(b) Successfully complete and pass all tests and other requirements; and

(c) Demonstrate the knowledge and skills to conduct Class C drive tests on behalf of DMV.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0350

Advertising

(1) No advertisement, publication, employee or other person affiliated with the Class C Third Party Testing business may indicate or imply that a person who pays a fee and takes a test conducted by the third party business will automatically pass the drive test.

(2) No advertisement, publication, employee or other person affiliated with the Class C Third Party Testing business may indicate or imply that a person who passes the drive test conducted by the third party business guarantees issuance of a driver license by DMV as only DMV may determine if the applicant meets all requirements and qualifications for a license.

(3) A certified Class C third party testing business may use the wording "DMV certified testing business", "certified by DMV to conduct a Class C drive test", "provide drive test approved by DMV", "test is conducted by a DMV certified examiner" or similar phrases when advertising. An advertisement must not contain wording that implies the Class C third party testing business is the only option for taking the drive test.

(4) A Class C third party testing business may start advertising for this pilot program when DMV schedules training for third party examiners.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600

Stats. Implemented: ORS 802.600

Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0360

Inspections by DMV

(1) DMV must inspect all third party testing business applicants before issuing a Class C Third Party Testing Business Certificate. The inspection includes, but is not limited to:

(a) Office and testing facilities;

(b) Any vehicle that may be used for conducting drive tests;

(c) Security of applicant personal information; and

(d) One or more drive test routes to be used by the third party testing business.

(2) DMV may periodically re-inspect all third party testing businesses to determine compliance with laws and administrative rules pertaining to the Class C third party pilot.

(3) By submitting an application to DMV and agreeing to comply with these rules, the Class C third party testing business consents to random, periodic examinations or inspections without prior notice by authorized representatives of DMV.

(4) In addition to section (1) of this rule, periodic inspections may review:

(a) Class C third party testing business records as required by OAR 735-061-0280(2);

(b) Maintenance of all qualifications as described in OAR 735-061-0240;

(c) Examiners' status and performance;

(d) Compliance with all terms of the third party testing agreement; and

ADMINISTRATIVE RULES

(e) Any other location, equipment or process used in relation to this pilot program that DMV may deem necessary.

(5) The inspector may accompany a Class C third party examiner on a drive test.

(6) A DMV inspector may pose as a customer of a Class C third party testing business without identifying the inspector as an employee of DMV, to observe the manner in which testing is conducted, if DMV in good faith believes there is a reasonable possibility that unlawful activity is taking place or will take place in the foreseeable future.

(7) To pass an inspection, the Class C third party testing business must meet requirements in all areas set forth in these rules.

(8) Refusal to permit DMV to conduct a periodic inspection may result in a sanction of the Class C Third Party Testing Business Certificate, as described in OAR 735-061-0330.

(9) The inspector who conducts the inspection must prepare a written report specifying any deficiencies that must be corrected and provide the Class C third party testing business with a copy of the report. Deficiencies identified must be corrected by the Class C third party testing business within 30 days of receipt of the report.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0370

Conducting the Drive Test

(1) The purpose of the drive test is for the third party examiner to:

(a) Evaluate the applicant's ability to operate a vehicle in a safe and legal manner under actual driving conditions;

(b) Determine if the applicant demonstrates safe and legal driving methods and knowledge of traffic laws; and

(c) Evaluate the applicant's ability to perform required maneuvers according to the Class C Examiner's Manual.

(2) The drive test conducted by a third party examiner must contain the same required and scored maneuvers as the test administered by DMV.

(3) The third party examiner must:

(a) Conduct the test within the State of Oregon;

(b) Conduct the test only during daylight hours;

(c) Conduct no more than 16 tests in one day;

(d) Conduct a test on a drive test route that has been approved by DMV;

(e) Conduct the drive test in accordance with the standards adopted in OAR 735-062-0070;

(f) Use the drive test score sheet (DMV Form 735-7171) provided by DMV; and

(g) Not conduct the test if the third party examiner knows the proper wait time between a test failure and subsequent test has not been met as set forth in OAR 735-062-0070.

(4) Prior to conducting a test, the third party examiner must view and obtain a photocopy of the applicant's photo identification.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0380

Certificate of Test Completion

After completing the drive test, if an applicant has received a passing score, the third party examiner must:

(1) Complete the Certificate of Test Completion;

(2) Place the top copy of the Certificate of Test Completion and the photocopy of the applicant's photo identification in an envelope, seal the envelope and sign across the seal;

(3) Instruct the applicant to take the unopened envelope to a DMV office within 30 days of the date the Certificate of Test Completion is issued; and

(4) Advise the applicant that DMV will not accept the Certificate of Test Completion if it is altered, delivered to DMV more than 30 days from the date of the test or if the envelope appears to have been opened prior to delivery to DMV.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

735-061-0390

Code of Ethics and Rules of Conduct

A third party testing business or third party examiner must hold to the highest standards of professional conduct and must not engage in or knowingly allow any owner, officer, agent, director, manager or employee to engage in, any of the following:

(1) Assisting or knowingly allowing an applicant for Class C driving privileges to fraudulently:

(a) Receive a passing score on the drive test when the applicant either failed the test or did not take the test; or

(b) Obtain driving privileges for which the applicant is ineligible or has not qualified.

(2) Discriminating against any applicant for Class C driving privileges on the basis of race, religion, national origin, disability, age, gender or sexual orientation;

(3) Accepting or requiring anything of value from an applicant when it is known or it is obvious that the offer is for the purpose of influencing the third party testing business's or third party examiner's actions in scoring a test or in issuing a Certificate of Test Completion;

(4) Having sexual relations with or requesting sexual relations from an applicant for driving privileges. For purposes of this section, "sexual relations" means:

(a) Sexual intercourse; or

(b) Any touching of the sexual or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either party.

(5) Using physical force or a threat of physical force against an applicant, unless such force or threat is necessary to avoid immediate danger to the safety of the applicant, the third party examiner, employees of the third party examiner or the general public;

(6) Possessing or being under the influence of an intoxicating liquor, controlled substance, an inhalant or any combination of intoxicating liquor, an inhalant and a controlled substance while conducting business on behalf of DMV. For purposes of this section, "under the influence" means consumption of a drug or lawfully prescribed controlled substance that impairs physical or mental functions to a noticeable or perceptible degree, consumption of any unlawful controlled substance, inhalant or consumption of an intoxicating beverage within six hours of or while conducting a test;

(7) Falsifying of any document or making any misrepresentation in any document that relates to any testing activity; or

(8) Offering a bribe to or colluding with the inspector when it is known or it is obvious that the attempt is for the purpose of influencing the results of a DMV inspection or evaluation.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 802.600
Stats. Implemented: ORS 802.600
Hist.: DMV 11-2014, f. 10-28-14, cert. ef. 11-1-14

Rule Caption: Amends Vehicle Dealer Record Rules to Comply with Chapter 21, Oregon Laws 2014 (SB 1557)

Adm. Order No.: DMV 12-2014

Filed with Sec. of State: 10-28-2014

Certified to be Effective: 10-28-14

Notice Publication Date: 9-1-2014

Rules Amended: 735-150-0037

Subject: In pertinent part, chapter 21, Oregon Laws 2014 amends ORS 822.045(1)(j)(B) to add a definition and to clarify the requirements for satisfying security interest for dealer-to-dealer transactions.

In May of 2014, DMV filed a temporary amendment of OAR 735-150-0037 because there was not enough time to complete the permanent rulemaking process to coincide with the March 3, 2014 effective date of the Act.

DMV has now permanently amended OAR 735-150-0037 to comply with chapter 21, Oregon Laws 2014. That includes rewriting the rule in its entirety for clarity and readability.

Rules Coordinator: Lauri Kunze—(503) 986-3171

735-150-0037

Records; Satisfying Prior Interest; Providing Clear Title

This rule establishes the records vehicle dealers must maintain to comply with ORS 822.045(1) and OAR 735-150-0035.

(1) "Other primary ownership document" as used in ORS 822.040(1)(j), as amended by Chapter 21, Oregon Laws 2014, and this rule has the same meaning as set forth in OAR 735-020-0010.

(2) Vehicle dealers must satisfy the interest in a vehicle they purchase within 15 days of transfer or receipt of clear title pursuant to ORS 822.045(1)(j) and OAR 735-150-0035. To verify that they have complied with this requirement, dealers must maintain records that show:

(a) The date a vehicle consumer transferred any interest in a vehicle or camper to a dealer.

(b) The date a purchasing dealer receives clear title from another dealer on a vehicle or camper. This date is either the date:

ADMINISTRATIVE RULES

(A) The purchasing dealer took physical possession of the certificate of title or other primary ownership document, including who it was received from; or

(B) Written notice was mailed by certified or registered mail, return receipt requested, to the purchasing dealer that the certificate of title was available for pickup at a time and place prearranged by the purchasing dealer and the dealer.

(c) The date the purchasing dealer satisfied:

(A) The interest of any person from whom the dealer purchased or obtained the vehicle or camper;

(B) The interest of any person from whom a vehicle consumer leased the vehicle or camper; and

(C) Except as provided by 822.045(2), all security interests in the vehicle or camper entered into before the date of transfer.

(D) The interest of the dealer from which the purchasing dealer received the certificate of title or

Stat. Auth.: ORS 184.616, 184.619, 802.010, 822.035, 822.042, 822.045, 2014 OL Ch. 21
Stats. Implemented: ORS 822.009, 822.035, 822.042, 822.045 & 2014 OL Ch. 21
Hist.: DMV 20-2002, f. & cert. ef. 10-14-02; DMV 20-2004, f. & cert. ef. 8-20-04; DMV 4-2014(Temp), f. & cert. ef. 5-19-14 thru 11-14-14; DMV 12-2014, f. & cert. ef. 10-28-14

Employment Department Chapter 471

Rule Caption: Update Relief of Charges

Adm. Order No.: ED 5-2014

Filed with Sec. of State: 10-28-2014

Certified to be Effective: 10-28-14

Notice Publication Date: 7-1-2014

Rules Amended: 471-030-0081, 471-030-0082

Subject: Retroactive application of a technical correction. The technical correction updated ORS references, which were modified by Senate Bill 192 in the 2013 Legislative Session, and took effect in October 2013. This retroactive application aligns with that change.

Rules Coordinator: Carolyn Moir—(503) 947-1471

471-030-0081

Relief of Charges to Employers

(1) For the purposes of ORS 657.471(7)(a)(B), the “most recent separation from the employer” means the latest separation from such employer at the time notice of an initial valid determination of a claim filed by an individual is mailed to the employer’s last known address as shown by the records of the Employment Department.

(2) The effective date for implementing this rule shall apply retroactively, beginning October 7, 2013.

Stat. Auth.: ORS 657
Stats. Implemented: ORS 657.471(7)
Hist.: IDE 151, f. 9-28-77, ef. 10-4-77; ED 4-2014(Temp), f. & cert. ef. 5-19-14 thru 11-14; ED 5-2014, f. & cert. ef. 10-28-14

471-030-0082

Charge Relief for Part-Time Work

(1) For purposes of ORS 657.471(9)(a) and (c):

(a) “Part-time work” means hours of work which are less than full-time as defined in OAR 471-030-0022;

(b) “Substantially the same amount” means wages have been earned by the part-time employee, with respect to a week in the benefit year, in an amount equal to 90 percent or more of the claimant’s average part-time weekly base year wage as determined in accordance with section (2) of this rule.

(2) A claimant’s average part-time weekly base year wage shall be calculated by dividing the claimant’s total base year part-time wages paid by the employer requesting relief of charges, by the total weeks of part-time work associated with such wages.

(3) The effective date for implementing this rule shall apply retroactively, beginning October 7, 2013.

Stat. Auth.: ORS 657
Stats. Implemented: ORS 657.471(10)
Hist.: IDE 2-1984, f. & ef. 9-28-84; ED 4-2014(Temp), f. & cert. ef. 5-19-14 thru 11-14; ED 5-2014, f. & cert. ef. 10-28-14

Health Licensing Office, Behavior Analysis Regulatory Board Chapter 824

Rule Caption: Rules establish criteria for the licensing and registration of professionals who provide behavior analytic services.

Adm. Order No.: BARB 1-2014

Filed with Sec. of State: 10-21-2014

Certified to be Effective: 12-1-14

Notice Publication Date: 9-1-2014

Rules Adopted: 824-010-0005, 824-010-0010, 824-010-0020, 824-010-0030, 824-010-0040, 824-020-0010, 824-020-0020, 824-020-0030, 824-020-0040, 824-030-0010, 824-030-0020, 824-030-0030, 824-030-0040, 824-040-0010, 824-050-0010, 824-060-0010

Subject: The Behavior Analysis Regulatory Board’s rules establish the criteria for the licensing of behavior analysts and assistant behavior analysts and the registration of licensed health care professionals and behavior analysis interventionists. The rules also establish guidelines for the professional methods and procedures used by individuals licensed and registered under this board.

Rules Coordinator: Samantha Patnode—(503) 373-1917

824-010-0005

Definitions

(1) “Accredited college or university” means a college or university as listed in the Council on Higher Education database, or evaluated through the National Association of Credential Evaluations Services or World Education Services for equivalency.

(2) “Affidavit of Licensure” means an original document or other approved means of verifying an authorization to practice, status and history, including information disclosing all outstanding penalties and/or disciplinary actions.

(3) “Applied behavior analysis” has the definition set forth in 2013 Oregon Law Chapter 771 Section 2(1)(a)(A).

(4) “Authorization” means the official document, i.e., license and registration, issued by the Board administered under ORS 676.800, as prima facie evidence of the right to practice in accordance with the laws and rules of the regulatory program administered by the Office.

(5) “Autism spectrum disorder” has the definition set forth in ORS Chapter 771 Section 2(1)(B)(b)

(6) “BACB” means the Behavior Analyst Certification Board.

(7) “BCBA” means a Board Certified Behavior Analyst.

(8) “BCaBA” means a Board Certified Assistant Behavior Analyst.

(9) “Board” means the Behavior Analysis Regulatory Board.

(10) “Direct oversight” means the training or the observation of an interventionist providing client services and at a minimum requires the presence of the supervisor, the interventionist and client.

(11) “Indirect oversight” means supervisory functions including: training the interventionist without the client present, consulting with families or caregivers regarding interventionist service delivery, or completing evaluations or assessments of interventionists without the client present.

(12) “Interventionist” means a Behavior Analysis Interventionist.

(13) “Licensed health care professional” means those persons licensed under ORS 676.160.

(14) “Office” means the Health Licensing Office.

(15) “Official transcript” means an original document certified by an accredited college or university indicating hours and types of course work, examinations and scores that the student has completed. The accredited college or university must submit the transcript by mail or courier directly to the Office in a sealed envelope.

(16) “Ongoing oversight” means a supervisor is monitoring the service delivery of an interventionist by direct and indirect means.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-010-0010

Notice of Proposed Rulemaking

(1) Prior to the adoption, amendment or repeal of any permanent rule, the Behavior Analysis Regulatory Board must give notice of the intended action;

(2) In the Secretary of State’s Bulletin referred to in ORS 183.360 at least 21 days before the effective date of the intended action.

(3) Mail a copy of the notice to persons on the Behavior Analysis Regulatory Board’s mailing list established pursuant to ORS 676.800 at least 28 days before the effective date of the rule;

(4) In regard to rules adopted on or after January 1, 2006, at least 49 days before the effective date of the rule, the Board must provide notice to the persons specified in ORS 676.800; and

(5) Mail or furnish a copy of the notice to:

(a) The Associated Press; and

ADMINISTRATIVE RULES

(b) The Capitol Press Room.
Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-010-0020

Criminal Records Checks and Fitness Determinations

(1) The Board may require and conduct a criminal records check to determine fitness of individuals applying for an authorization issued or renewed by the Board pursuant to ORS 676.800.

(2) These rules are to be applied when evaluating the criminal history of all authorization holders and applicants, and conducting fitness determinations based upon such history. The fact that the applicant has cleared the criminal records check does not guarantee the granting of an authorization.

(3) The Board shall make fitness determinations pursuant to ORS 670.280.

(4) The Board may require additional information from the authorization holder or applicant to conduct the criminal records check.

(5) All criminal records checks, confidentiality and dissemination of information received, shall be in accordance with ORS 181.534 through 181.560 and OAR 257, division 10.

(6) If the Board determines an applicant or authorization holder is unfit, the individual is entitled to a contested case process pursuant to ORS 183.

(7) If the applicant discontinues the application process or fails to cooperate with the criminal records check, the Board considers the application incomplete.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-010-0030

Authorization; Replacement

(1) The Board may issue a replacement authorization document, if:

(a) A written request for a replacement is submitted to the Board that contains the authorization holder's name, authorization number, address, telephone number and a statement attesting that the original authorization has been lost, stolen or destroyed;

(b) The authorization is valid, current and not expired, suspended or revoked;

(c) Payment of the replacement fee accompanies the request;

(d) The authorization holder is not subject to any outstanding civil penalties or other disciplinary action.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-010-0040

Application Requirements

(1) Application for an authorization administered by the Board under ORS 676.800 shall be made on forms prescribed by the Board and furnished by the Office.

(2) To be accepted and processed, an application must contain:

(a) Applicant's current legal name, address and telephone number;

(b) Applicant's date of birth;

(c) Applicant's signature and date of application;

(d) Applicant's Social Security or Individual Taxpayer Identification number.

(e) Applicant's ethnicity (optional);

(f) Applicant's gender (optional);

(g) Disclosure of any active or inactive disciplinary action, voluntary resignation of a license or registration, or sanction related to authorization imposed upon the applicant by any state or country regulatory authority;

(h) Disclosure of any active or inactive certificate, license, permit or registration issued by Oregon or another state;

(i) Payment for the exact amount of required fees; and

(j) Any additional information required by the Board.

(3) An applicant must provide one form of acceptable original, photographic identification issued by a federal, state or local government office of the United States.

(4) The Board will not accept a document as proof of identity and date of birth if the Board has reason to believe the document is not valid. The Board may request an applicant present additional documentary proof of identity if the document presented does not establish the applicant's identity to the satisfaction of the Board.

(5) All authorizations will expire on the last day of the month, one year from the date the authorization was issued.

(6) Subject to ORS 676.612, authorizations issued by the board will be issued to qualified applicants after conducting fitness determinations and upon meeting all requirements established by rules adopted by the Board.

(7) Notwithstanding subsection (5) of this rule, the Board may vary the renewal date of an authorization by giving the applicant written notice of the renewal date being assigned and by making prorated adjustments to the renewal fee.

(8) The authorization will be mailed to the place of residence or mailing address recorded on file with the Board.

(9) Failure to provide the Social Security or Individual Taxpayer Identification number will be a basis to refuse to accept the application or to issue an authorization. This information will be used for child-support enforcement and tax-administration purposes, unless the applicant authorizes other uses of the number. The authority for this requirement is ORS 25.785, 305.385, 42 USC Sec. 405(c)(2)(C)(i), and 42 USC Sec. 666(a)(13).

(10) An applicant who has been the subject of any disciplinary action, including the imposition of a civil or criminal penalty, is not considered qualified for an authorization until the Board determines the scope, applicability and finality of the disciplinary action as it relates to the applicant's fitness to be issued a license or registration under ORS 676.800. The disciplinary record may include, but not be limited to, actions imposed from the following:

(a) An Oregon health professional regulatory board as defined in ORS 676.160;

(b) A regulatory authority in Oregon or another state;

(c) A regulatory authority in another country or territory.

(11) Material misrepresentation or material errors of fact on an application is grounds for the disqualification of an application and any other sanctions listed under ORS 676.612.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-020-0010

Fees

(1) Payments made to the Board should be made for the exact amount of the transaction.

(2) Incomplete or incorrect payments or documentation may be returned to the authorization holder for correction before being processed.

(3) Dishonored payments, pursuant to ORS 30.701, will be assessed an administrative processing fee. The Board may take any other disciplinary action required to collect outstanding fees.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-020-0020

Refund of Payments

(1) The Board will not refund any payment unless the Board is in error. Incorrect information provided by the authorization holder is not grounds for a refund.

(2) The Board will comply with ORS 291 and 293 and the Oregon Accounting Manual regarding administration of public funds pertaining to assessment of fees, charges and refunding monies.

(3) Application fees will not be refunded. The Office will retain the application fee if an applicant withdraws the application for a license or registration before the issuance of the authorization, or fails to complete the application process.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-020-0030

Fees for Public Records and Publications

(1) All requests for copies of public records pertaining to the Office or the Board must be submitted in writing, by electronic mail, or by completion of an electronic form provided by the Office. Requests are subject to disclosure according to the Public Records Law, ORS 192.410 to 192.505, and rules adopted thereunder.

(2) The Office may charge a fee reasonably calculated to reimburse the Office for costs of providing and conveying copies of public records. Fees shall not exceed the cost of locating, compiling, making available for inspection, preparing copies on paper, audio or computer disk. All estimated fees and charges must be paid before public records will be made available for inspection or copies provided.

(3) The Office shall notify a requestor of the estimated costs of making records available for inspection or providing copies of records. If the

ADMINISTRATIVE RULES

estimated cost exceeds \$25, the Office shall provide an updated estimate and wait until the requestor confirms that they want the Office to proceed with making the public records available.

(4) Charges to the public must be paid by cashier's check, money order, credit card or in cash.

(5) The Office will charge 25 cents per page for the first 20 pages and 15 cents per page thereafter to recover the costs of materials and staff time. If, for operational or other reasons, the Office uses the services of an outside facility or contractor to photocopy requested records, the Office shall charge the actual costs incurred.

(6) Staff time that exceeds 20 minutes per request will be charged by the Office according to the statewide policy that dictates the hourly rate.

(7) The Office may charge individuals actual postage costs for mailing of records.

Stat. Auth.: ORS 676.800

Stats. Implemented: ORS 676.800

Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-020-0040

Authorization Fees

Fees established by the Board are:

(1) Applications:

(a) Behavior Analyst — \$150.

(b) Assistant Behavior Analyst — \$125.

(c) Licensed Health Care Professional — \$100.

(d) Behavior Analysis Interventionists — \$75.

(2) Original license or registration — valid for one year:

(a) Behavior Analyst — \$200.

(b) Assistant Behavior Analyst — \$175.

(c) Licensed Health Care Professional — \$150.

(d) Behavior Analysis Interventionist — \$100.

(3) Renewal of license or registration — valid for one year:

(a) Behavior Analyst — \$200.

(b) Assistant Behavior Analyst — \$175.

(c) Licensed Health Care Professional — \$150.

(d) Behavior Analysis Interventionist — \$100.

(4) Other administrative fees:

(a) Late renewal of license or registration — \$50.

(b) Replacement license or registration, including name change —

\$25.

(c) Affidavit of Licensure — \$50.

(d) Administrative processing fee — \$25.

Stat. Auth.: ORS 676.800

Stats. Implemented: ORS 676.800

Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-030-0010

Licensing of Behavior Analyst

An individual applying for licensure as a Behavior Analyst must:

(1) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 824-010-0040 and be accompanied by payment of the required application fees.

(2) Submit proof of current certification by the Behavior Analyst Certification Board, Incorporated, as a Board Certified Behavior Analyst.

(3) Successfully complete a criminal records check.

(4) If applicable, submit an affidavit of licensure from any state where the individual holds or has held a license as a behavior analyst whether the license is active or inactive.

(5) Submit required license fees.

Stat. Auth.: ORS 676.800

Stats. Implemented: ORS 676.800

Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-030-0020

Licensing of Assistant Behavior Analyst

An individual applying for licensure as an Assistant Behavior Analyst must:

(1) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 824-010-0040 and be accompanied by payment of the required application fees.

(2) Submit proof of current certification by the Behavior Analyst Certification Board, Incorporated, as a Board Certified Assistant Behavior Analyst.

(3) Successfully complete a criminal records check.

(4) Be supervised by a BCBA who is licensed by the Board.

(5) If applicable, submit an affidavit of licensure from any state where the individual holds or has held a license as an assistant behavior analyst whether the license is active or inactive.

(6) Submit required license fees.

Stat. Auth.: ORS 676.800

Stats. Implemented: ORS 676.800

Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-030-0030

Registration of Licensed Health Care Professional

An individual applying for registration as a Licensed Health Care Professional must:

(1) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 824-010-0040 and be accompanied by payment of the required application fees;

(2) Submit affidavit of licensure as a Licensed Health Care Professional.

(3) Submit an official transcript demonstrating attainment of at least a master's degree in any of these areas of study:

(a) Behavior analysis;

(b) Clinical psychology;

(c) Counseling;

(d) Developmental psychology;

(e) Education;

(f) Medicine — Medical doctor/doctor of osteopathic medicine;

(g) Occupational therapy;

(h) Physical therapy

(i) School psychology;

(j) Social Work;

(k) Speech/language pathology.

(4) Attest to having clinical experience treating individuals diagnosed with autism spectrum disorder.

(5) Provide all applicable evidence of sufficient competency to practice applied behavior analysis as defined in 824-010-0005(3). Evidence must include:

(a) Coursework — submission of official transcripts and other official documentation such as syllabi that demonstrates successful completion of graduate-level coursework in the following:

(A) Foundations of behavior analysis — 45 classroom hours

(B) Behavioral assessment related to behavior analysis — 35 classroom hours

(C) Research methods related to behavior analysis — 20 classroom hours

(D) Behavioral change related to behavior analysis — 45 classroom hours

(E) Observation and measurement related to behavior analysis — 20 classroom hours.

(b) 1,200 hours of supervised or mentored clinical experience with a professional with expertise in applied behavior analysis. Supervisor or mentor must provide a curriculum vitae and complete a form prescribed by the Board.

(c) At least one example of professional development, such as a peer-reviewed publications or presentations; certification in an applied behavior analysis-based treatment model; a letter of reference that includes writer's curriculum vitae regarding the observation of the applicant's practice of behavior analysis with individuals with autism spectrum disorder; professional continuing education in applied behavior analysis completed within the last 3 years.

(6) Submit required registration fees.

Stat. Auth.: ORS 676.800

Stats. Implemented: ORS 676.800

Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-030-0040

Registration of a Behavior Analysis Interventionist

An individual applying for registration as a Behavior Analysis Interventionist must:

(1) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 824-010-0040 and be accompanied by payment of the required application fees;

(2) Submit required registration fees.

(3) Submit documentation of a high school diploma or equivalent;

(4) Successfully complete a criminal records check; and

(5) Provide documentation for one of the following pathways:

(a) Pathway 1 — Coursework and training:

(A) Submit proof of at least 30 quarter credit hours or equivalent semester credit hours from an accredited university or college with at least 3 credit hours in one of the following areas of study:

(i) Behavior analysis;

(ii) Special education;

ADMINISTRATIVE RULES

- (iii) Human development;
- (iv) Early childhood development;
- (v) Introduction to psychology;
- (vi) Behavioral psychology;
- (vii) Education;
- (viii) Speech/language pathology.

(B) Submit documentation of 40 hours of training in the following knowledge and skill areas on the BARB-approved form:

- (i) Professional and ethical issues;
- (ii) Foundational knowledge of behavioral change principles
- (iii) Assessment;
- (iv) Implementation of prescribed intervention plans;
- (v) Data collection and documentation;

(C) Interventionist training time frames are as follows:

(i) If the training was obtained before Jan. 1, 2015, the training must have been provided by: a Board Certified Behavior Analyst, a Board Certified Assistant Behavior Analyst or a health care professional licensed pursuant to ORS 676.160.

(ii) If the training was obtained after Jan. 1, 2015, the training must have been provided by a licensed Board Certified Behavior Analyst, a licensed Board Certified Assistant Behavior Analyst or a licensed health care professional registered pursuant to ORS 676.800.

(b) Pathway 2 — Coursework and on-the-job training

(A) Submit proof of at least 3 quarter credit hours or equivalent semester credit hours from an accredited university or college in one of the following areas of study:

- (i) Behavior analysis;
- (ii) Special education;
- (iii) Human development;
- (iv) Early childhood development;
- (v) Introduction to psychology;
- (vi) Behavioral psychology;
- (vii) Education;
- (viii) Speech/language pathology

(B) Submit documentation of 40 hours of training in the following knowledge and skill areas on a form approved by the Board:

- (i) Professional and ethical issues;
- (ii) Foundational knowledge of behavioral change principles
- (iii) Assessment;
- (iv) Implementation of prescribed intervention plans;
- (v) Data collection and documentation;

(C) Interventionist training time frames are as follows:

(i) If the training was obtained before Jan. 1, 2015, the training must have been provided by: a Board Certified Behavior Analyst, a Board Certified Assistant Behavior Analyst or a health care professional licensed pursuant to ORS 676.160.

(ii) If the training was obtained after Jan. 1, 2015, the training must have been provided by a licensed Board Certified Behavior Analyst, a licensed Board Certified Assistant Behavior Analyst or a licensed health care professional registered pursuant to ORS 676.800.

(D) Submit proof of having at least 1,000 hours of supervised experience acquired in the last three years delivering applied behavior analysis treatment protocols.

(i) If the supervised experience was obtained before Jan. 1, 2015, the supervised experience must have been provided by: a Board Certified Behavior Analyst, a Board Certified Assistant Behavior Analyst or a health care professional licensed pursuant to ORS 676.160.

(ii) If the supervised experience was obtained after Jan. 1, 2015, the supervised experience must have been provided by a licensed Board Certified Behavior Analyst, a licensed Board Certified Assistant Behavior Analyst or a licensed health care professional registered pursuant to ORS 676.800.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-040-0010

Supervision of Interventionist

To be an approved supervisor, an individual must:

- (1) Be licensed by the Board; or
- (2) Be a licensed health care professional registered with the Board; and
- (3) Have no current or pending disciplinary action imposed by the Board or other regulatory body.
- (4) An approved supervisor must:

(a) Enter into a supervisor agreement on a form prescribed by the Board for each interventionist. A copy of the agreement must be given to the parent or guardian of the client.

(b) Complete a competency assessment on a form approved by the Board for each interventionist prior to independent client service;

(c) Meet and assess client prior to the interventionist initiating independent service delivery.

(d) Have direct oversight, as defined in 824-010-0005(10), of the interventionist for a minimum of 2 hours prior to independent service delivery with any new client. This requirement can be met through training and must be documented in the interventionist's file.

(e) Evaluate or assess the interventionist's performance at least every 6 months after initial competency assessment as documented on a form approved by the Board.

(f) Maintain a log of ongoing oversight of the interventionist on a form prescribed by the Board.

(g) Supervisor must have ongoing oversight of each interventionist for at least 10 percent of that interventionist's direct service hours, of which at least 5 percent must be direct oversight as defined in 824-010-0005(10).

(h) Supervisor must have direct oversight, as defined in 824-010-0005(10), of each interventionist at least once a month or 60 direct service hours, whichever comes first;

(i) Direct oversight, as defined in 824-010-0005(10), must take place with each client on the interventionists' caseloads at least once every three months.

(j) Notify the Board in writing within 3 business days if an interventionist is no longer being supervised.

(k) Maintain supervision records for a minimum of 5 years after the last day of supervision. Upon request, such records must be made available for inspection by the Board.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-050-0010

Renewal of License and Registration

(1) To avoid late fees, the authorization must be renewed before the authorization expires. The authorization holder must:

(a) Submit a renewal application form; or renew online using the Board's online renewal form.

(b) Pay the renewal fee pursuant to OAR 824-020-0040; and

(2) BCBA's and BCaBA's certification must be current with BACB.
(3) Licensed health care professionals' licenses must be current with no unresolved or outstanding disciplinary action with their Health Professional Regulatory Board.

(4) A renewal and payment received by the Board in person or post-marked after the expiration date will be assessed a late fee and will be assigned a new expiration date. The new expiration date will be the last day of the month, one year from the date the renewal was received or post-marked.

(5) The Board may mail a renewal notice. The authorization holder is responsible for submitting a timely renewal application even if the renewal notice was not received by the authorization holder.

Stat. Auth.: ORS 676.800
Stats. Implemented: ORS 676.800
Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

824-060-0010

Standards of Practice

(1) Licensees and registrants of the Board must rely on the principles of behavior analysis in their practice and use research-based behavior analytic services.

(2) Licensees and registrants of the Board must not:

(a) Exploit persons over whom they have supervisory, evaluative or other authority.

(b) Misuse assessment techniques, interventions, results and interpretations, including representing non-behavior analytic practices as behavior analysis.

(c) Promote or delegate the use of behavioral assessment and intervention techniques by unqualified persons.

(d) Engage in behaviors that are sexual in nature, harassing, exploitative or demeaning to clients, clients' family members, students or other supervisees.

(e) Use professional relationships to further personal, religious, political or economic interests outside of the service-provision relationship.

ADMINISTRATIVE RULES

(f) Enter into or maintain a relationship that may impair the objectivity or interfere with the ability to effectively provide behavior analytic services.

(g) Terminate or disrupt services to a client without notifying the client, client's parent or guardian, and providing information related to the transfer or referral to another service provider.

Stat. Auth.: ORS 676.800

Stats. Implemented: ORS 676.800

Hist.: BARB 1-2014, f. 10-21-14, cert. ef. 12-1-14

Oregon Health Authority, Addictions and Mental Health Division: Mental Health Services Chapter 309

Rule Caption: Permanent amendments to 309-090 entitled Forensic Mental Health Evaluators and Evaluations.

Adm. Order No.: MHS 14-2014

Filed with Sec. of State: 10-29-2014

Certified to be Effective: 10-29-14

Notice Publication Date: 5-1-2014

Rules Adopted: 309-090-0055, 309-090-0060, 309-090-0065, 309-090-0070

Rules Amended: 309-090-0000, 309-090-0005, 309-090-0010, 309-090-0015, 309-090-0020, 309-090-0025, 309-090-0030, 309-090-0035, 309-090-0040, 309-090-0050

Subject: These rules establish minimum standards for the certification of psychiatrists, licensed psychologists, and regulated social workers, who are Licensed Clinical Social Workers (LCSW), related to performing forensic examinations and evaluations as described in ORS 161.309-161.370, 419C.150, 419C.378-419C.398 and 419C.524. The rules are intended to ensure that forensic evaluations meet consistent quality standards and are conducted by qualified and trained evaluators. The Oregon Health Authority (OHA) shall provide training, certify qualified applicants and maintain a list of certified forensic evaluators for statewide use.

Rules Coordinator: Marcus Kroloff—(503) 945-9717

309-090-0000

Purpose and Scope

These rules establish minimum standards for the certification of psychiatrists, licensed psychologists, and regulated social workers, who are Licensed Clinical Social Workers (LCSW), related to performing forensic examinations and evaluations as described in ORS 161.309-161.370, 419C.150, 419C.378-419C.398 and 419C.524. The rules are intended to ensure that forensic evaluations meet consistent quality standards and are conducted by qualified and trained evaluators. The Oregon Health Authority (OHA) shall provide training, certify qualified applicants and maintain a list of certified forensic evaluators for statewide use.

Stat. Auth.: ORS 413.042; OL 2011, HB 3100, 161.392, HB2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, ORS 161.392, HB2836, 419C.382

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0005

Definitions

(1) "Authority" means the Oregon Health Authority.

(2) "Competence" means the same as "fitness to proceed" and is defined according to ORS 161.360.

(3) "Conditional Certification" means a psychologist, psychiatrist, or regulated social worker who is a Licensed Clinical Social Worker is temporarily Court-designated as a certified evaluator as defined in OAR 309-090-0010(3).

(4) "Criminal Responsibility" is defined according to ORS 161.295.

(5) "Division" means the Addictions and Mental Health (AMH) Division of the Authority.

(6) "Evaluator" means a psychiatrist, licensed psychologist or a Licensed Clinical Social Worker certified by the Authority to perform forensic evaluations.

(7) "Forensic Psychiatric or Psychological Evaluation" means the assessment of a defendant or juvenile in which the certified forensic evaluator opines on a specific psycho-legal referral question related to ORS 161.360 or 161.295, or 419C.378-419C.398 and is ordered by the Court or requested by associated attorneys.

(8) "Full Certification" means a psychiatrist or licensed psychologist in the state of Oregon satisfying the requirements of this chapter as defined in OAR 309-090-0010(1).

(9) "Juvenile" means a person who is under the age of 18.

(10) "Juvenile Certification" means an evaluator in the state of Oregon satisfies the requirements of this chapter as defined in OAR 309-090-0010(1) and has also completed the specialized juvenile segment of the Oregon Forensic Evaluator Training and has successfully passed the examination for juvenile certification.

(11) "Licensed Clinical Social Worker" means a regulated social worker licensed with the Oregon board of Licensed Social Workers pursuant to ORS 675.530.

(12) "Licensed Psychologist" means a psychologist licensed pursuant to ORS 675.010 through 675.150 by the Oregon Board of Psychologist Examiners.

(13) "Mental Defect" means mental retardation, brain damage or other biological dysfunction that is associated with distress or disability causing symptoms or impairment in at least one important area of an individual's functioning, as defined in the current Diagnostic and Statistical Manual of Mental Disorders Fourth Edition; Text Revised (DSM-IV-TR) or hereto forward editions of the DSM of the American Psychiatric Association.

(14) "Mental Disease" means any diagnosis of mental disorder which is a significant behavioral or psychological syndrome or pattern that is associated with distress or disability causing symptoms or impairment in at least one important area of an individual's functioning, as defined in the current Diagnostic and Statistical Manual of Mental Disorders Fourth Edition; Text Revised (DSM-IV-TR) or hereto forward editions of the DSM of the American Psychiatric Association.

(a) The term "mental disease or defect" does not include an abnormality manifested solely by repeated or criminal or otherwise antisocial conduct or by substance induced disorders or paraphilias;

(b) For offenses committed on or after January 1, 1984, the term "mental disease or defect" does not include any abnormality constituting solely a personality disorder.

(15) "Oregon Forensic Evaluator Training Program" means a training program approved by the Authority to review with psychiatrists licensed psychologists, and Licensed Clinical Social Workers best practices for forensic evaluations and the standards required in these rules to perform forensic evaluations for courts in the state of Oregon.

(16) "Psychiatrist" means a physician licensed by the Oregon Medical Board pursuant to ORS 677.010 through ORS 677.450 and who has completed an approved residency training program in psychiatry.

(17) "Redacted Forensic Evaluation" means a forensic evaluation report for which all identifying information of the client and evaluator has been removed. Specific information that should be redacted includes any information which may specifically identify the defendant or juvenile, name and discipline of the evaluator, address, phone, fax or logos that may identify the evaluator, qualifications of the evaluator that may identify the evaluator.

(18) "Regulated Social Worker" means a social worker registered pursuant to ORS 675.510.

(19) "Substantial Danger to Self or to Others" means the person requires a hospital level of care due to a mental disease or defect.

(20) "Successful completion of training" means:

(a) Attendance at the entire training; and

(b) Passing the examination given at the conclusion of the training.

(21) "Temporary Certification" means the certification granted by OHA under these rules after an applicants has satisfied the requirements of OAR 309-090-0010(2)

(22) "Youth" means a person under 18 years of age who is alleged to have committed an act that is a violation, or, if done by an adult would constitute a violation, of a law or ordinance of the United States or a state, county, or city, pursuant to ORS 419A.004.

Stat. Auth.: ORS 161.398., 419C.524;419C.382, OL 2011, HB 3100, HB2836

Stats. Implemented: OL 2011, HB 3100, HB2836, ORS 161.309-370, ORS 419C.378-398

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 16-2012, f. & cert. ef. 12-26-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0010

Forensic Certification Types and Requirements

Psychiatrists licensed psychologists, and Licensed Clinical Social Workers must be certified by the Authority to submit evaluation reports to the court for the purpose of criminal responsibility or competency when ordered by the court as required in ORS 161.309, 161.365, 419C.524 through 419C.527 and 419C.378 through 419C.398.

ADMINISTRATIVE RULES

(1) Applicants must meet the following requirements for full certification:

(a) A psychiatrist must submit a completed application form, psychiatrist supplement, and nonrefundable \$250 application fee and;

(A) Have a current license to practice in Oregon

(B) Participate in and successfully complete the Oregon Forensic Evaluator Training; and

(C) Submit to OHA for review three redacted forensic evaluation reports completed by the applicant within the previous 24 months.

(i) If an applicant desires to perform criminal responsibility evaluations, if available, at least one redacted forensic evaluation report should be an evaluation of criminal responsibility.

(ii) If an applicant desires to perform juvenile evaluations, the applicant shall participate in and successfully complete the specialized juvenile segment of the Oregon Forensic Evaluator Training, and, if available, at least one redacted forensic evaluation report should be an evaluation of a juvenile.

(b) A licensed psychologist must submit a completed application form, psychologist supplement and nonrefundable \$250 application fee and:

(A) Have a current license to practice in Oregon;

(B) Participate in and successfully complete the Oregon Forensic Evaluator Training; and

(C) Submit to OHA for review three redacted forensic evaluation reports completed by the applicant within the previous 24 months.

(i) If an applicant desires to perform criminal responsibility evaluations, if available, at least one redacted forensic evaluation report should be an evaluation of criminal responsibility.

(ii) If an applicant desires to perform juvenile evaluations, the applicant shall participate in and successfully complete the specialized juvenile segment of the Oregon Forensic Evaluator training and, if available, at least one redacted forensic evaluation report should be an evaluation of a juvenile.

(c) A Licensed Clinical Social Worker must submit a completed application form, social worker supplement, and nonrefundable \$250 application fee and;

(A) Have a current Oregon license as a clinical social worker as defined in ORS 675.530;

(B) Participate in and successfully complete the Oregon Forensic Evaluator Training including the specialized juvenile segment; and

(C) Submit to OHA for review three redacted forensic evaluation reports completed by the applicant specifically addressing juvenile competency completed within the previous 24 months.

(d) A Licensed Clinical Social Worker is restricted from providing forensic evaluations except for evaluations specifically addressing a youth's fitness to proceed in a proceeding initiated by a petition alleging jurisdiction under ORS 119C.005.

(e) Full Certification has a maximum duration of 24 months from certification date.

(2) Temporary Certification:

(a) Applicants who submit applications for Forensic Evaluator Certification will be granted a Temporary Certification until participation in and successful completion of the Oregon Forensic Evaluator Training and submission of three redacted forensic evaluation reports. If the applicant desires to perform criminal responsibility evaluations, at least one redacted forensic evaluation report should be an evaluation of criminal responsibility. Applicants must attend the next regularly scheduled training date or request an extension which may be granted by the Authority.

(b) Evaluators with temporary certification who submit forensic evaluation reports for panel review are certified to perform forensic evaluations for individuals charged with crimes including:

(A) Aggravated murder;

(B) Murder; or

(C) Ballot Measure 11 Offenses.

(c) If no redacted forensic evaluation reports are available, evaluators may perform evaluations of those charged with crimes other than aggravated murder, murder or Ballot Measure 11 offenses for the purpose of generating evaluation reports to the Authority for review.

(d) For Certification purposes, psychiatrists enrolled in an ACGME-Accredited residency training program may participate in evaluations where certification is required under Oregon Revised Statutes (ORS) 161.309, 161.365 and 419C.524 only under the direct supervision and review of a psychiatrist or psychologist that has been granted full certification under the provisions of OAR 309-090-0010.

(e) Temporary certification has a maximum duration of 12 months. An extension of an additional 3 months may be granted by the Authority for extenuating circumstances.

(3) Conditional Certification. An evaluator, who has not been certified by OHA, may be granted conditional certification by the court, if exigent circumstances exist such as an out of state expert evaluation being sought, or an unusual expertise is required. The court will notify the Authority of the granting of a conditional certification. Conditional Certification ends at the disposition of the particular case for which the conditional certification was granted.

Stat. Auth.: ORS 161.392-, 419C.524; OL 2011, HB 3100, HB2836, 319C.382

Stats. Implemented: OL 2011, HB 3100, ORS 161.392, HB2836, 419C.382, 419C.380

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0015

Application Requirements and Process

(1) Applications must be submitted to the Authority using a form and in a manner prescribed by the Authority.

(2) The application must be accompanied by:

(a) Proof of the applicable license by the State of Oregon, as a Psychiatrist Psychologist, or Licensed Clinical Social Worker.

(b) A copy of a current resume or curriculum vitae providing documentation of forensic training and experience.

(c) Three redacted forensic evaluation reports of competency or criminal responsibility. If no redacted forensic evaluation reports are available, an applicant may be temporarily certified and may perform evaluations of those charged with crimes other than aggravated murder, murder, or Ballot Measure 11 offenses for the purpose of generating reports to the Authority for review; and(d) A non-refundable application fee of \$250.00.

(3) After a complete application packet is received the Authority will:

(a) Evaluate the materials to determine whether the applicant is qualified for Full or Temporary Certification;

(b) Grant, deny or place conditions on a certification; and

(c) Issue a written statement to the applicant of its determination.

Stat. Auth.: ORS 161.392- 419C.524, 419C.392 OL 2011, HB 3100, HB 2836.

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 161.392, 419C.382.

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0020

Recertification Requirements

(1) An evaluator must request recertification using a form, and in a manner prescribed by the Authority.

(2) The minimum requirements for recertification are:

(a) Proof of the applicable license by the State of Oregon;(b) Within six months of expiration of certification, participation in recertification updates to the Oregon Forensic Evaluator Training Program approved by the Authority;

(b) Review and approval by the division of a minimum of two redacted forensic evaluation reports completed by the applicant during the past 24 months. If the psychiatrist or licensed psychologist applicant desires to perform criminal responsibility evaluations, at least one redacted sample should be an evaluation of criminal responsibility. If performing Juvenile evaluations one of these should be a juvenile competency or criminal responsibility evaluation. Licensed Clinical Social Workers cannot perform any forensic evaluations other than fitness to proceed evaluations for youth in a proceeding initiated by a petition alleging jurisdiction under ORS 419C.005. All redacted evaluation reports submitted by Licensed Clinical Social Workers for panel review must specifically address the topic of juvenile competency for youth in a proceeding initiated by a petition alleging jurisdiction under 419C.005. These reports will be subject to review and must meet or exceed standards identified by the Authority as listed in OAR 309-090-0025. The review panel may request to review an additional evaluation report if necessary to make a determination that the reports meet or exceed standards as listed in 309-090-0025; and

(c) A non-refundable application fee of \$250.00.

(d) Continued compliance with all applicable laws and requirements.

(3) Failure to satisfy the factors listed in (2) above shall result in a non-recertification order from the Authority.

(4) Failure to reapply, attend recertification updates to the Oregon Forensic Evaluator Training or submit redacted evaluation reports for review and approval shall constitute a forfeiture of full certification which may be restored only upon written application approved by the Authority. Individuals who fail to reapply may receive a temporary certification for up to twelvemonths. Evaluators are responsible for monitoring their own expiration date and reapplying at the appropriate time.

ADMINISTRATIVE RULES

(5) Individuals who receive non-recertification orders may reapply for certification and will be certified after they meet all of the requirements for certification. The Authority shall also provide notice of the applicant's right to a hearing pursuant to the provisions of ORS Chapter 183.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524; OL 2011, HB 3100, HB 2836, 319C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0025

Content of Written Evaluations Assessing Competency and Criminal Responsibility

(1) At minimum each forensic evaluation report shall include the following:

(a) Identifying information of the defendant, a description of the forensic examination, criminal charges, the referral source and the referral question;

(b) The evaluative procedure, techniques and tests used in the examination and the purpose for each, informed consent and limits of confidentiality;

(c) Background information, relevant history of mental and physical illnesses, substance use and treatment histories, medications, hospital or jail course, and current setting.

(d) Summary of a mental status examination;

(e) A substantiated diagnosis in the terminology of the American Psychiatric Association's current edition of the Diagnostic and Statistical Manual;

(f) A consideration of malingering must be present in every evaluation report; and

(g) A summary of relevant records reviewed for the evaluation.

(2) In addition to 309-090-0025(1), when the defendant or juvenile's competency is in question, the evaluation report shall also include, at a minimum, opinions and explanations related to the defendant or juvenile's:

(a) Understanding of his or her charges, the possible verdicts and the possible penalties;

(b) Understanding of the trial participants and the trial process;

(c) Ability to assist counsel in preparing and implementing a defense;

(d) Ability to make relevant decisions autonomously; and

(e) If determined incapacitated: A recommendation of treatment and other services necessary for the defendant to gain or restore capacity, including an opinion and explanation as to whether the person requires a hospital level of care.

(f) Evaluator does not provide the defendant or juvenile's statements about the alleged criminal conduct unless necessary to support the evaluator's finding of competence or incompetence.

(3) In addition to 309-090-0025(1), related to the question of criminal responsibility, the evaluation report shall also include, at a minimum, opinions and explanations addressing:

(a) The defendant or juvenile's account of the alleged offense(s) including thoughts, feelings and behavior;

(b) Summary of relevant records; including police reports,

(c) An expert opinion regarding the role of substance use in the alleged offense;

(d) The defendant or juvenile's mental state at the time of the alleged offense(s) and

(e) An expert opinion regarding whether the defendant, as a result of mental disease or defect at the time of engaging in the alleged criminal conduct, lacked substantial capacity either to appreciate the criminality of the conduct or to conform the conduct to the requirements of law.

(f) An expert opinion regarding; if the individual is determined guilty except for insanity of a misdemeanor is the individual a substantial danger to others as defined in these rules.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524, 419C.382; OL 2011, HB 3100, HB2836

Stats. Implemented: OL 2011, HB 3100

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 16-2012, f. & cert. ef. 12-26-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0030

Forensic Evaluation Review Panel

(1) A multi-disciplinary review panel shall be appointed by the director of the Addictions and Mental Health Division and serve at the discretion of the Director to review forensic evaluation reports submitted in support of applications for certification.

(2) An individual interested in participating in the Forensic Evaluation Review Panel shall submit a letter of interest to the OHA Director of the Addictions and Mental Health Division along with a resume.

(3) Members shall be experienced in the criminal justice system and have familiarity with the issues of competency and criminal responsibility.

(4) Members shall serve a two year term and are eligible for reappointment at the discretion of the Director. Vacancies occurring during a member's term shall be filled immediately for the remainder of the unexpired term.

(5) Members shall be reimbursed on a per diem basis for each day during which the member is engaged in the performance of official duties.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 161.392, 419C.382

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0035

Forensic Evaluation Review Panel Process

(1) Members of the Forensic Evaluation Review Panel will meet at the discretion of the authority to review all submitted redacted forensic evaluation reports as the need arises.

(2) Redacted forensic evaluation reports will be reviewed by panel members with different professional backgrounds to determine whether the reports have met the requirements of form and content.

(3) Panel members will issue a report to the division with feedback for the certified forensic evaluator.

(4) The Review Panel will participate in the process for reviewing complaints and remediation plans under 309-090-0060 through 309-090-0062 and make recommendations to the Authority if requested.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, ORS 161.392, HB 3100, HB 2836, 419C.382

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0040

Forensic Evaluator Training Program

(1) The Authority will establish a course of training for persons desiring the issuance of a certificate. At a minimum the training will include a review of:

(a) The Oregon statutes and case law applicable to the issues of competency and criminal responsibility;

(b) Testing and techniques related to assessing competency and criminal responsibility

(c) The required contents of a report;

(d) The ethical standards and considerations relevant to an evaluation of competency and criminal responsibility

(e) Assessment of risk to others and recommendations for treatment and services

(2) Additional specialized training shall be required for evaluators desiring to perform evaluations on children younger than age 15 and other specialized populations.

(3) An examination will be administered at the completion of the initial training.

(4) Updates to this training shall be provided every two years and consist of information regarding relevant changes to the law, rules, process for Forensic Evaluator Certification, and relevant advanced topics.

Stat. Auth.: ORS 161.309-161.370, 419C.524; OL 2011, HB 3100

Stats. Implemented: OL 2011, HB 3100

Hist.: MHS 12-2011(Temp), f. 12-21-11, cert. ef. 1-1-12 thru 6-27-12; MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0050

Confidentiality

Except for the names of certified evaluators, all records provided to the authority or the division under these rules are confidential and privileged and may not be released or utilized for any purpose outside these rules. Any practitioner who in good faith complies with these rules, including providing sample evaluations for review in order to maintain certification, is not responsible for any failure by another person or agency to maintain confidentiality, in regard to these rules.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524, 419C.382; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 419C.382

Hist.: MHS 13-2012, f. & cert. ef. 6-25-12; MHS 14-2014, f. & cert. ef. 10-29-14

ADMINISTRATIVE RULES

309-090-0055

Certification Denial, Suspension, Revocation, Non-Recertification and Complaints Regarding Content of Written Evaluation Reports

(1) An applicant may be denied certification, or an evaluator may be denied recertification for reasons including but not limited to:

(a) The applicant for initial or recertification attempted to procure a certification through fraud, misrepresentation or deceit;

(b) The applicant for initial or recertification submits to the Authority any notice, statement or other document required for certification which is false or untrue, or contains any material misstatement or omission of fact;

(c) The applicant for initial or recertification has been convicted of a felony; or

(d) The applicant for initial or recertification fails to meet the requirements for receiving certification or recertification.

(2) An applicant's certification may be revoked for any of the following reasons:

(a) The evaluator fails to meet any of the applicable requirements of these rules;

(b) The applicant loses his or her professional license for any reason;

(c) The Authority accepts one or more complaints regarding the content of written reports; the forensic review panel reviews the complaints and determines that the deficiencies in the reports represent a substantial departure from the standards of practice established by these rules. Complaints regarding content are limited to standards set forth in OAR 309-090-0025.

(3) The Authority may immediately suspend an evaluator's certification in the event of a situation in which the Authority determines that immediate action is necessary, such as receipt of a serious complaint which has not yet been fully reviewed by the Authority.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524, 419C.382; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 419C.382

Hist.: MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0060

Complaints on Which the Authority Can Act

(1) Any complaint regarding the content of forensic evaluation reports must be submitted in a form and manner prescribed by the Authority and provide sufficient detail as to why the evaluation report is cause for a complaint.

(2) Complaints considered by the Authority must be limited to standards for content of written forensic evaluation reports as set forth in OAR 309-090-0025.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524, 419C.382; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 419C.382

Hist.: MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0065

Complaint Processing and Investigation

(1) If a complaint is accepted, reviewed by the Authority, and found to warrant consideration by the forensic evaluation review panel, the evaluation report(s) will be forwarded to the panel for consideration and determination as to whether or not the deficiencies represent a substantial departure from the standards of practice established by these rules.

(2) If the Authority determines that there is substantial departure from the standards set forth in OAR 309-090-0025, the Authority in consultation with the forensic evaluation review panel shall provide written notice to the evaluator which may include recommended remediation steps provided by the review panel, denial of certification, or revocation of certification.

(3) If a remediation plan is recommended by the review panel, an evaluator shall have 30 days from the date of notice to respond with a written plan for remediation. If the plan is approved by the Authority, the evaluator will maintain temporary certification status for up to six months at which time the Authority will determine whether the issues raised have been adequately addressed.

(a) If the issues raised have been adequately addressed, the Authority shall withdraw its notice and grant or restore full certification.

(b) If the issues have not been adequately addressed, the Authority may proceed with denial or revocation of certification and shall provide notice of the applicant's right to appeal, pursuant to the provisions of ORS Chapter 183.

(4) If certification is denied or revoked and evaluator may request reconsideration by the Director of the Authority by submitting a written request within 15 business days of receiving notice.

(5) Individuals making complaints on issues determined to be not covered by these rules may be referred to the appropriate licensing boards.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524, 419C.382; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 419C.382

Hist.: MHS 14-2014, f. & cert. ef. 10-29-14

309-090-0070

Contested Case Hearing

If the Authority denies, revokes, non-renews, suspends, or imposes a condition on certification, the Authority shall provide notice of the applicant's right to a hearing pursuant to the provisions of ORS Chapter 183.

Stat. Auth.: ORS 161.309-161.370, 161.392, 419C.524, 419C.382; OL 2011, HB 3100, HB 2836, 419C.382

Stats. Implemented: OL 2011, HB 3100, HB 2836, ORS 419C.382

Hist.: MHS 14-2014, f. & cert. ef. 10-29-14

Oregon Health Authority, Division of Medical Assistance Programs Chapter 410

Rule Caption: Amendment of HERC Prioritized List of Health Services Reflecting Approved Modifications Effective Oct 1, 2014
Adm. Order No.: DMAP 63-2014(Temp)

Filed with Sec. of State: 10-17-2014

Certified to be Effective: 10-17-14 thru 12-31-14

Notice Publication Date:

Rules Amended: 410-141-0520

Subject: The OHP Program administrative rules govern the Division of Medical Assistance Programs' payments for services provided to clients. The Division needs to temporarily amend 410-141-0520 to reference the Health Evidenced Review Committee (HERC) Prioritized List of Health Services' January 1, 2012–December 31, 2014. The HERC has made interim modifications and technical changes to the October 13, 2013 Prioritized List of Health Services. The changes will be effective October 1, 2014.

Rules Coordinator: Sandy Cafourek—(503) 945-6430

410-141-0520

Prioritized List of Health Services

(1) The Health Evidenced Review Commission (HERC) Prioritized List of Health Services (Prioritized List) is the listing of physical and mental health services with "expanded definitions" of preventive services and the practice guidelines, as presented to the Oregon Legislative Assembly. The Prioritized List is generated and maintained by HERC. The HERC maintains the most current list on their website: <http://www.oregon.gov/oha/herc/Pages/PrioritizedList.aspx>. For a hard-copy, contact the Medical Assistance Programs within the Oregon Health Authority (OHA). This rule, effective October 1, 2014, incorporates by reference the Centers for Medicare and Medicaid Services' (CMS) approved biennial January 1, 2012–December 31, 2014 Prioritized List, including October 1, 2014 interim modifications and technical changes, expanded definitions, practice guidelines and condition treatment pairs funded through line 498.

(2) Certain mental health services are only covered for payment when provided by a Mental Health Organization (MHO), Community Mental Health Program (CMHP) or authorized Coordinated Care Organization (CCO).

(3) Substance Use Disorder (SUD) treatment services are covered for eligible OHP clients when provided by an FCHP, PCO, and CCO or by a provider who has a letter of approval from the Addictions and Mental Health Division and approval to bill Medicaid for SUD services.

Stat. Auth.: ORS 192.527, 192.528, 413.042 & 414.065

Stats. Implemented: ORS 192.527, 192.528, 414.065 & 414.727

Hist.: HR 7-1994, f. & cert. ef. 2-1-94; OMAP 33-1998, f. & cert. ef. 9-1-98; OMAP 1998(Temp), f. & cert. ef. 10-1-98 thru 3-1-99; OMAP 48-1998(Temp), f. & cert. ef. 12-1-98 thru 5-1-99; OMAP 21-1999, f. & cert. ef. 4-1-99; OMAP 39-1999, f. & cert. ef. 10-1-99; OMAP 9-2000(Temp), f. & cert. ef. 4-27-00, cert. ef. 4-27-00 thru 9-26-00; OMAP 13-2000, f. & cert. ef. 9-12-00; OMAP 14-2000(Temp), f. 9-15-00, cert. ef. 10-1-00 thru 3-30-01; OMAP 40-2000, f. 11-17-00, cert. ef. 11-20-00; OMAP 22-2001(Temp), f. 3-30-01, cert. ef. 4-1-01 thru 9-1-01; OMAP 28-2001, f. & cert. ef. 8-10-01; OMAP 53-2001, f. & cert. ef. 10-1-01; OMAP 18-2002, f. 4-15-02, cert. ef. 5-1-02; OMAP 64-2002, f. & cert. ef. f. & cert. ef. 10-2-02; OMAP 65-2002(Temp), f. & cert. ef. 10-2-02 thru 3-15-04; OMAP 88-2002, f. 12-24-02, cert. ef. 1-1-03; OMAP 14-2003, f. 2-28-03, cert. ef. 3-1-03; OMAP 30-2003, f. 3-31-03 cert. ef. 4-1-03; OMAP 79-2003(Temp), f. & cert. ef. 10-2-03 thru 3-15-04; OMAP 81-2003(Temp), f. & cert. ef. 10-23-03 thru 3-15-04; OMAP 94-2003, f. 12-31-03 cert. ef. 1-1-04; OMAP 17-2004(Temp), f. 3-15-04 cert. ef. 4-1-04 thru 9-15-04; OMAP 28-2004, f. 4-22-04 cert. ef. 5-1-04; OMAP 48-2004, f. 7-28-04 cert. ef. 8-1-04; OMAP 51-2004, f. 9-9-04, cert. ef. 10-1-04; OMAP 68-2004(Temp), f. 9-14-04, cert. ef. 10-1-04 thru 3-15-05; OMAP 83-2004, f. 10-29-04 cert. ef. 11-1-04; OMAP 27-2005, f. 4-20-05, cert. ef. 5-1-05; OMAP 54-2005(Temp), f. & cert. ef. 10-14-05 thru 4-1-06; OMAP 62-2005, f. 11-29-05, cert. ef. 12-1-05; OMAP 71-2005, f. 12-21-05, cert. ef. 1-1-06; OMAP 6-2006, f. 3-22-06, cert. ef. 4-1-06; OMAP 46-2006, f. 12-15-06, cert. ef. 1-1-07; DMAP 14-2007(Temp), f. & cert. ef. 10-1-

ADMINISTRATIVE RULES

07 thru 3-28-08; DMAP 28-2007(Temp), f. & cert. ef. 12-20-07 thru 3-28-08; DMAP 8-2008, f. & cert. ef. 3-27-08; DMAP 10-2008(Temp), f. & cert. ef. 4-1-08 thru 9-15-08; DMAP 23-2008, f. 6-13-08, cert. ef. 7-1-08; DMAP 31-2008(Temp), f. & cert. ef. 10-1-08 thru 3-29-09; DMAP 40-2008, f. 12-11-08, cert. ef. 1-1-09; DMAP 4-2009(Temp), f. & cert. ef. 1-30-09 thru 6-25-09; DMAP 6-2009(Temp), f. 3-26-09, cert. ef. 4-1-09 thru 9-25-09; DMAP 8-2009(Temp), f. & cert. ef. 4-17-09 thru 9-25-09; DMAP 26-2009, f. 8-3-09, cert. ef. 8-5-09; DMAP 30-2009(Temp), f. 9-15-09, cert. ef. 10-1-09 thru 3-29-10; DMAP 36-2009(Temp), f. 12-10-09 ef. 1-1-10 thru 3-29-10; DMAP 1-2010(Temp), f. & cert. ef. 1-15-10 thru 3-29-10; DMAP 3-2010, f. 3-5-10, cert. ef. 3-17-10; DMAP 5-2010(Temp), f. 3-26-10, cert. ef. 4-1-10 thru 9-1-10; DMAP 10-2010, f. & cert. ef. 4-26-10; DMAP 27-2010(Temp), f. 9-24-10, cert. ef. 10-1-10 thru 3-25-11; DMAP 43-2010, f. 12-28-10, cert. ef. 1-1-11; DMAP 4-2011, f. 3-23-11, cert. ef. 4-1-11; DMAP 24-2011(Temp), f. 9-15-11, cert. ef. 10-1-11 thru 3-26-12; DMAP 45-2011, f. 12-21-11, cert. ef. 12-23-11; DMAP 47-2011(Temp), f. 12-13-11, cert. ef. 1-1-12 thru 6-25-12; DMAP 22-2012(Temp), f. 3-30-12, cert. ef. 4-1-12 thru 9-21-12; DMAP 43-2012(Temp), f. 9-21-12, cert. ef. 9-23-12 thru 3-21-13; DMAP 11-2013, f. & cert. ef. 3-21-13; DMAP 50-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 57-2013(Temp), f. & cert. ef. 10-29-13 thru 3-30-14; DMAP 7-2014, f. & cert. ef. 1-31-14; DMAP 13-2014(Temp), f. 3-20-14, cert. ef. 4-1-14 thru 9-28-14; DMAP 31-2014, f. 5-30-14, cert. ef. 7-1-14; DMAP 63-2014(Temp), f. & cert. ef. 10-17-14 thru 12-31-14

Rule Caption: Amending PDL- March 27, May 29, July 31, 2014 DUR/P&T Action.

Adm. Order No.: DMAP 64-2014(Temp)

Filed with Sec. of State: 10-24-2014

Certified to be Effective: 10-29-14 thru 12-30-14

Notice Publication Date:

Rules Amended: 410-121-0030

Subject: The Pharmaceutical Services Program administrative rules (Division 121) govern Division payments for services provided to certain clients. The Division needs to amend rules as follows:

410-121-0030:

Preferred:

Testosterone (Androgel®) Pump

Calcitriol

Calcium Carbonate

Calcium Carbonate/Vitamin D3

Cholecalciferol (Vitamin D3)

Cyanocobalamin (Vitamin B-12)

Ergocalciferol (Vitamin D2)

Ferrous Gluconate

Ferrous Sulfate;

Folic Acid

Pyridoxine HCL

Thiamine HCL

Immune Glob, Gam Caprylate (IGG) Injection (Gamunex-C®)

Imitrex® — Brand only

Tobramycin (Bethkis)

Calcium Acetate

Anafranil — Brand only

Escitalopram Oxalate

Imipramine HCL

Acamprosate Calcium

Amiloride HCL

Naltrexone HCL

Pulmonary Drug Reorganization removed COPD, Asthma Controllers, Asthma Rescue

(New Drug class names)

Combination Inhalers

Inhaled Anticholinergics

Inhaled Corticosteroids;

Inhaled Long Acting Bronchodilators

Miscellaneous Pulmonary Drugs

Short Acting Bronchodilators

Tazarotene

Non-Preferred:

Pirbuterol Acetate

Doxepin HCL

Clomipramine HCL

Rules Coordinator: Sandy Cafourek — (503) 945-6430

410-121-0030

Practitioner-Managed Prescription Drug Plan

(1) The Practitioner-Managed Prescription Drug Plan (PMPDP) is a plan that ensures fee-for-service clients of the Oregon Health Plan shall

have access to the most effective prescription drugs appropriate for their clinical conditions at the best possible price:

(a) Licensed health care practitioners (informed by the latest peer reviewed research) make decisions concerning the clinical effectiveness of the prescription drugs;

(b) The licensed health care practitioners also consider the health condition of a client or characteristics of a client, including the client's gender, race, or ethnicity.

(2) PMPDP Preferred Drug List (PDL):

(a) The PDL is the primary tool the Division developed to inform licensed health care practitioners about the results of the latest peer-reviewed research and cost effectiveness of prescription drugs;

(b) The PDL (as defined in 410-121-0000 (cc) consists of prescription drugs that the Division, in consultation with the Drug Use Review (DUR)/Pharmacy & Therapeutics Committee (P&T), has determined represent the most effective drugs available at the best possible price;

(c) The PDL shall include drugs that are Medicaid reimbursable and the Food and Drug Administration (FDA) has determined to be safe and effective.

(3) PMPDP PDL Selection Process:

(a) The Division shall utilize the recommendations made by the P&T that result from an evidence-based evaluation process as the basis for selecting the most effective drugs;

(b) The Division shall determine the drugs selected in (3)(a) that are available for the best possible price and shall consider any input from the P&T about other FDA-approved drugs in the same class that are available for a lesser relative price. The Division shall determine relative price using the methodology described in subsection (4);

(c) The Division shall evaluate selected drugs for the drug classes periodically:

(A) Evaluation shall occur more frequently at the discretion of the Division if new safety information or the release of new drugs in a class or other information that makes an evaluation advisable;

(B) New drugs in classes already evaluated for the PDL shall be non-preferred until the new drug has been reviewed by the P&T;

(C) The Division shall make all changes or revisions to the PDL using the rulemaking process and shall publish the changes on the Division's Pharmaceutical Services provider rules website.

(4) Relative cost and best possible price determination:

(a) The Division shall determine the relative cost of all drugs in each selected class that are Medicaid reimbursable and that the FDA has determined to be safe and effective;

(b) The Division may also consider dosing issues, patterns of use, and compliance issues. The Division shall weigh these factors with any advice provided by the P&T in reaching a final decision;

(5) Pharmacy providers shall dispense prescriptions in the generic form unless:

(a) The practitioner requests otherwise subject to the regulations outlined in OAR 410-121-0155;

(b) The brand name medication is listed as preferred on the PDL.

(6) The exception process for obtaining non-preferred physical health drugs that are not on the PDL drugs shall be as follows:

(a) If the prescribing practitioner in their professional judgment wishes to prescribe a physical health drug not on the PDL, they may request an exception subject to the requirements of OAR 410-121-0040;

(b) The prescribing practitioner must request an exception for physical health drugs not listed in the PDL subject to the requirements of OAR 410-121-0060;

(c) Exceptions shall be granted in instances:

(A) Where the prescriber in their professional judgment determines the non-preferred drug is medically appropriate after consulting with the Division or the Oregon Pharmacy Help Desk; or

(B) Where the prescriber requests an exception subject to the requirement of (6)(b) and fails to receive a report of PA status within 24 hours, subject to OAR 410-121-0060.

(7) Table 121-0030-1, PMPDP PDL dated October 29, 2014 is incorporated in rule by reference and is found on our website at: www.orpdl.org.

Stat. Auth.: ORS 409.025, 409.040, 409.110, 414.065, 413.042 & 414.325

Stats. Implemented: ORS 414.065

Hist.: OMAP 25-2002, f. 6-14-02 cert. ef. 7-1-02; OMAP 31-2002, f. & cert. ef. 8-1-02; OMAP 36-2002, f. 8-30-02, cert. ef. 9-1-02; OMAP 29-2003, f. 3-31-03 cert. ef. 4-1-03; OMAP 35-2003, f. & cert. ef. 5-1-03; OMAP 47-2003, f. & cert. ef. 7-1-03; OMAP 57-2003, f. 9-5-03, cert. ef. 10-1-03; OMAP 70-2003(Temp), f. 9-15-03, cert. ef. 10-1-03 thru 3-15-04; OMAP 82-2003, f. 10-31-03, cert. ef. 11-1-03; OMAP 9-2004, f. 2-27-04, cert. ef. 3-1-04; OMAP 29-2004, f. 4-23-04 cert. ef. 5-1-04; OMAP 34-2004, f. 5-26-04 cert. ef. 6-1-04; OMAP 45-2004, f. 7-22-04 cert. ef. 8-1-04; OMAP 81-2004, f. 10-29-04 cert. ef. 11-1-04; OMAP 89-2004, f. 11-24-04 cert. ef. 12-1-04; OMAP 19-2005, f. 3-21-05, cert. ef. 4-1-05; OMAP 32-2005, f. 6-21-05, cert. ef. 7-1-05; OMAP 58-2005, f. 10-27-05, cert. ef. 11-1-05;

ADMINISTRATIVE RULES

OMAP 16-2006, f. 6-12-06, cert. ef. 7-1-06; OMAP 32-2006, f. 8-31-06, cert. ef. 9-1-06; OMAP 48-2006, f. 12-28-06, cert. ef. 1-1-07; DMAP 4-2007, f. 6-14-07, cert. ef. 7-1-07; DMAP 16-2008, f. 6-13-08, cert. ef. 7-1-08; DMAP 36-2008, f. 12-11-08, cert. ef. 1-1-09; DMAP 39-2009, f. 12-15-09, cert. ef. 1-1-10; DMAP 17-2010, f. 6-15-10, cert. ef. 7-1-10; DMAP 40-2010, f. 12-28-10, cert. ef. 1-1-11; DMAP 2-2011(Temp), f. & cert. ef. 3-1-11 thru 8-20-11; DMAP 19-2011, f. 7-15-11, cert. ef. 7-17-11; DMAP 44-2011, f. 12-21-11, cert. ef. 1-1-12; DMAP 12-2012(Temp), f. & cert. ef. 3-16-12 thru 9-11-12; DMAP 18-2012, f. 3-30-12, cert. ef. 4-9-12; DMAP 26-2012, f. & cert. ef. 5-14-12; DMAP 29-2012, f. & cert. ef. 6-21-12; DMAP 33-2012(Temp), f. 7-18-12, cert. ef. 7-23-12 thru 1-18-13; DMAP 40-2012(Temp), f. & cert. ef. 8-20-12 thru 1-18-13; DMAP 44-2012(Temp), f. & cert. ef. 9-26-12 thru 1-18-13; DMAP 61-2012, f. 12-27-12, cert. ef. 1-1-13; DMAP 6-2013(Temp), f. & cert. ef. 2-21-13 thru 8-19-13; DMAP 23-2013(Temp), f. 4-30-13, cert. ef. 5-1-13 thru 8-19-13; Administrative correction, 7-18-13; DMAP 43-2013, f. & cert. ef. 8-16-13; DMAP 76-2013(Temp), f. 12-31-13, cert. ef. 1-1-14 thru 6-30-14; DMAP 1-2014(Temp), f. & cert. ef. 1-10-14 thru 7-9-14; DMAP 15-2014, f. & cert. ef. 3-21-14 thru 9-17-14; DMAP 28-2014(Temp), f. & cert. ef. 5-2-14 thru 6-30-14; DMAP 37-2014, f. & cert. ef. 6-30-14; DMAP 47-2014(Temp), f. & cert. ef. 7-15-14 thru 1-11-15; DMAP 52-2014(Temp), f. & cert. ef. 9-16-14 thru 1-11-14; DMAP 64-2014(Temp), f. 10-24-14, cert. ef. 10-29-14 thru 12-30-14

9-24-01, cert. ef. 10-1-01; OMAP 39-2006, f. 12-15-06, cert. ef. 1-1-07; DMAP 35-2011, f. 12-13-11, cert. ef. 1-1-12; DMAP 65-2014, f. 10-30-14, cert. ef. 11-4-14

Rule Caption: PHP and CCO Payment Methodologies for At Risk A & B Critical Access Hospitals

Adm. Order No.: DMAP 66-2014(Temp)

Filed with Sec. of State: 11-13-2014

Certified to be Effective: 12-28-14 thru 6-25-15

Notice Publication Date:

Rules Amended: 410-141-0420, 410-141-3420

Subject: The Division is amending these rules to comply with ORS 414.653. The statute requires Type A & B Hospitals to move to a new payment methodology. Type A & B hospitals that are found at financial risk will remain on the current methodology and will not have to change.

Rules Coordinator: Sandy Cafourek—(503) 945-6430

410-141-0420

Managed Care Prepaid Health Plan Billing and Payment under the Oregon Health Plan

The Division of Medical Assistance Programs (Division) may have specific definitions for common terms. Please use OAR 410-141-0000, Definitions, in conjunction with this rule.

(1) Providers shall submit all billings for Oregon Health Plan (OHP) clients to Prepaid Health Plans (PHPs) and to the Division within four months and twelve months, respectively, of the date of service, subject to other applicable Division billing rules. Providers shall submit billings to PHPs within the four-month time frame except in the following cases:

(a) Pregnancy;

(b) Eligibility issues such as retroactive deletions or retroactive enrollments;

(c) Medicare is the primary payer;

(d) Other cases that could have delayed the initial billing to the PHP (which does not include failure of provider to certify the member's (see definition) eligibility); or

(e) Third Party Liability (TPL). Pursuant to 42 CFR 36.61, subpart G: Indian Health Services and the amended Public Law 93-638 under the Memorandum of Agreement that Indian Health Service and 638 Tribal Facilities are the payers of last resort and are not considered an alternative liability or TPL.

(2) Providers shall be enrolled with the Division to be eligible for Division fee-for-service (FFS) payments. Mental health providers, except Federally Qualified Health Centers (FQHC), shall be approved by the Local Mental Health Authority (LMHA) and the Addictions and Mental Health (AMH) division before enrollment with the Division or to be eligible for PHP payment for services. Providers may be retroactively enrolled in accordance with OAR 410-120-1260, Provider Enrollment.

(3) Providers, including mental health providers (see definition), shall be enrolled with the Division either as a Medicaid provider or an encounter-only provider prior to submission of encounter data to ensure the servicing provider is not excluded per federal and state standard as defined in OAR 407-120-0300.

(4) Providers shall verify before rendering services which member is eligible for the Division of Medical Assistance Programs on the date of service using the Division tools and optionally the PHP's tools, as applicable, and that the service to be rendered is covered under the Oregon Health Plan benefit package of covered services. Providers shall also identify the party responsible for covering the intended service and seek preauthorizations from the appropriate payer before rendering services. Providers shall inform members of any charges for non-covered services (see definition) prior to the services being delivered.

(5) Capitated services:

(a) PHPs receive a capitation payment to provide services to members. These services are referred to as capitated services;

(b) PHPs are responsible for payment of all capitated services. Such services should be billed directly to the PHP, unless the PHP or the Division specifies otherwise. PHPs may require providers to obtain preauthorization to deliver certain capitated services.

(6) Payment by the PHP to participating providers for capitated services is a matter between the PHP and the participating provider except as follows:

(a) Preauthorizations:

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

Adm. Order No.: DMAP 65-2014

Filed with Sec. of State: 10-30-2014

Certified to be Effective: 11-4-14

Notice Publication Date: 9-1-2014

Rules Amended: 410-131-0080

Subject: The Division needs to amend the rule listed above to ensure clarity and consistency in rule text.

Rules Coordinator: Sandy Cafourek—(503) 945-6430

410-131-0080

Therapy Plan of Care and Record Requirements

(1) A therapy plan of care is required for prior authorization (PA) for payment.

(2) The therapy plan of care must include:

(a) Client's name, diagnosis, and type, amount, frequency and duration of the proposed therapy;

(b) Individualized, measurably objective functional goals;

(c) Documented need for extended service, considering 60 minutes as the maximum length of a treatment session;

(d) Plan to address implementation of a home management program as appropriate from the initiation of therapy forward;

(e) Dated signature of the therapist or the prescribing practitioner establishing the therapy plan of care; and

(f) For home health clients, any additional requirements included in Oregon Administrative Rule (OAR) 410 division 127.

(3) The therapy treatment plan and regimen will be taught to the client, family, foster parents, or caregiver during the therapy treatments. No extra treatments will be authorized for teaching.

(4) A therapy plan of care shall comply with the relevant state licensing authority's standards.

(5) If a state licensing authority has not adopted therapy plan of care standards, the therapy plan of care must include:

(a) The need for continuing therapy clearly stated;

(b) Changes to the therapy plan of care, including changes to duration and frequency of intervention, and

(c) Any changes or modifications to the plan of care shall be documented, signed, and dated by the prescribing practitioner or therapist who developed the plan.

(6) Therapy records must include:

(a) A written referral, including:

(A) The client's name;

(B) The ICD-9-CM diagnosis code; and

(C) Shall specify the type of services, amount, and duration required.

(b) A copy of the signed therapy plan of care must be on file in the provider's therapy record prior to billing for services;

(c) Documents, evaluations, re-evaluations, and progress notes to support the therapy treatment plan and prescribing provider's written orders for changes in the therapy treatment plan;

(d) Modalities used on each date of service;

(e) Procedures performed and amount of time spent performing the procedures is documented and signed by the therapist; and

(f) Documentation of splint fabrication and time spent fabricating the splint.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 688.135, 414.065

Hist.: HR 8-1991, f. 1-25-91, cert. ef. 2-1-91; HR 19-1992, f. & cert. ef. 7-1-92; OMAP 18-1999, f. & cert. ef. 4-1-99; OMAP 32-2000, f. 9-29-00, cert. ef. 10-1-00; OMAP 41-2001, f.

ADMINISTRATIVE RULES

(A) PHPs shall have written procedures for processing preauthorization requests received from any provider. The procedures shall specify time frames for:

- (i) Date stamping preauthorization requests when received;
- (ii) Determining within a specific number of days from receipt whether a preauthorization request is valid or non-valid;
- (iii) The specific number of days allowed for follow-up on pended preauthorization requests to obtain additional information;
- (iv) The specific number of days following receipt of the additional information that a redetermination shall be made;
- (v) Providing services after office hours and on weekends that require preauthorization;
- (vi) Sending notice of the decision with appeal rights to the member when the determination is made to deny the requested service as specified in 410-141-0263.

(B) PHPs shall make a determination on at least 95 percent of valid preauthorization requests within two working days of receipt of a preauthorization or reauthorization request related to urgent services, alcohol and drug services, or care required while in a skilled nursing facility. Preauthorization for prescription drugs shall be completed and the pharmacy notified within 24 hours. If a preauthorization for a prescription cannot be completed within the 24 hours, the PHP shall provide for the dispensing of at least a 72-hour supply if the medical need for the drug is immediate. PHP shall notify providers of such determination within two working days of receipt of the request;

(C) For expedited prior authorization requests in which the provider indicates or the PHP determines that following the standard timeframe could seriously jeopardize the member's life or health or ability to attain, maintain, or regain maximum function:

- (i) The PHP shall make an expedited authorization decision and provide notice as expeditiously as the member's health condition requires and no later than three working days after receipt of the request for service;
- (ii) The PHP may extend the three working days' time period by up to 14 calendar days if the member requests an extension or if the PHP justifies to the Division a need for additional information and how the extension is in the member's interest.

(D) For all other preauthorization requests, PHPs shall notify providers of an approval, a denial, or a need for further information within 14 calendar days of receipt of the request. PHPs shall make reasonable efforts to obtain the necessary information during that 14-day period. However, the PHP may use an additional 14 days to obtain follow-up information if the PHP justifies (to the Division upon request) the need for additional information and how the delay is in the interest of the member. The PHP shall make a determination as the member's health condition requires but no later than the expiration of the extension.

(b) Claims payment:

(A) PHPs shall have written procedures for processing claims submitted for payment from any source. The procedures shall specify time frames for:

- (i) Date stamping claims when received;
- (ii) Determining within a specific number of days from receipt whether a claim is valid or non-valid;
- (iii) The specific number of days allowed for follow up of pended claims to obtain additional information;
- (iv) The specific number of days following receipt of additional information that a determination shall be made; and
- (v) Sending notice of the decision with appeal rights to the member when the determination is made to deny the claim.

(B) PHPs shall pay or deny at least 90 percent of valid claims within 45 calendar days of receipt and at least 99 percent of valid claims within 60 calendar days of receipt. PHPs shall make an initial determination on 99 percent of all claims submitted within 60 calendar days of receipt;

(C) PHPs shall provide written notification of PHP determinations when such determinations result in a denial of payment for services for which the member may be financially responsible. Such notice shall be provided to the member and the treating provider within 14 calendar days of the final determination. The notice to the member shall be a Division or AMH approved notice format and shall include information on the PHP's internal appeals process, and the Notice of Hearing Rights (DMAP 3030) shall be attached. The notice to the provider shall include the reason for the denial;

(D) PHPs shall not require providers to delay billing to the PHP;

(E) PHPs shall not require Medicare be billed as the primary insurer for services or items not covered by Medicare, nor require non-Medicare approved providers to bill Medicare;

(F) PHPs shall not deny payment of valid claims when the potential TPR is based only on a diagnosis, and no potential TPR has been documented in the member's clinical record;

(G) PHPs shall not delay nor deny payments because a co-payment was not collected at the time of service.

(c) FCHPs, PCOs, and MHOs are responsible for payment of Medicare coinsurances and deductibles up to the Medicare or PHP's allowable for covered services the member receives within the PHP, for authorized referral care, and for urgent care services or emergency services the member receives from nonparticipating providers (see definition). FCHPs, PCOs, and MHOs are not responsible for Medicare coinsurances and deductibles for non-urgent or non-emergent care members receive from nonparticipating providers;

(d) FCHPs and PCOs shall pay transportation, meals, and lodging costs for the member and any required attendant for out-of-state services (as defined in General Rules, chapter 410, division 120) that the FCHP and PCO has arranged and authorized when those services are available within the state, unless otherwise approved by the Division;

(e) PHPs shall be responsible for payment of covered services (see definition) provided by a non-participating provider that was not preauthorized if the following conditions exist:

(A) It can be verified that the participating provider (see definition) ordered or directed the covered services to be delivered by a nonparticipating provider; and

(B) The covered service was delivered in good faith without the preauthorization; and

(C) It was a covered service that would have been preauthorized with a participating provider if the PHP's referral protocols had been followed;

(D) The PHP shall be responsible for payment to non-participating providers (providers enrolled with the Division that do not have a contract with the PHP) for covered services that are subject to reimbursement from the PHP, the amount specified in OAR 410-1201295. This rule does not apply to providers that are Type A or Type B hospitals as they are paid in accordance with ORS 414.727.

(E) The PHP shall reimburse the hospital for services provided on or after January 1, 2012 using Medicare Severity DRG for inpatient services and Ambulatory Payment Classification (APC) for outpatient services or other alternative payment methods per Oregon Senate Bill 204 (2011) that incorporates the most recent Medicare payment methodologies for both inpatient and outpatient services established by the Centers for Medicare and Medicaid Services for hospital services and alternative payment methodologies, including but not limited to pay-for-performance, bundled payments, and capitation. An alternative payment methodology does not include reimbursement payment based on percentage of billed charges. This requirement does not apply to Type A or Type B hospitals as referenced in ORS 442.470. The PHP shall attest annually to OHA, in a manner to be prescribed, to PHP's compliance with section 3, 4, 6, and 8 of Oregon Senate Bill 204 (2011).

(F) On or after July 1, 2014, the Authority may require a CCO to continue to reimburse fully for the cost of covered services based on a cost-to-charge ratio to a rural Type A or Type B Critical Access Hospital that is determined to be at financial risk, as referenced in ORS 414.653. This would be determined upon an evaluation by an actuary retained by the Authority and on a case-by-case basis.

(7) Other services:

(a) Members enrolled with PHPs may receive certain services on a Division FFS basis. Such services are referred to as non-capitated services (see definition);

(b) Certain services shall be authorized by the PHP or the Community Mental Health Program (CMHP) for some mental health services, even though such services are then paid by the Division on a Division FFS basis. Before providing services, providers should verify a member's eligibility via the web portal or AVR. For some mental health services, providers will need to contact the CMHP directly. In addition, the provider may call the PHP to obtain information about coverage for a particular service or preauthorization requirements;

(c) Services authorized by the PHP or CMHP are subject to the rules and limitations of the appropriate Division administrative rules and supplemental information including rates and billing instructions;

(d) Providers shall bill the Division directly for non-capitated services in accordance with billing instructions contained in the Division administrative rules and supplemental information;

(e) The Division shall pay at the Medicaid FFS rate in effect on the date the service is provided subject to the rules and limitations described in

ADMINISTRATIVE RULES

the relevant rules, contracts, billing instructions, and Division administrative rules and supplemental information;

(f) The Division shall not pay a provider for provision of services for which a PHP has received a capitation payment unless otherwise provided for in OAR 410-141-0120;

(g) When an item or service is included in the rate paid to a medical institution, a residential facility, or foster home, provision of that item or service is not the responsibility of the Division, AMH, nor a PHP except as provided for in Division administrative rules and supplemental information (e.g., capitated services that are not included in the nursing facility all-inclusive rate);

(h) FCHPs and PCOs that contract with FQHCs and RHCs shall negotiate a rate of reimbursement that is not less than the level and amount of payment that the FCHP or PCO would make for the same services furnished by a provider who is not an FQHC nor RHC, consistent with the requirements of BBA 4712(b)(2).

(8) Coverage of services through the Oregon Health Plan benefit package of covered services is limited by OAR 410-141-0500, excluded services and limitations for OHP clients.

(9) Members who are enrolled with a PCM receive services on a FFS basis:

(a) PCMs are paid a per-member, per-month payment to provide Primary Care Management Services in accordance with OAR 410-141-0410, Primary Care Manager Medical Management;

(b) PCMs provide primary care access and management services for preventive services, primary care services, referrals for specialty services, limited inpatient hospital services, and outpatient hospital services. The Division payment for these PCM managed services is contingent upon authorization;

(c) All PCM managed services are covered services that shall be billed directly to the Division in accordance with billing instructions contained in the Division administrative rules and supplemental information;

(d) The Division shall pay at the Division FFS rate in effect on the date the service is provided subject to the rules and limitations described in the appropriate Division administrative rules and supplemental information.

(10) All members who are enrolled with a PCO receive inpatient hospital services on a Division FFS basis:

(a) Shall receive services directly from any appropriately enrolled Division provider;

(b) All services shall be billed directly to the Division in accordance with FFS billing instructions contained in the Division administrative rules and supplemental information;

(c) The Division shall pay at the Division FFS rate in effect on the date the service is provided subject to the rules and limitations described in the appropriate Division administrative rules and supplemental information.

(11) OHP clients who are not enrolled with a PHP receive services on a Division FFS basis:

(a) Services may be received directly from any appropriately enrolled Division provider;

(b) All services shall be billed directly to the Division in accordance with billing instructions contained in the Division administrative rules and supplemental information;

(c) The Division shall pay at the Division FFS rate in effect on the date the service is provided subject to the rules and limitations described in the appropriate Division administrative rules and supplemental information.

Stat. Auth.: ORS 413.042, 414.065 & SB 204

Stats. Implemented: ORS 414.065

Hist.: HR 31-1993, f. 10-14-93, cert. ef. 2-1-94; HR 7-1994, f. & cert. ef. 2-1-94; HR 17-1995, f. 9-28-95, cert. ef. 10-1-95; HR 19-1996, f. & cert. ef. 10-1-96; HR 25-1997, f. & cert. ef. 10-1-97; OMAP 21-1998, f. & cert. ef. 7-1-98; OMAP 39-1999, f. & cert. ef. 10-1-99; OMAP 26-2000, f. 9-28-00, cert. ef. 10-1-00; OMAP 15-2001, f. 3-30-01, cert. ef. 4-1-01; OMAP 52-2001, f. & cert. ef. 10-1-01; OMAP 57-2002, f. & cert. ef. 10-1-02; OMAP 4-2003, f. 1-31-03, cert. ef. 2-1-03; OMAP 61-2003, 9-5-03, cert. ef. 10-1-03; OMAP 23-2004(Temp), f. & cert. ef. 3-23-04 thru 8-15-04; OMAP 33-2004, f. 5-26-04, cert. ef. 6-1-04; OMAP 37-2004(Temp), f. 5-27-04 cert. ef. 6-1-04 thru 11-15-04; OMAP 47-2004, f. 7-22-04 cert. ef. 8-1-04; OMAP 27-2005, f. 4-20-05, cert. ef. 5-1-05; OMAP 46-2005, f. 9-9-05, cert. ef. 10-1-05; OMAP 23-2006, f. 6-12-06, cert. ef. 7-1-06; OMAP 53-2006(Temp), f. 12-28-06, cert. ef. 1-1-07 thru 6-29-07; DMAP 9-2007, f. 6-14-07, cert. ef. 6-29-07; DMAP 45-2009, f. 12-15-09, cert. ef. 1-1-10; DMAP 16-2010, f. 6-11-10, cert. ef. 7-1-10; DMAP 42-2010, f. 12-28-10, cert. ef. 1-1-11; DMAP 29-2011, f. 10-19-11, cert. ef. 10-20-11; DMAP 48-2011(Temp), f. 12-23-11, cert. ef. 1-1-12 thru 6-25-12; Administrative correction, 8-1-12; DMAP 60-2013, f. & cert. ef. 10-31-13; DMAP 34-2014(Temp), f. 6-25-14, cert. ef. 7-1-14 thru 12-27-14; DMAP 45-2014, f. 7-15-14, cert. ef. 8-1-14; DMAP 66-2014(Temp), f. 11-13-14, cert. ef. 12-28-14 thru 6-25-15

410-141-3420

Billing and Payment

(1) Subject to other applicable Division billing rules, providers shall submit all billings for CCO members following the timeframes in (a) and (b) below:

(a) Submit billings within twelve months of the date of service in the following cases:

(A) Pregnancy;

(B) Eligibility issues such as retroactive deletions or retroactive enrollments;

(C) Medicare is the primary payer, except where the CCO is responsible for the Medicare reimbursement;

(D) Other cases that could have delayed the initial billing to the CCO (which does not include failure of the provider to certify the member's eligibility); or

(E) Third Party Liability (TPL). Pursuant to 42 CFR 136.61, subpart G: Indian Health Services and the amended Public Law 93-638 under the Memorandum of Agreement that Indian Health Service and 638 Tribal Facilities are the payers of last resort and are not considered an alternative liability or TPL.

(b) Submit bills within four months of the date of service for all other cases.

(2) Providers shall be enrolled with the Authority's Division of Medical Assistance Programs to be eligible for fee-for-service (FFS) payments. Mental health providers, except Federally Qualified Health Centers (FQHC), shall be approved by the Local Mental Health Authority (LMHA) and the Authority's Addictions and Mental Health (AMH) division before enrollment with the Authority or to be eligible for CCO payment for services. Providers may be retroactively enrolled in accordance with OAR 410-120-1260, Provider Enrollment.

(3) Providers, including mental health providers, shall be enrolled with the Authority as a Medicaid provider or an encounter-only provider prior to submission of encounter data to ensure the encounter is accepted.

(4) Providers shall verify, before providing services, that the member is eligible for coordinated care services on the date of service. Providers shall use the Authority tools and the CCO's tools, as applicable, to determine if the service to be provided is covered under the member's Oregon Health Plan benefit package of covered services. Providers shall also identify the party responsible for covering the intended service and seek preauthorization from the appropriate payer before providing services. Before providing a non-covered service, the provider shall complete a DMAP 3165, or facsimile, signed by the client, as described in OAR 141-120-1280.

(5) CCOs shall pay for all covered coordinated care services. These services shall be billed directly to the CCO, unless the CCO or the Authority specifies otherwise. CCOs may require providers to obtain preauthorization to deliver certain coordinated care services.

(6) Payment by the CCO to participating providers for coordinated care services is a matter between the CCO and the participating provider except as follows:

(a) CCOs shall have procedures for processing preauthorization requests received from any provider. The procedures shall specify time frames for:

(A) Date stamping preauthorization requests when received;

(B) Determining within a specific number of days from receipt whether a preauthorization request is valid or non-valid;

(C) The specific number of days allowed for follow-up on pended preauthorization requests to obtain additional information;

(D) The specific number of days following receipt of the additional information that a redetermination shall be made;

(E) Providing services after office hours and on weekends that require preauthorization;

(F) Sending notice of the decision with appeal rights to the member when the determination is a denial of the requested service as specified in OAR 410-141-3263.

(b) CCOs shall make a determination on at least 95 percent of valid preauthorization requests within two working days of receipt of a preauthorization or reauthorization request related to urgent services, alcohol and drug services, or care required while in a skilled nursing facility. Preauthorization for prescription drugs shall be completed and the pharmacy notified within 24 hours. If a preauthorization for a prescription cannot be completed within the 24 hours, the CCO shall provide for the dispensing of at least a 72-hour supply if there is an immediate medical need for the drug. CCOs shall notify providers of the determination within two working days of receipt of the request;

ADMINISTRATIVE RULES

(c) For expedited prior authorization requests in which the provider indicates, or the CCO determines, that following the standard timeframe could seriously jeopardize the member's life or health or ability to attain, maintain, or regain maximum function:

(A) The CCO shall make an expedited authorization decision and provide notice as expeditiously as the member's health or mental health condition requires and no later than three working days after receipt of the request for service;

(B) The CCO may extend the three working day time period no more than 14 calendar days if the member requests an extension or if the CCO justifies to the Authority a need for additional information and how the extension is in the member's best interest.

(d) For all other preauthorization requests, CCOs shall notify providers of an approval, a denial, or the need for further information within 14 calendar days of receipt of the request as outlined in 410-141-3263. CCOs shall make reasonable efforts to obtain the necessary information during the 14-day period. However, the CCO may use an additional 14 days to obtain follow-up information if the CCO justifies (to the Authority upon request) the need for additional information and how the delay is in the interest of the member. The CCO shall make a determination as the member's health or mental health condition requires, but no later than the expiration of the extension.

(7) CCOs shall have written procedures for processing payment claims submitted from any source. The procedures shall specify time frames for:

(a) Date stamping claims when received;

(b) Determining within a specific number of days from receipt whether a claim is valid or non-valid;

(c) The specific number of days allowed for follow-up of pended claims to obtain additional information;

(d) The specific number of days following receipt of additional information that a determination shall be made; and

(e) Sending notice of the decision with appeal rights to the member when the determination is made to deny the claim;

(f) CCOs shall pay or deny at least 90 percent of valid claims within 45 calendar days of receipt and at least 99 percent of valid claims within 60 calendar days of receipt. CCOs shall make an initial determination on 99 percent of all claims submitted within 60 calendar days of receipt;

(g) CCOs shall provide written notification of CCO determinations when the determinations result in a denial of payment for services as outlined in 410-141-3263;

(h) CCOs may not require providers to delay billing to the CCO;

(i) CCOs may not require Medicare be billed as the primary insurer for services or items not covered by Medicare or require non-Medicare approved providers to bill Medicare;

(j) CCOs may not deny payment of valid claims when the potential TPR is based only on a diagnosis, and no potential TPR has been documented in the member's clinical record;

(k) CCOs may not delay or deny payments because a co-payment was not collected at the time of service.

(8) CCOs shall pay for Medicare coinsurances and deductibles up to the Medicare or CCOs allowable for covered services the member receives within the CCO for authorized referral care and urgent care services or emergency services the member receives from non-participating providers. CCOs may not pay for Medicare coinsurances and deductibles for non-urgent or non-emergent care members receive from non-participating providers.

(9) CCOs shall pay transportation, meals, and lodging costs for the member and any required attendant for services that the CCO has arranged and authorized when those services are not available within the state, unless otherwise approved by the Authority.

(10) CCOs shall pay for covered services provided by a non-participating provider that was not preauthorized if the following conditions exist:

(a) It can be verified that the participating provider ordered or directed the covered services to be delivered by a non-participating provider; and

(b) The covered service was delivered in good faith without the preauthorization; and

(c) It was a covered service that would have been preauthorized with a participating provider if the CCO's referral procedures had been followed;

(d) The CCO shall pay non-participating providers (providers enrolled with the Authority that do not have a contract with the CCO) for covered services that are subject to reimbursement from the CCO in the amount specified in OAR 410-120-1295. This rule does not apply to providers that are Type A or Type B hospitals;

(e) CCOs shall reimburse hospitals for services provided on or after January 1, 2012 using Medicare Severity DRG for inpatient services and Ambulatory Payment Classification (APC) for outpatient services or other alternative payment methods that incorporate the most recent Medicare payment methodologies for both inpatient and outpatient services established by CMS for hospital services and alternative payment methodologies, including but not limited to pay-for-performance, bundled payments, and capitation. An alternative payment methodology does not include reimbursement payment based on percentage of billed charges. This requirement does not apply to Type A or Type B hospitals as referenced in ORS 442.470. CCOs shall attest annually to the Authority, in a manner to be prescribed, to CCO's compliance with these requirements.

(f) On or after July 1, 2014, the Authority may require a CCO to continue to reimburse fully for the cost of covered services based on a cost-to-charge ratio to a rural Type A or Type B Critical Access Hospital that is determined to be at financial risk as referenced in ORS 414.653. This would be determined upon an evaluation by an actuary retained by the Authority and on a case-by-case basis.

(11) Members may receive certain services on a Fee-for-Service (FFS) basis:

(a) Certain services shall be authorized by the CCO or the Community Mental Health Program (CMHP) for some mental health services, even though the services are then paid by the Authority on a FFS basis. Before providing services, providers shall verify a member's eligibility using the web portal or AVR;

(b) Services authorized by the CCO or CMHP are subject to the rules and limitations of the appropriate Authority administrative rules and supplemental information including rates and billing instructions;

(c) Providers shall bill the Authority directly for FFS services in accordance with billing instructions contained in the Authority administrative rules and supplemental information;

(d) The Authority shall pay at the Medicaid FFS rate in effect on the date the service is provided subject to the rules and limitations described in the relevant rules, contracts, and billing instructions;

(e) The Authority may not pay a provider for provision of services for which a CCO has received a CCO payment unless otherwise provided for in rule;

(f) When an item or service is included in the rate paid to a medical institution, a residential facility, or foster home, provision of that item or service is not the responsibility of the Authority or a CCO except as provided in Authority administrative rules and supplemental information (e.g., coordinated care services that are not included in the nursing facility all-inclusive rate);

(g) CCOs that contract with FQHCs and RHCs shall negotiate a rate of reimbursement that is not less than the level and amount of payment that the CCO would pay for the same service furnished by a provider who is not an FQHC nor RHC, consistent with the requirements of BBA 4712(b)(2).

(12) Coverage of services through the Oregon Health Plan benefit package of covered services is limited by OAR 410-141-0500, excluded services and limitations for OHP clients.

Stat. Auth.: ORS 414.032, 414.615, 414.625, 414.635 & 414.651

Stats. Implemented: ORS 414.610 – 414.685

Hist.: DMAP 16-2012(Temp), f. & cert. ef. 3-26-12 thru 9-21-12; DMAP 37-2012, f. & cert. ef. 8-1-12; DMAP 38-2013(Temp), f. 7-8-13, cert. ef. 7-9-13 thru 1-5-14; DMAP 60-2013, f. & cert. ef. 10-31-13; DMAP 65-2013, f. & cert. ef. 11-29-13; DMAP 34-2014(Temp), f. 6-25-14, cert. ef. 7-1-14 thru 12-27-14; DMAP 66-2014(Temp), f. 11-13-14, cert. ef. 12-28-14 thru 6-25-15

Rule Caption: Eligibility Requirements for the Authority's Office of Client and Community Services Medical Programs

Adm. Order No.: DMAP 67-2014(Temp)

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Subject: With passage of the Affordable Care Act (ACA), Medicaid and CHIP eligibility methodologies were updated effective January

ADMINISTRATIVE RULES

1, 2014. As of November 15, 2014, individuals may begin applying for OCCS medical program coverage through the Federally Facilitated Marketplace (FFM). Additionally, Oregon has received ongoing clarifications and guidance regarding the implementation of the ACA mandated changes. Along with clean-up of formatting, structure and references within rules, these updates are reflected in the attached edits.

Rules Coordinator: Sandy Cafourek—(503) 945-6430

410-200-0010

Overview

These rules, OAR 410-200-0010 through 0510, describe eligibility requirements for the Office of Client and Community Services (OCCS) medical programs.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0015

General Definitions

(1) "Action" means a termination, suspension, denial, or reduction of Medicaid or CHIP eligibility or covered services.

(2) "Address Confidentiality Program (ACP)" means a program of the Oregon Department of Justice that provides a substitute mailing address and mail forwarding service for ACP participants who are victims of domestic violence, sexual assault, or stalking.

(3) "AEN" means Assumed Eligible Newborn (OAR 410-200-0115).

(4) "Affordable Care Act" means the Patient Protection and Affordable Care Act of 2010 (Pub. L. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111-152), as amended by the Three Percent Withholding Repeal and Job Creation Act (Pub. L. 112-56).

(5) "Agency" means the Oregon Health Authority, Department of Human Services, and Cover Oregon.

(6) "American Indian and Alaska Native income exceptions" means:

(a) Distributions from Alaska Native Corporations and Settlement Trusts;

(b) Distributions from any property held in trust, subject to federal restrictions, located within the most recent boundaries of a prior federal reservation or otherwise under the supervision of the Secretary of the Interior;

(c) Distributions and payments from rents, leases, rights of way, royalties, usage rights, or natural resource extraction and harvest, including farming, from:

(A) Rights of ownership or possession in any lands described in section (b) of this part; or

(B) Federally protected rights regarding off-reservation hunting, fishing, gathering, or usage of natural resources;

(d) Distributions resulting from real property ownership interests related to natural resources and improvements:

(A) Located on or near a reservation or within the most recent boundaries of a prior federal reservation; or

(B) Resulting from the exercise of federally-protected rights relating to such real property ownership interests;

(e) Payments resulting from ownership interests in or usage rights to items that have unique religious, spiritual, traditional, or cultural significance or rights that support subsistence or a traditional lifestyle according to applicable tribal law or custom;

(f) Student financial assistance provided under the Bureau of Indian Affairs education programs.

(7) "Applicant" means an individual who is seeking an eligibility determination for themselves or someone for whom they are applying through an application submission or a transfer from another agency, insurance affordability program, or the FFM.

(8) "Application" means:

(a) The single streamlined application for all insurance affordability programs developed by Cover Oregon and the Authority or the FFM; or

(b) An application designed specifically to determine eligibility on a basis other than the applicable MAGI standard, submitted by or on behalf of the individual who may be eligible or is applying for assistance on a basis other than the applicable MAGI standard,

(9) "APTC" means advance payments of the premium tax credit, which means payment of the tax credits specified in section 36B of the

Internal Revenue Code (as added by section 1401 of the Affordable Care Act) that are provided on an advance basis to an eligible individual enrolled in a QHP through an Exchange in accordance with sections 1402 and 1412 of the Affordable Care Act.

(10) "Assumed eligibility" means an individual is deemed to be eligible for a period of time based on receipt of another program benefit or because of another individual's eligibility.

(11) "Authorized Representative" means an individual or organization that acts on behalf of an applicant or beneficiary in assisting with the individual's application and renewal of eligibility and other on-going communications with the Agency (OAR 410-200-0111).

(12) "Beneficiary" means an individual who has been determined eligible and is currently receiving OCCS medical program benefits, Aging and People with Disability medical program benefits, or APTC.

(13) "BRS" means Behavioral Residential Services.

(14) "Budget Month" means the calendar month from which financial and nonfinancial information is used to determine eligibility.

(15) "Caretaker" means a parent, caretaker relative, or non-related caretaker who assumes primary responsibility for a child's care.

(16) "Caretaker Relative" means a relative of a dependent child by blood, adoption, or marriage with whom the child is living who assumes primary responsibility for the child's care, which may but is not required to be indicated by claiming the child as a tax dependent for federal income tax purposes and who is one of the following:

(a) The child's father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece;

(b) The spouse of the parent or relative even after the marriage is terminated by death or divorce;

(c) An individual described in this section who is a relative of the child based on blood, including those of half-blood, adoption, or marriage.

(17) "CAWEM" means Citizen/Alien-Waived Emergency Medical, which is Medicaid coverage for emergency medical needs for clients who are not eligible for other medical programs solely because they do not meet citizenship and alien status requirements (OAR 410-200-0240).

(18) "CAWEM Prenatal" means medical services for pregnant CAWEM beneficiaries.

(19) "Child" means an individual including minor parent, under the age of 19. Child does not include an unborn. Child includes a natural or biological, adopted, or step child.

(20) "Children's Health Insurance Program" also called "CHIP" means Oregon medical coverage under Title XXI of the Social Security Act.

(21) "Citizenship" includes status as a "national of the United States" defined in 8 U.S.C. 1101(a) (22) that includes both citizens of the United States and non-citizen nationals of the United States.

(22) "Claim" means a legal action or a demand by, or on behalf of, an applicant or beneficiary for damages for or arising out of a personal injury that is against any person, public body, agency, or commission other than the State Accident Insurance Fund Corporation or Worker's Compensation Board.

(23) "Claimant" means an individual who has requested a hearing or appeal.

(24) "Code" means Internal Revenue Code of 1986 as amended.

(25) "Combined eligibility notice" means an eligibility notice that informs an individual, or multiple family members of a household when feasible, of eligibility for each of the insurance affordability programs and enrollment in a qualified health plan through Cover Oregon for which a determination or denial was made by Cover Oregon, the Authority, or the FFM.

(26) "Community partner" means all external entities that partner with Cover Oregon or the Authority and enter into formal agreement with the Authority to conduct outreach or enrollment assistance, whether or not they are funded or compensated by Cover Oregon or the Authority. Insurance agents are not considered community partners.

(27) "Coordinated content" means information included in eligibility notice regarding the transfer of the individual's or household's electronic account to another insurance affordability program for a determination of eligibility.

(28) "Cover Oregon" means the Oregon Health Insurance Exchange Corporation.

(29) "Custodial Parent" means, for children whose parents are divorced, separated, or unmarried, the parent for whom:

(a) If living with one parent, a court order or binding separation, divorce, or custody agreement establishes physical custody controls; or

ADMINISTRATIVE RULES

(b) If living with one parent and there is no such order or agreement described in section (a), or in the event of a shared custody agreement, the custodial parent is the parent with whom the child spends most nights;

(c) If a child does not live with either parent, the parent who claims the child as a tax dependent is treated as the custodial parent for the purposes of OCCS medical program eligibility.

(30) "Date of Request" means the earlier of:

(a) The date the request for medical benefits is received by the Agency, the FFM, or a community partner; or

(b) The date the applicant received a medical service, if the request for medical benefits is received by midnight of the following business day.

(31) "Decision notice" means a written notice of a decision made regarding eligibility for an OCCS medical program benefit. A decision notice may be a:

(a) "Basic decision notice" mailed no later than the date of action given in the notice;

(b) "Combined Decision notice" informs an individual or multiple family members of a household, when feasible, of the eligibility decision made for each of the MAGI insurance affordability programs;

(c) "Timely continuing benefit decision notice" informs the client of the right to continued benefits and is mailed no later than ten calendar days prior to the effective date of the change, except for clients in the Address Confidentiality Program, for whom it should be mailed no later than 15 calendar days prior to the effective date of the change.

(32) "Department" means the Department of Human Services.

(33) "Dependent child" means a child who is under the age of 18 or age 18 and a full-time student in a secondary school or equivalent vocational or technical training, if before attaining age 19 the child may reasonably be expected to complete the school or training.

(34) "ELA" (Express Lane Agency) means the Department of Human Services making determinations regarding one or more eligibility requirements for the MAGI Child or MAGI CHIP programs.

(35) "ELE" (Express Lane Eligibility) means the Oregon Health Authority's option to rely on a determination made within a reasonable period by an ELA finding that a child satisfies the requirements for MAGI Child or MAGI CHIP program eligibility.

(36) "Electronic account" means an electronic file that includes all information collected and generated by the Agency regarding each individual's Medicaid or CHIP eligibility and enrollment, including all required documentation and including any information collected or generated as part of a fair hearing process conducted by the Authority, Cover Oregon, or the FFM appeals process.

(37) "Electronic application" means an application electronically signed and submitted through the Internet.

(38) "Eligibility determination" means an approval or denial of eligibility and a renewal or termination of eligibility.

(39) "Expedited appeal" also called "expedited hearing" means a hearing held within five working days of the Authority's receipt of a hearing request, unless the claimant requests more time.

(40) "Family size" means the number of individuals used to compare to the income standards chart for the applicable program. The family size consists of all members of the Household group and each unborn child of any pregnant members of the Household group.

(41) "Federal data services hub" means an electronic service established by the Secretary of the Department of Health and Human Services through which all insurance affordability programs can access specified data from pertinent federal agencies needed to verify eligibility, including SSA, the Department of Treasury, and the Department of Homeland Security.

(42) "Federal poverty level (FPL)" means the federal poverty level updated periodically in the Federal Register by the Secretary of the Department of Health and Human Services under the authority of 42 U.S.C. 9902(2) as in effect for the applicable budget period used to determine an individual's eligibility in accordance with 42 CFR 435.603(h).

(43) "Federally Facilitated Marketplace" also called "FFM" means a website used by consumers.

(44) "Hearing Request" means a clear expression, oral or written, by an individual or the individual's representative that the individual wishes to appeal an Authority or FFM decision or action.

(45) "Household group" consists of every individual whose income is considered for determining each medical applicant's eligibility as defined in OAR 410-200-0305.

(46) "Inmate" means:

(a) An individual living in a public institution that is:

(A) Confined involuntarily in a local, state, or federal prison, jail, detention facility, or other penal facility, including being held involuntarily in a detention center awaiting trial or serving a sentence for a criminal offense;

(B) Residing involuntarily in a facility under a contract between the facility and a public institution where, under the terms of the contract, the facility is a public institution;

(C) Residing involuntarily in a facility that is under governmental control; or

(D) Receiving care as an outpatient while residing involuntarily in a public institution;

(b) An individual is not considered an inmate when:

(A) The individual is released on parole, probation, or post-prison supervision;

(B) The individual is on home or work-release, unless the individual is required to report to a public institution for an overnight stay;

(C) The individual is receiving inpatient care at a medical institution not associated with the public institution where the individual is an inmate;

(D) The individual is staying voluntarily in a detention center, jail, or county penal facility after his or her case has been adjudicated and while other living arrangements are being made for the individual; or

(E) The individual is in a public institution pending other arrangements as defined in 42 CFR 435.1010.

(47) "Insurance affordability program" means a program that is one of the following:

(a) Medicaid;

(b) CHIP;

(c) A program that makes coverage available in a qualified health plan through Cover Oregon or the FFM with advance payments of the premium tax credit established under section 36B of the Internal Revenue Code available to qualified individuals;

(d) A program that makes coverage available in a qualified health plan through Cover Oregon or the FFM with cost-sharing reductions established under section 1402 of the Affordable Care Act.

(48) "Lawfully present" means an individual:

(a) Is a qualified non-citizen, as defined in this section;

(b) Has valid non-immigrant status, as defined in 8 U.S.C. 1101(a) (15) or otherwise under the immigration laws (as defined in 8 U.S.C. 1101(a) (17));

(c) Is paroled into the United States in accordance with 8 U.S.C. 1182(d)(5) for less than one year, except for an individual paroled for prosecution, for deferred inspection or pending removal proceedings; or

(d) Belongs to one of the following classes:

(A) Granted temporary resident status in accordance with 8 U.S.C. 1160 or 1255a, respectively;

(B) Granted Temporary Protected Status (TPS) in accordance with 8 U.S.C. 1254a and individuals with pending applications for TPS who have been granted employment authorization;

(C) Granted employment authorization under 8 CFR 274a.12(c);

(D) Family Unity beneficiaries in accordance with section 301 of Public Law 101-649, as amended;

(E) Under Deferred Enforced Departure (DED) in accordance with a decision made by the President;

(F) Granted Deferred Action status;

(G) Granted an administrative stay of removal under 8 CFR part 241;

(viii) Beneficiary of approved visa petition that has a pending application for adjustment of status;

(e) Is an individual with a pending application for asylum under 8 U.S.C. 158, or for withholding of removal under 8 U.S.C. 1231, or under the Convention Against Torture who:

(A) Has been granted employment authorization; or

(B) Is under the age of 14 and has had an application pending for at least 180 days;

(f) Has been granted withholding of removal under the Convention Against Torture;

(g) Is a child who has a pending application for Special Immigrant Juvenile status as described in 8 U.S.C. 1101(a) (27) (J);

(h) Is lawfully present in American Samoa under the immigration laws of American Samoa;

(i) Is a victim of a severe form of trafficking in persons, in accordance with the Victims of Trafficking and Violence Protection Act of 2000, Public Law 106-386, as amended (22 U.S.C. 7105(b)); or

(j) Exception: An individual with deferred action under the Department of Homeland Security's deferred action for childhood arrivals process, as described in the Secretary of Homeland Security's June 15,

ADMINISTRATIVE RULES

2012 memorandum, may not be considered to be lawfully present with respect to any of the above categories in sections (a) through (i) of this rule.

(49) "Legal Argument" has the meaning given that term in OAR 137-003-0008(c).

(50) "Medicaid" means Oregon's Medicaid program under Title XIX of the Social Security Act.

(51) "MAGI" means Modified Adjusted Gross Income and has the meaning provided at IRC 36B(d)(2)(B) and generally means federally taxable income with the following exceptions:

(a) The income of the following individuals is excluded when they are not expected to be required to file a tax return for the tax year in which eligibility is being determined. This subsection applies whether or not the child or tax dependent actually files a tax return:

(A) Children, regardless of age, who are included in the household of a parent;

(B) Tax dependents;

(b) In applying subsection (a) of this section, IRC § 6012(a) (1) is used to determine who is required to file a tax return.

(52) "MAGI-based income" means income calculated using the same financial methodologies used to determine MAGI as defined in section 36B(d)(2)(B) of the Code with the following exceptions:

(a) American Indian and Alaska Native income exceptions;

(b) Child support;

(c) Life insurance proceeds;

(d) Non-taxable Veterans' benefits;

(e) Non-taxable workers' compensation benefits;

(f) Scholarships, awards, or fellowship grants used for educational expenses;

(g) Supplemental Security Income (SSI);

(h) An amount received as a lump sum is counted as income only in the month received. Lump sum income includes but is not limited to:

(A) Winnings;

(B) Countable educational income;

(C) Capital gains;

(D) Dividends, interest, royalties;

(i) Scholarships, awards, or fellowship grants used for education purposes and not for living expenses;

(j) Self-employment and business entity income is determined by adding gross receipts and other business income and subtracting deductions described in Internal Revenue Code (IRC) §§ 161 through 249. Items not deductible are described in IRC §§ 261 through 280 include, but are not limited to, most capital expenditures, such as business start-up costs, buildings, and furniture and payments or deductions for personal, living, or family use. Business structures are determined by state statutes and are dependent on elections made by business owners. Each state may use different regulations for business structures. Salaries and wages paid to employees, including those who are owners or stockholders, are countable income to the employees. Business income is countable to owners and stockholders as described below:

(A) Sole proprietors, independent contractors, and Limited Liability Companies (LLC) who choose to file federal taxes as a sole proprietor: The necessary and ordinary costs of producing income are subtracted from gross receipts and other business income to determine countable income. Expenses related to costs for both business and personal use are prorated according to the proportions used for each purpose. Costs are limited to those described in IRC §§161 through 199 and Treasury Regulations §§ Sec. 1.162 through 1.263;

(B) Partnerships that are not publicly traded and LLCs who choose to file federal taxes as a partnership: Owners' income is determined as follows:

(i) The distributive share of income, gain, and loss is determined proportionately on the basis of the partnership agreement or the LLC agreement;

(ii) Income from other partnerships, estates, and trusts is added to the amount in paragraph (A) of this subsection;

(iii) The costs of producing income described in subsection (4) (a) except for oil and gas depletion and costs listed below are proportionately subtracted from gross receipts to determine each partner's countable income:

(I) Bad debts;

(II) Guaranteed payments to partners;

(III) Losses from other partnerships, farms, estates, and trusts;

(IV) Retirement plans;

(C) S Corporations and LLCs who choose to file federal taxes as an S Corporation: Shareholders' income is determined as follows:

(i) The distributive share of profits, gain, and loss are determined proportionately on the basis of the stockholders' shares of stock;

(ii) The costs of producing income described in subsection (a) are proportionately subtracted from gross receipts to determine each stockholder's countable income;

(iii) The distributive share of profits is countable income to the shareholders whether or not it is actually distributed to the shareholders;

(D) C Corporations and LLCs who choose to file taxes as C Corporations: Shareholders' income is countable when it is distributed to them through dividends.

(53) "MAGI income standard" means the monthly income standard for the relevant program and family size described in OAR 410-200-0315.

(54) "Minimum essential coverage" means medical coverage under:

(a) A government-sponsored plan, including Medicare Part A, Medicaid (excluding CAWEM), CHIP, TRICARE, the veterans' health care program, and the Peace Corps program;

(b) Employer-sponsored plans with respect to an employee, including coverage offered by an employer that is a government plan, any other plan or coverage offered in the small or large group market within the state, and any plan established by an Indian tribal government;

(c) Plans in the individual market;

(d) Grandfathered health plans; and

(e) Any other health benefits coverage, such as a state health benefits risk pool, as recognized by the HHS secretary in coordination with the Treasury Secretary.

(55) "Non-applicant" means an individual not seeking an eligibility determination for him or herself and is included in an applicant's or beneficiary's household to determine eligibility for the applicant or beneficiary.

(56) "Non-citizen" has the meaning given the term "alien" as defined in section 101(a)(3) of the Immigration and Nationality Act (INA), (8 U.S.C. 1101(a)(3)) and includes any individual who is not a citizen or national of the United States, defined at 8 U.S.C. 1101(a)(22).

(57) "OCCS" means the Office of Client and Community Services, part of the Division of Medical Assistance Programs under the Oregon Health Authority.

(58) "OCCS medical programs" means all programs under the Office of Client and Community Services including:

(a) "CEC" means Continuous Eligibility for OHP-CHP pregnant women. Title XXI medical assistance for a pregnant non-CAWEM child found eligible for the OHP-CHP program who, for a reason other than moving out of state or becoming a recipient of private major medical health insurance, otherwise would lose her eligibility;

(b) "CEM" means Continuous Eligibility for Medicaid: Title XIX medical assistance for a non-CAWEM child found eligible for Medicaid who loses his or her eligibility for a reason other than turning 19 years of age or moving out of state;

(c) "EXT" means Extended Medical Assistance. The Extended Medical Assistance program provides medical assistance for a period of time after a family loses its eligibility for the MAA, MAF, or PCR program due to an increase in their spousal support or earned income;

(d) "MAA" means Medical Assistance Assumed;

(e) "MAF" means Medical Assistance to Families. The Medical Assistance to Families program provides medical assistance to people who are ineligible for MAA but are eligible for Medicaid using ADC program standards and methodologies that were in effect as of July 16, 1996;

(f) "OHP" means Oregon Health Plan. The Oregon Health Plan program provides medical assistance to many low-income individuals and families. The program includes five categories of individuals who may qualify for benefits. The acronyms for these categories are:

(A) "OHP-CHP" Persons under 19. OHP coverage for persons under 19 years of age who qualify at or below the 300 percent income standard;

(B) "OHP-OPC" Children. OHP coverage for children who qualify under the 100 percent income standard;

(C) "OHP-OPP" Pregnant Females and their newborn children. OHP coverage for pregnant females who qualify under the 185 percent income standard and their newborn children;

(D) "OHP-OPU" Adults. OHP coverage for adults who qualify under the 100 percent income standard. A person eligible under OHP-OPU is referred to as a health plan new/non-categorical (HPN) client;

(E) "OHP-OP6" Children under 6. OHP coverage for children under age 6 who qualify under the 133 percent income standard;

(g) "Substitute Care" means medical coverage for children in BRS or PRTF;

(h) "BCCTP" means Breast and Cervical Cancer Treatment Program;

ADMINISTRATIVE RULES

(i) "MAGI Medicaid/CHIP" means OCCS medical programs for which eligibility is based on MAGI, including:

- (A) MAGI Child;
- (B) MAGI Parent or Other Caretaker Relative;
- (C) MAGI Pregnant Woman;
- (D) MAGI Children's Health Insurance Program (CHIP);
- (E) MAGI Adult.

(59) "OCWP" means Office of Child Welfare Programs.

(60) "OSIPM" means Oregon Supplemental Income Program Medical. Medical coverage for elderly and disabled individuals administered by the Department of Human Services, Aging and People with Disabilities and Developmental Disabilities.

(61) "Parent" means a natural or biological, adopted, or step parent.

(62) "Personal Injury" means a physical or emotional injury to an individual including, but not limited to, assault, battery, or medical malpractice arising from the physical or emotional injury.

(63) "Post-eligibility review" means a review period of 30 days following the eligibility determination during which the Authority will verify information used to approve OCCS medical program benefits and ensure all non-financial eligibility requirements are met (OAR 410-200-0230).

(64) "Pregnant woman" means a woman during pregnancy and the postpartum period that begins on the date the pregnancy ends, extends 60 days and ends on the last day of the month in which the 60-day period ends.

(65) "Primary contact" means the primary person the Agency will communicate with and:

(a) Is listed as the case name; or

(b) Is the individual named as the primary contact on the Cover Oregon, Authority, or FFM medical application.

(66) "Private major medical health insurance" means a comprehensive major medical insurance plan that at a minimum provides physician services, inpatient and outpatient hospitalization, outpatient lab, x-ray, immunizations, and prescription drug coverage. This term does not include coverage under the Kaiser Child Health Program or Kaiser Transition Program but does include policies that are purchased privately or are employer-sponsored.

(67) "PRTF" means Psychiatric Residential Treatment Facility.

(68) "Public institution" means any of the following:

(a) A state hospital (ORS 162.135);

(b) A local correctional facility (ORS 169.005), a jail, or prison for the reception and confinement of prisoners that is provided, maintained, and operated by a county or city and holds individuals for more than 36 hours;

(c) A Department of Corrections institution (ORS 421.005), a facility used for the incarceration of individuals sentenced to the custody of the Department of Corrections, including a satellite, camp, or branch of a facility;

(d) A youth correction facility (ORS 162.135):

(A) A facility used for the confinement of youth offenders and other individuals placed in the legal or physical custody of the youth authority, including a secure regional youth facility, a regional accountability camp, a residential academy and satellite, and camps and branches of those facilities; or

(B) A facility established under ORS 419A.010 to 419A.020 and 419A.050 to 419A.063 for the detention of children, wards, youth or youth offenders pursuant to a judicial commitment or order;

(e) As used in this rule, the term public institution does not include:

(A) A medical institution as defined in 42 CFR 435.1010 including the Secure Adolescent Inpatient Program (SAIP) and the Secure Children's Inpatient Program (SCIP);

(B) An intermediate care facility as defined in 42 CFR 440.140 and 440.150; or

(C) A publicly operated community residence that serves no more than 16 residents, as defined in 42 CFR 435.1009.

(69) "Qualified Hospital" means a hospital that:

(a) Participates as an enrolled Oregon Medicaid provider;

(b) Notifies the Authority of their decision to make presumptive eligibility determinations;

(c) Agrees to make determinations consistent with Authority policies and procedures;

(d) Informs applicants for presumptive eligibility of their responsibility and available assistance to complete and submit the full Medicaid application and to understand any documentation requirements; and

(e) Are not disqualified by the Authority for violations related to standards established for the presumptive eligibility program under 42 CFR § 435.1110(d).

(70) "Qualified non-citizen" means an individual that is any of the following:

(a) A non-citizen lawfully admitted for permanent residence under the INA (8 U.S.C. 1101 et seq);

(b) A refugee admitted to the United States as a refugee under section 207 of the INA (8 U.S.C. 1157);

(c) A non-citizen granted asylum under section 208 of the INA (8 U.S.C. 1158);

(d) A non-citizen whose deportation is being withheld under section 243(h) of the INA (8 U.S.C. 1253(h)) (as in effect immediately before April 1, 1997) or section 241(b)(3) of the INA (8 U.S.C. 1231(b)(3)) (as amended by section 305(a) of division C of the Omnibus Consolidated Appropriations Act of 1997, Pub. L. No. 104-208, 110 Stat. 3009-597 (1996));

(e) A non-citizen paroled into the United States under section 212(d)(5) of the INA (8 U.S.C. 1182(d)(5)) for a period of at least one year;

(f) A non-citizen granted conditional entry pursuant to section 203(a)(7) of the INA (8 U.S.C. 1153(a)(7)) as in effect prior to April 1, 1980;

(g) A non-citizen who is a Cuban and Haitian entrant (as defined in section 501(3) of the Refugee Education Assistance Act of 1980);

(h) An Afghan or Iraqi alien granted Special Immigration Status (SIV) under section 101(a)(27) of the INA; or

(i) A battered spouse or dependent child who meets the requirements of 8 U.S.C. 1641(c) and is in the United States on a conditional resident status, as determined by the U.S. Citizenship and Immigration Services.

(71) "Reasonable opportunity period:"

(a) May be used to obtain necessary verification or resolve discrepancy regarding US citizenship or non-citizen status;

(b) Begins on and shall extend 90 days from the date on which notice is received by the individual. The date on which the notice is received is considered to be five days after the date on the notice, unless the individual shows that he or she did not receive the notice within the five-day period;

(c) May be extended beyond 90 days if the individual is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation or the Agency needs more time to complete the verification process.

(72) "Redetermination" means a review of eligibility outside of regularly scheduled renewals. Redeterminations that result in the assignment of a new renewal date are considered renewals.

(73) "Renewal" means a regularly scheduled periodic review of eligibility resulting in a renewal or change of program benefits, including the assignment of a new renewal date or a change in eligibility status.

(74) "Required documentation" means:

(a) Facts to support the Agency's decision on the application; and

(b) Either:

(A) A finding of eligibility or ineligibility; or

(B) An entry in the case record that the applicant voluntarily withdrew the application, and the Agency sent a notice confirming the decision, that the applicant has died, or that the applicant cannot be located.

(75) "Secure electronic interface" means an interface which allows for the exchange of data between Medicaid or CHIP and other insurance affordability programs and adheres to the requirements in 42 CFR part 433, subpart C.

(76) "Shared eligibility service" means a common or shared eligibility system or service used by a state to determine individuals' eligibility for insurance affordability programs.

(77) "Sibling" means natural or biological, adopted, or half or step sibling.

(78) "Spouse" means an individual who is legally married to another individual under:

(a) The statutes of the state where the marriage occurred;

(b) The common law of the state in which two individuals previously resided while meeting the requirements for common law marriage in that state; or

(c) The laws of a country in which two individuals previously resided while meeting the requirements for legal marriage in that country.

(79) "SSA" means Social Security Administration.

(80) "Tax dependent" has meaning given the term "dependent" under section 152 of the Internal Revenue Code, as an individual for whom another individual claims a deduction for a personal exemption under section 151 of the Internal Revenue Code for a taxable year.

(81) "Title IV-E" means Title IV-E of the Social Security Act (42 U.S.C. §§ 671-679b).

Stat. Auth.: ORS 411.095, 411.402, 411.404, 413.038, 414.025, 414.534

ADMINISTRATIVE RULES

Stats. Implemented: ORS 411.095, 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536, 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0100

Coordinated Eligibility and Enrollment Process with the Department of Human Services and Cover Oregon

(1) This rule describes Oregon Health Authority's (Authority) coordination of eligibility and enrollment with the Department of Human Services (Department), Cover Oregon, and the FFM. The Authority shall:

(a) Minimize the burden on individuals seeking to obtain or renew eligibility or to appeal a determination of eligibility for insurance affordability programs;

(b) Ensure determinations of eligibility and enrollment in the appropriate program without undue delay, consistent with timeliness standards described in OAR 410-200-0110 based on the application date;

(c) Provide coordinated content for those household members whose eligibility status is not yet determined; and

(d) Screen every applicant or beneficiary who submits an application or renewal form, or whose eligibility is being renewed under a change in circumstance for criteria that identify individuals for whom MAGI-based income methods do not apply.

(2) For individuals undergoing eligibility determination based on MAGI-based methodology and standards, the Authority, consistent with the timeliness standards described in OAR 410-200-0110, shall:

(a) Determine eligibility for MAGI Medicaid/CHIP on the basis of having household income at or below the applicable MAGI-based standard, or

(b) If ineligible under section (a) or if eligible for CAWEM-level benefits only, direct as appropriate to Cover Oregon for the 2014 benefit year or the FFM for the 2015 benefit year.

(3) If ineligible for MAGI Medicaid/CHIP, the Authority shall, consistent with the timeliness standards described in OAR 410-200-0110:

(a) Screen for eligibility for non-MAGI programs as indicated by information provided on the application or renewal form;

(b) Transfer timely via secure electronic interface the individual's electronic account information to the Department, as appropriate, OCCS medical program;

(c) Provide notice to the individual that:

(A) The Authority has determined the individual ineligible for OCCS medical programs;

(B) The Department is continuing to evaluate Medicaid eligibility on one or more other bases, including a plain language explanation of the other bases being considered;

(C) The notice shall include coordinated content relating to the transfer of the individual's electronic account to the Department, as appropriate; and

(D) There is a right to a hearing to challenge the eligibility decision;

(d) Provide or assure that the Department has provided the individual with notice of the final determination of eligibility on one or more other bases.

(4) For beneficiaries found ineligible for on-going OCCS medical program benefits who are referred to the Department for a non-MAGI Medicaid eligibility review, the Authority shall maintain OCCS medical program benefits while eligibility is being determined by the Department and may not take action to close benefits until determination of eligibility is complete.

(5) Coordination among agencies:

(a) The Authority shall maintain a secure electronic interface through which the Authority can receive an individual's electronic account from the Department, Cover Oregon, and the FFM;

(b) The Authority may not request information or documentation from the individual included in the individual's electronic account or provided to the Agency; and

(c) If information is available through electronic data match and is useful and related to eligibility for OCCS medical programs, the Authority shall obtain the information through electronic data match.

(6) Cover Oregon may perform any obligation of the Authority under these rules pertaining to MAGI Medicaid/CHIP except for hospital presumptive eligibility. Each Agency shall either complete the processing of any application or redetermination for medical benefits or transfer the application to another Agency for completion.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0105

Hospital Presumptive Eligibility

This rule sets out when an individual is presumptively eligible for MAGI Medicaid/CHIP, BCCTP, and Former Foster Care Youth Medical (OAR 413-100-0457) based on the determination of a qualified hospital.

(1) The qualified hospital will determine Hospital Presumptive Eligibility for MAGI Medicaid/CHIP, BCCTP, or Former Foster Care Youth Medical based on the following information attested by the individual:

(a) Family size;

(b) Household income;

(c) Receipt of other health coverage;

(d) US citizenship, US national, or non-citizen status.

(2) To be eligible via Hospital Presumptive Eligibility, an individual must be a US citizen, US National, or meet the citizenship and alien status requirements found in 410-200-0215 and one of the following:

(a) A child under the age of 19 with income at or below 300 percent of the federal poverty level;

(b) A parent or caretaker relative of a dependent child with income at or below the MAGI Parent or Other Caretaker Relative income standard for the appropriate family size in OAR 410-200-0315;

(c) A pregnant woman with income at or below 185 percent of the federal poverty level;

(d) A non-pregnant adult between the ages of 19 through 64 with income at or below 133 percent of the federal poverty level; or

(e) A woman under the age of 65 who has been determined eligible for the Breast and Cervical Cancer Treatment Program (OAR 410-200-0400);

(f) An individual under the age of 26 who was in Oregon foster care on their 18th birthday.

(3) To be eligible via Hospital Presumptive Eligibility, an individual may not:

(a) Be receiving Supplemental Security Income benefits;

(b) Be a Medicaid/CHIP beneficiary; or

(c) Have received Hospital Presumptive Eligibility for any portion of the full year (365 days) preceding a new Hospital Presumptive Eligibility period.

(4) In addition to the requirements outlined in sections (2) and (3) above, the following requirements also apply:

(a) To receive MAGI Adult benefits via Hospital Presumptive Eligibility, an individual may not be entitled to or enrolled in Medicare benefits under part A or B of Title XVIII of the Act;

(b) To receive MAGI CHIP benefits via Hospital Presumptive Eligibility, an individual may not be covered by any minimum essential coverage that is accessible (OAR 410-200-0410(2)(c));

(c) To receive BCCTP benefits via Hospital Presumptive Eligibility, an individual may not be covered by any minimum essential coverage.

(5) The Hospital Presumptive Eligibility period begins on the earlier of:

(a) The date the qualified hospital determines the individual is eligible; or

(b) The date that the individual received a covered medical service from the qualified hospital, if the hospital determines the individual is eligible and submits the decision to the Authority within five calendar days following the date of service.

(6) The Hospital Presumptive Eligibility period ends:

(a) For individuals on whose behalf a Medicaid/CHIP application has been filed by the last day of the month following the month in which the hospital presumptive eligibility period begins, the day on which the state makes an eligibility determination for MAGI Medicaid/CHIP and sends basic decision notice; or

(b) If subsection (a) is not completed, the last day of the month following the month in which the hospital presumptive eligibility period begins.

(7) A Hospital Presumptive Eligibility decision does not qualify a beneficiary for continuous eligibility (OAR 410-200-0135).

(8) A baby born to a woman receiving benefits during a Hospital Presumptive Eligibility period is not assumed eligible (OAR 410-200-0135).

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

ADMINISTRATIVE RULES

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0110

Application and Renewal Processing and Timeliness Standards

(1) General information as it relates to application processing is as follows:

(a) An individual may apply for one or more medical programs administered by the Authority, the Department, or Cover Oregon using a single streamlined application;

(b) An application may be submitted via the Internet, the FFM, by telephone, by mail, in person, or through other commonly available electronic means;

(c) The Agency shall ensure that an application form is readily available to anyone requesting one and that community partners or Agency staff are available to assist applicants to complete the application process;

(d) If the Agency requires additional information to determine eligibility, the Agency shall send the applicant or beneficiary written notice that includes a statement of the specific information needed to determine eligibility and the date by which the applicant or beneficiary shall provide the required information in accordance with section (7) of this rule.

(e) If an application is filed containing the applicant or beneficiary's name and address, the Agency shall send the applicant or beneficiary a decision notice within the time frame established in section (7) of this rule;

(f) An application is complete if all of the following requirements are met:

(A) All information necessary to determine the individual's eligibility and benefit level is provided on the application for each individual in the household group;

(B) The applicant, even if homeless, provides an address where they can receive postal mail;

(C) The application is signed in accordance with section (6) of this rule;

(D) The application is received by the Agency;

(g) To complete the application process, the applicant shall:

(A) With the exception of sections (5) and (6) of this rule, complete and sign an application; and

(B) Provide necessary information to the Agency within the time frame established in section (7) of this rule.

(2) General information as it relates to renewal and redetermination processing is as follows:

(a) The Authority shall redetermine eligibility at assigned intervals and whenever a beneficiary's eligibility becomes questionable;

(b) When renewing or redetermining medical benefits, the Agency shall, to the extent feasible, determine eligibility using information found in the beneficiary's electronic account and electronic data accessible to the Agency;

(c) If the Agency is unable to determine a beneficiary's eligibility using information found in the beneficiary's electronic account and electronic data accessible to the Agency, then the Agency shall provide a pre-populated renewal form to the beneficiary containing information known to the Agency, a statement of the additional information needed to renew eligibility, and the date by which the beneficiary must provide the required information in accordance with section (7) of this rule;

(d) The Agency shall assist applicants seeking assistance to complete the pre-populated renewal form or gather information necessary to renew eligibility;

(e) The pre-populated renewal form is complete if it meets the requirements identified in section (1)(e) of this rule;

(f) If the Agency provides the individual with a pre-populated renewal form to complete the renewal process, the individual must:

(A) Complete and sign the form in accordance with section (6) of this rule;

(B) Submit the form via the Internet, by telephone, via mail, in person, and through other commonly available electronic means, and

(C) Provide necessary information to the Agency within the time frame established in section (7) of this rule;

(g) An individual may withdraw their pre-populated renewal form at any time.

(3) Except for individuals found eligible for MAGI Medicaid/CHIP through the Fast-Track enrollment process (OAR 410-200-0505), for renewals due between July 1, 2014 and December 31, 2014, the Authority will:

(a) Utilize a pre-populated Expedited Renewal form to determine if the individual has experienced:

(A) A change in household members; or

(B) A change in income;

(b) Renew eligibility based on the individual's attested information on the Expedited Renewal form if:

(A) There is no change in household members; and

(B) The attested income allows all beneficiaries to remain eligible for Medicaid/CHIP;

(c) If unable to renew eligibility based on the individual's attested information on the Expedited Renewal form, the Authority will send the beneficiary an application in order to complete a full eligibility review.

(4) A new application is required when:

(a) An individual requests medical benefits and no member of the household group currently receives OCCS medical program benefits;

(b) A child turns age 19, is no longer claimed as a tax dependent, and wishes to retain medical benefits;

(c) The Authority determines that an application is necessary to complete an eligibility determination.

(5) A new application is not required when:

(a) The Agency determines an applicant is ineligible in the month of application and:

(A) Is determining if the applicant is eligible the following month; or

(B) Is determining if the applicant is eligible retroactively (OAR 410-200-0130);

(b) Determining initial eligibility for OCCS medical programs via Fast-Track enrollment pursuant to OAR 410-200-0505;

(c) Benefits are closed and reopened during the same calendar month;

(d) An individual's medical benefits were suspended because they became an inmate and met the requirements of OAR 410-200-0140;

(e) An assumed eligible newborn (AEN) is added to a household group receiving medical program benefits;

(f) An individual not receiving medical program benefits is added to an on-going household group receiving medical program benefits, and eligibility can be determined using information found in the individual or beneficiary's electronic account and electronic data available to the Agency;

(g) Redetermining or renewing eligibility for beneficiaries and the Agency has sufficient evidence to redetermine or renew eligibility for the same or new program;

(h) At renewal, the beneficiary fails to submit additional information requested by the Agency within 30 days but provides the requested information within 90 days after the date medical benefits were terminated.

(6) Signature requirements are as follows:

(a) The application must be signed by one of the following:

(A) The primary contact;

(B) At least one caretaker relative or parent in the household group;

(C) The primary contact when there is no parent in the household group; or

(D) An authorized representative;

(b) Hospital Presumptive Eligibility may be determined without a signature described in section (a);

(c) When renewing eligibility, if the Agency is unable to determine eligibility using information found in the beneficiary's electronic account and electronic data accessible to the Agency, a signature is required on the pre-populated renewal form sent to the beneficiary for additional information;

(d) Signatures may be submitted and shall be accepted by the Agency via Internet, mail, telephone, in person, or other electronic means;

(e) An electronic application must be submitted to and received by the Authority with an electronic signature.

(7) Application and renewal processing timeliness standards are as follows:

(a) At initial eligibility determination, the Agency shall inform the individual of timeliness standards, make an eligibility determination, and send a decision notice not later than the 45th calendar day after the Date of Request if:

(A) All information necessary to determine eligibility is present; or

(B) The application is not completed by the applicant within 45 days after the Date of Request;

(b) At initial eligibility determination, the Agency may extend the 45-day period described in section (a) if there is an administrative or other emergency beyond the control of the Agency. The Agency must document the emergency;

(c) Except for periodic renewals of eligibility described in section (d), the Agency provides:

ADMINISTRATIVE RULES

(A) The reasonable opportunity period to obtain necessary verification or resolve discrepancy regarding US citizenship or non-citizen status after eligibility has been determined; or

(B) The post-eligibility review period to verify information used to approve OCCS medical program benefits and ensure all non-financial eligibility requirements are met;

(d) At periodic renewal of eligibility, if additional information beyond data available to the Agency on the beneficiary's electronic account or electronic data is required, the Authority shall provide the beneficiary at least 30 days from the date of the renewal form to respond and provide necessary information.

(8) Individuals may apply through the FFM. The FFM will determine eligibility for OCCS Medicaid/CHIP. Oregon will accept determinations made by the FFM and sent to the Authority. The Authority will enroll eligible individuals as indicated by the FFM.

(9) Medical program eligibility is determined in the following order:

(a) For a child applicant, the order is as follows:

(A) Assumed eligibility for OCCS medical programs (OAR 410-200-0135);

(B) Substitute Care, when the child is in Behavioral Rehabilitation Services (BRS) or in Psychiatric Residential Treatment Facility (PRTF) (OAR 410-200-0405);

(C) MAGI Parent or Other Caretaker Relative (OAR 410-200-0420);

(D) MAGI Pregnant Woman program (OAR 410-200-0425);

(E) MAGI Child (OAR 410-200-0415);

(F) Continuous Eligibility (OAR 410-200-0135);

(G) MAGI CHIP (OAR 410-200-0410);

(H) EXT (OAR 410-200-0440);

(b) For an adult applicant, the order is as follows:

(A) Assumed eligibility for OCCS medical programs (OAR 410-200-0135);

(B) Substitute Care (OAR 410-200-0405);

(C) MAGI Parent or Other Caretaker Relative (OAR 410-200-0420);

(D) EXT (OAR 410-200-0440);

(E) MAGI Pregnant Woman (OAR 410-200-0425);

(F) MAGI Adult (OAR 410-200-0435);

(G) BCCTP (OAR 410-200-0400).

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0111

Authorized Representatives

(1) The following individuals may designate an authorized representative:

(a) A caretaker;

(b) The primary contact when there is no caretaker in the household group;

(c) An adult in the household group; or

(d) The Agency, if an authorized representative is needed but has not been designated by the individual.

(2) The Agency shall accept an applicant or beneficiary's designation of an authorized representative via any of the following methods which must include either a handwritten or electronic signature of both the applicant or beneficiary and designated authorized representative:

(a) The Internet;

(b) E-mail;

(c) Mail;

(d) Telephonic recording;

(e) In person; or

(f) Other electronic means.

(3) Applicants and beneficiaries may authorize their authorized representative to:

(a) Sign an application on the applicant's behalf;

(b) Complete and submit a renewal form;

(c) Receive copies of the applicant or beneficiary's notices and other communications from the Agency; or

(d) Act on behalf of the applicant or beneficiary in any or all other matters with the Agency.

(4) The authorized representative must:

(a) Fulfill all responsibilities encompassed within the scope of the authorized representation as identified in section (3) to the same extent as the individual represented; and

(b) Maintain the confidentiality of any information regarding the applicant or beneficiary provided by the Authority.

(5) In addition to authorized representatives as designated in sections (1) through (4) above, an individual is treated as an authorized representative if the individual has been given authority under state law. Such authority includes but is not limited to:

(a) A court order establishing legal guardianship;

(b) A health care representative, when the individual is unable to make their own decisions; or

(c) A court order establishing power of attorney.

(6) As a condition of serving as an authorized representative, a provider or staff member or volunteer of an organization with a service-providing relationship to the beneficiary must affirm that he or she will adhere to the regulations in 45 CFR 431, subpart F and at 45 CFR 155.260(f) and at 45 CFR 447.10 as well as other relevant state and federal laws concerning conflicts of interest and confidentiality of information.

(7) The power to act as an authorized representative is valid until the Agency is notified via any of the methods described in section (2) of any of the following:

(a) The applicant or beneficiary modifies the authorization or notifies the Agency that the representative is no longer authorized to act on his or her behalf;

(b) The authorized representative informs the Agency that he or she no longer is acting in such capacity; or

(c) There is a change in the legal authority upon which the individual or organization's authority was based.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

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410-200-0115

OCCS Medical Programs—Effective Dates

(1) Date of Request:

(a) For all OCCS medical programs, the applicant or an individual authorized to act on behalf of the applicant must contact the Authority, the Department, Cover Oregon, or the FFM to request medical benefits. The request may be via the Internet, by telephone, community partner, by mail, by electronic communication, or in person.

(b) The Date of Request is the earlier of the following:

(A) The date the request for medical benefits is received; or

(B) The date the applicant received a medical service, if the request for medical benefits is received by midnight of the following business day;

(c) For current beneficiaries of OCCS medical programs, the Date of Request is one of the following:

(A) The date the beneficiary reports a change requiring a redetermination of eligibility; or

(B) The date the Agency initiates a review, except that the automatic mailing of an application does not constitute a Date of Request;

(d) The Date of Request starts the application processing time frame;

(e) If the application is required under OAR 410-200-0110 and is not received within 45 days after the Date of Request or within the extended time that the Authority has allowed under OAR 410-200-0110, the new Date of Request is the date the application is submitted to the Agency.

(2) For EXT, the effective date is determined according to OAR 410-200-0440.

(3) Except for EXT, the effective date of medical benefits for new applicants for OCCS medical programs is whichever comes first:

(a) The Date of Request, if the applicant is found eligible as of that date; or

(b) If ineligible on the Date of Request, the first day following the Date of Request on which the client is determined to be eligible within the month of the Date of Request or the following month.

(4) The effective date for retroactive medical benefits (OAR 410-200-0130) for MAGI Medicaid/CHIP and BCCTP is the earliest date of eligibility during the three months preceding the Date of Request. The Authority reviews each month individually for retroactive medical eligibility.

(5) Establishing a renewal date:

(a) Except for EXT and MAGI Pregnant Woman, as provided in subsection (b) for all OCCS medical programs, eligibility shall be renewed every 12 months. The renewal date is the last day of the month determined as follows:

(A) For initial eligibility, the renewal date is determined by counting 12 full months following the initial month of eligibility;

ADMINISTRATIVE RULES

(B) For renewals that are regularly scheduled, the new renewal date is determined by counting 12 full months following the current renewal month;

(C) For redeterminations that are the result of a reported change, the new renewal date is determined by counting 12 full months following the month the change occurred;

(b) Except for OHP-OPP and individuals who are 18 turning 19 years of age, all OCCS medical program beneficiaries who have renewal dates between October 1, 2013, and March 31, 2014, the renewal date shall be extended as follows:

(A) Renewal dates that fall in October 2013 shall be extended to July 2014;

(B) Renewal dates that fall in November 2013 shall be extended to August 2014;

(C) Renewal dates that fall in December 2013 shall be extended to September 2014;

(D) Renewal dates that fall in January 2014 shall be extended to July 2014;

(E) Renewal dates that fall in February 2014 shall be extended to August 2014;

(F) Renewal dates that fall in March 2014 shall be extended to September 2014;

(G) Renewal dates that fall in April 2014 shall be extended to October 2014;

(H) Renewal dates that fall in May 2014 shall be extended to November 2014;

(I) Renewal dates that fall in June 2014 shall be extended to December 2014.

(6) Acting on Reported Changes (also see Changes That Must Be Reported OAR 410-200-0235):

(a) When the beneficiary reports a change in circumstances at any time other than the renewal month, eligibility shall be redetermined for all household group members;

(b) Except for OHP-OPP, MAGI Pregnant Woman, and MAGI Parent or Other Caretaker Relative, based on the reported change, if the beneficiary is determined to be eligible for another OCCS medical program, the effective date for the change is the first of the month following the month in which the determination was made;

(c) For OHP-OPP, MAGI Pregnant Woman, and MAGI Parent or Other Caretaker Relative, the effective date is the Date of Request;

(d) For OCCS medical program beneficiaries who were found eligible for OCCS medical program benefits using non-MAGI-based methods with a benefit start date of December 31, 2013 or earlier who report changes that may affect eligibility, the following apply:

(A) Eligibility shall be redetermined using the budgeting policies outlined in OARs 410-200-0310 and 410-200-0315; and

(B) If ineligible for Medicaid/CHIP benefits as a result of the redetermination, the effective date of the change shall be delayed until April 1, 2014, the end of the month following timely notice or the next scheduled renewal, whichever is later;

(C) OCCS medical program benefits shall be maintained during the period of time between the loss of eligibility and the APTC or closure effective date of April 1, 2014.

(7) Assumed eligibility:

(a) A pregnant woman eligible for and receiving Medicaid benefits the day the pregnancy ends or who was eligible for and receiving medical under any Medicaid program and becomes ineligible while pregnant is assumed eligible for continuous eligibility through the end of the calendar month in which the 60th day following the last day of the pregnancy falls unless:

(A) She is no longer an Oregon resident; or

(B) She requests medical benefits to be closed;

(b) A child born to a mother eligible for and receiving Medicaid, OHP-CHIP, or MAGI CHIP benefits is an assumed eligible newborn (AEN) for medical benefits until the end of the month the child turns one year of age, unless:

(A) The child dies;

(B) The child is no longer an Oregon resident; or

(C) The child's representative requests a voluntary termination of the child's eligibility.

(8) Twelve-Month Continuous Eligibility:

(a) A child determined eligible for MAGI Medicaid/CHIP or BCCTP at initial eligibility or at the renewal period shall have a 12-month continuous enrollment period. The 12-month continuous enrollment period begins

on the Date of Request or date the child is initially found eligible, whichever is later, and continues for the following 12 full months;

(b) For a child transitioning from another Medicaid program, the 12-month continuous enrollment period begins the first month following the month in which the other Medicaid program ends.

(9) Suspending or Closing Medical Benefits:

(a) The effective date for closing all OCCS medical program benefits is the earliest of:

(A) The date of a beneficiary's death;

(B) The last day of the month in which the beneficiary becomes ineligible and a timely continuing benefit decision notice is sent;

(C) The day prior to the start date for Office of Child Welfare Programs or OSIPM for beneficiaries transitioning from an OCCS medical program;

(D) The date the program ends; or

(E) The last day of the month in which a timely continuing benefit decision notice is sent if on-going eligibility cannot be determined because the beneficiary does not provide required information within 30 days;

(b) Prior to closing medical benefits, the Agency shall determine eligibility for all other insurance affordability programs;

(c) For suspension of OCCS medical program eligibility of beneficiaries who become incarcerated (OAR 461-200-0140).

(10) Denial of Benefits. The effective date for denying OCCS medical program benefits is the earlier of the following:

(a) The date the decision is made that the applicant is not eligible and notice is sent; or

(b) The end of the application processing time frame, unless the time period has been extended to allow the applicant more time to provide required verification.

(11) Eligibility Following Closure:

(a) The Authority shall redetermine in a timely manner (OAR 410-200-0110), without requiring a new application, the eligibility of an individual who:

(A) Lost OCCS medical program eligibility because they did not submit required information needed to renew eligibility; and

(B) Within 90 days of the medical closure date, submits the required information needed to renew eligibility.

(b) If the individual is found to meet OCCS medical program eligibility based on the completed redetermination using the original budget month, eligibility shall be restored effective the earliest date following the medical closure date on which the individual requested benefits, as long as all necessary information is submitted within 90 days following the medical closure date.

(c) The date described in section (b) establishes a new date of request (see section (1)) and budget month (410-200-0310) if:

(A) The individual is ineligible based on the completed redetermination using the original budget month; or

(B) All necessary information is not submitted within 90 days following the medical closure date.

Stat. Auth.: ORS, 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

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410-200-0120

Notices

(1) Except as provided in this rule, the Authority shall send:

(a) A basic decision notice whenever an application for OCCS medical program benefits is approved or denied;

(b) A timely continuing benefit decision notice whenever OCCS medical program benefits are reduced or closed.

(2) For a beneficiary who is placed in a public institution or a correctional facility, the Authority shall send a basic decision notice to close, reduce, or suspend OCCS medical program benefits.

(3) For a beneficiary who has been placed in skilled nursing care, intermediate care, or long-term hospitalization, the Authority shall send a basic decision notice to close, suspend, or reduce OCCS medical program benefits.

(4) The Authority shall send a basic decision notice to close OCCS medical program benefits for a beneficiary who has received them for less than 30 days and who is ineligible for any insurance affordability program.

(5) When returned mail is received without a forwarding address and the beneficiary's whereabouts are unknown, the Authority shall send a basic decision notice to end benefits if the mail was sent by postal mail. If the returned mail was sent electronically, the Authority shall resend by

ADMINISTRATIVE RULES

postal mail within three business days. The date on the notice shall be the date the notice is sent by postal mail.

(6) The Authority shall send one of the following notices when a beneficiary ceases to be an Oregon Resident:

- (a) A timely continuing benefit notice; or
- (b) A basic decision notice if the beneficiary is eligible for benefits in the other state.

(7) Except as provided in section (9) of this rule, to close medical program benefits based on a request made by the beneficiary, another adult member of the household group or the authorized representative, the Authority shall send the following decisions notices:

(a) A timely continuing benefit decision notice when an oral request is made to close benefits;

(b) A basic decision notice when a request to withdraw, end, or reduce benefits is made with written signature or recorded verbal signature;

(c) A basic decision notice when an oral request to withdraw an application for benefits is made.

(8) No other notice is required when an individual completes a voluntary agreement if all of the following are met:

(a) The Authority provides the individual with a copy of the completed agreement; and

(b) The Authority acts on the request by the date indicated on the form.

(9) No decision notice is required in the following situations:

- (A) The only individual in the household group dies;
- (B) A hearing was requested after a notice was received and either the hearing request is dismissed or a final order is issued.

(10) Decision notices shall be written in plain language and be accessible to individuals who are limited English proficient and individuals with disabilities. In addition:

(a) All decision notices shall include:

- (A) A statement of the action taken;
- (B) A clear statement listing the specific reasons why the decision was made and the effective date of the decision;

(C) Rules supporting the action;

(D) Information about the individual's right to request a hearing and the method and deadline to request a hearing;

(E) A statement indicating under what circumstances a default order may be taken;

(F) Information about the right to counsel at a hearing and the availability of free legal services;

(b) A decision notice approving OCCS medical program benefits including retroactive medical shall include:

(A) The level of benefits and services approved;

(B) If applicable, information relating to premiums, enrollment fees, and cost sharing; and

(C) The changes that must be reported and the process for reporting changes;

(c) A decision notice reducing, denying, or closing OCCS medical program benefits shall include information about a beneficiary's right to continue receiving benefits.

(11) The Authority may amend:

- (a) A decision notice with another decision notice; or
- (b) A contested case notice.

(12) Except as the notice is amended, or when a delay results from the client's request for a hearing, a notice to reduce or close benefits becomes void if the reduction or closure is not made effective on the date stated on the notice.

(13) The Authority shall provide individuals with a choice to receive decision notices and information referenced in this rule in an electronic format or by postal mail. If an individual chooses to receive notices and information electronically and has established an online account with Cover Oregon, the Authority shall:

(a) Send confirmation of this decision by postal mail;

(b) Post notices to the individual's electronic account within one business day of the date on the notice;

(c) Send an email or other electronic communication alerting the individual that a notice has been posted to their electronic account;

(d) At the request of the individual, send by postal mail any notice or information delivered electronically;

(e) Inform the individual of the right to stop receiving electronic notices and information and begin receiving these through postal mail; and

(f) If any electronic communication referenced above is undeliverable, send the notice by postal mail within three business days of the failed communication.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0125

Acting on Reported Changes

(1) When an OCCS medical program beneficiary or authorized representative makes a timely report of a change in circumstances at any time between regular renewals of eligibility that may affect the beneficiary's eligibility (any changes reported per OAR410-200-0235), the Authority shall promptly redetermine eligibility before reducing or ending medical benefits.

(2) The Authority shall limit requests for information from the individual to information related to the reported change.

(3) If the Authority has enough information to determine eligibility, a new 12-month renewal period shall be given when a redetermination results in a renewal.

(4) If the Authority has information about anticipated changes in a beneficiary's circumstances that may affect eligibility, it shall redetermine eligibility at the appropriate time based on the changes.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0130

Retroactive Medical

(1) Effective 10/01/13: The Authority may evaluate the following for retroactive medical eligibility:

(a) Applicants requesting OCCS medical programs may be evaluated for retroactive medical benefits if they have unpaid medical bills or received donated medical services in Oregon in the three months preceding the Date of Request that would have been covered by Medicaid/CHIP benefits;

(b) Deceased individuals who would have been eligible for Medicaid covered services had they, or someone acting on their behalf, applied.

(2) If eligible for retroactive medical, the individual's eligibility may not start earlier than the date indicated by OAR 410-200-0115 Effective Dates.

(3) The Authority reviews each month individually for retroactive medical eligibility.

(4) Retroactive medical eligibility may not be determined on the basis of Hospital Presumptive Eligibility (OAR 410-200-0105).

Stat. Auth.: ORS 411.402, 411.404 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 414.025, 414.231, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0135

Assumed Eligibility and Continuous Eligibility for Children and Pregnant Women

This rule sets out when an individual is eligible for OCCS Medicaid/CHIP based Continuous Eligibility or being assumed eligible as of January 1, 2014.

(1) Assumed Eligibility. A child born to a mother eligible for and receiving Medicaid/CHIP benefits is assumed eligible for the MAGI Child program until the end of the month in which the child turns one year of age, unless:

(a) The child dies;

(b) The child is no longer a resident of Oregon; or

(c) The child's representative requests a voluntary termination of the child's eligibility.

(2) Continuous Eligibility

(a) Children under age 19 eligible for and receiving medical assistance under any Medicaid or CHIP program who lose eligibility for all Medicaid or CHIP programs prior to the 12-month renewal date shall remain eligible until the end of the renewal month, regardless of any change in circumstances, except for the following:

(A) No longer an Oregon resident;

(B) Death;

(C) Turning age 19;

(D) For children in the CHIP program, except as described in 410-200-0410(4), receipt of minimum essential coverage; or

ADMINISTRATIVE RULES

(E) When any adult in the household group requests the medical benefits are closed;

(b) Pregnant women eligible for and receiving medical assistance under any Medicaid program who lose eligibility for the medical program are eligible for continuous eligibility through the end of the calendar month in which the 60th day following the last day of the pregnancy falls, except in the following circumstances:

(A) She is no longer an Oregon resident;

(B) Death; or

(C) She requests medical benefits are closed.

Stat. Auth.: ORS 411.095, 411.402, 411.404, 413.038, 414.025 & 414.534

Stats. Implemented: ORS 411.095, 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0140

Eligibility for Inmates

(1) An inmate of a public institution may not receive benefits with OCCS medical programs.

(2) If an OCCS medical program beneficiary becomes an inmate of a public institution with an expected stay of no more than 12 months, medical benefits shall be suspended for up to 12 full calendar months during the incarceration period.

(3) Suspended benefits shall be restored to the first day the individual is no longer an inmate without the need for a new application when:

(a) The individual reports their release to the Agency within ten days of the release date;

(b) The individual reports their release to the Agency more than ten days from the release date, and there is good cause for the late reporting; or

(c) The inmate is released to a medical facility and begins receiving treatment as an inpatient, providing the facility is not associated with the institution where the individual was an inmate.

(4) When released, benefits will be restored as described in section (3), and:

(a) If the individual is released prior to their eligibility renewal date, the eligibility renewal date will not be changed; or

(b) If the individual is released after the eligibility renewal date has passed, benefits will be restored and a redetermination of eligibility processed.

Stat. Auth.: ORS 411.095, 411.402, 411.404, 413.038, 414.025 & 414.534

Stats. Implemented: ORS, 411.070, 411.404, 411.439, 411.443, 411.445, 411.816, 412.014, 412.049 & 414.426

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0145

Contested Case Hearing

(1) For the purposes of this rule, timely means within 90 days of the date the notice of adverse action is received.

(2) This rule applies to contested case hearings for programs described in OAR chapter 410 division 200. Contested case hearings are conducted in accordance with the Attorney General's model rules OAR 137-003-0501 and following ORS Ch. 183 except to the extent that Authority rules provide for different procedures.

(3) The Authority's contested case hearings governed by this rule are not open to the public and are closed to nonparticipants, except nonparticipants may attend subject to the parties' consent and applicable confidentiality laws.

(4) A claimant may request a contested case hearing upon the timely completion of a hearing request in medical assistance programs in the following situations:

(a) The Authority has not approved or denied an application within 45 days of the date of request for benefits or the extended time the Authority has allowed for processing;

(b) The Authority acts to deny, reduce, close, or suspend medical assistance, including the denial of continued benefits pending the outcome of a contested case hearing;

(c) The Authority claims that an earlier medical assistance payment was an overpayment;

(d) A claimant claims that the Authority previously under issued medical assistance;

(e) A claimant disputes the current level of benefits.

(5) An officer or employee of the Authority or the Department of Human Services may appear on behalf of the Authority in medical assistance

hearings described in this rule. The Authority's lay representative may not make legal argument on behalf of the Authority.

(6) The Authority representative is subject to the Code of Conduct for Non-Attorney Representatives at Administrative Hearings, which is maintained by the Oregon Department of Justice and available on its website at <http://www.doj.state.or.us>. An Authority representative appearing under this rule shall read and be familiar with it.

(7) When an Authority representative is used, requests for admission and written interrogatories are not permitted.

(8) The Authority representative and the claimant may have an informal conference in order to:

(a) Provide an opportunity to settle the matter;

(b) Review the basis for the eligibility determination, including reviewing the rules and facts that serve as the basis for the decision;

(c) Exchange additional information that may correct any misunderstandings of the facts relevant to the eligibility determination; or

(d) Consider any other matters that may expedite the orderly disposition of the hearing.

(9) A claimant who is receiving medical assistance benefits and who is entitled to a continuing benefit decision notice may, at the option of the claimant, receive continuing benefits in the same manner and amount until a final order resolves the contested case. In order to receive continuing benefits, a claimant must request a hearing not later than:

(a) The tenth day following the date the notice is received; and

(b) The effective date of the action proposed in the notice.

(10) The continuing benefits are subject to modification based on additional changes affecting the claimant's eligibility or level of benefits.

(11) When a claimant contests the denial of continuing benefits, the claimant shall receive an expedited hearing.

(12) In computing timeliness under sections (1) and (9) of this rule:

(a) Delay caused by circumstances meeting the good cause criteria described in OAR 137-003-0501(7) may not be counted; and

(b) The notice is considered to be received on the fifth day after the notice is sent unless the claimant shows the notice was received later or was not received.

Stat. Auth.: ORS 411.404, 411.816, 412.014, 412.049 & 413.042

Stats. Implemented: ORS 183.452, 411.060, 411.404, 411.816, 412.014 & 412.049

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 50-2014(Temp), f. 8-14-14, cert. ef. 8-15-14 thru 2-11-15; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0146

Final Orders, Dismissals and Withdrawals

(1) When the Authority refers a contested case under chapter 410 division 200 to the Office of Administrative Hearings (OAH), the Authority must indicate on the referral:

(a) Whether the Authority is authorizing a proposed order, a proposed and final order, or a final order; and

(b) If the Authority establishes an earlier deadline for written exceptions and argument because the contested case is being referred for an expedited hearing.

(2) When the Authority authorizes either a proposed order or a proposed and final order:

(a) The claimant may file written exceptions and written argument to be considered by the Authority. The exceptions and argument must be received at the location indicated in the OAH order not later than the 20th day after service of the proposed order or proposed and final order, unless section (1)(b) of this rule applies;

(b) The Authority shall issue the final order after OAH issues a proposed order unless the Authority requests that OAH issue the final order pursuant to OAR 137-003-0655.

(c) The proposed and final order becomes a final order on the 21st day after the service of the proposed and final order, if the claimant does not submit timely exceptions or arguments following a proposed and final order, unless:

(A) The Authority has issued a revised order; or

(B) The Authority has notified the claimant and OAH that the Authority shall issue the final order.

(d) The Authority shall issue the final order when the Authority receives timely exceptions or argument unless the Authority requests that OAH issue the final order.

(3) In a contested case hearing, if the OAH is authorized to issue a final order on behalf of the Authority, the Authority may issue the final order in the case of default.

ADMINISTRATIVE RULES

(4) A petition by a claimant for reconsideration or rehearing must be filed with the individual who signed the final order unless stated otherwise on the final order.

(5) A final order is effective immediately upon being signed or as otherwise provided in the order. Delay due to a postponement or continuance granted at the claimant's request may not be counted in computing time limits for a final order. A final order shall be issued or the case otherwise shall be resolved no later than:

(a) Ninety days following the date of the hearing for the standard hearing time frame;

(b) Three working days after the date the OAH hears an expedited hearing.

(6) In the event a request for a hearing is not timely or the claimant has no right to a contested case hearing on an issue, and there are no factual disputes about whether this division of rules provides a right to a hearing, the Authority may issue an order accordingly. The Authority may refer an untimely request to the OAH for a hearing on timeliness or on the question of whether the claimant has the right to a contested case hearing.

(7) If the Authority serves a decision notice on the claimant by postal or electronic mail and the Authority receives an untimely hearing request from the claimant within 75 days from the date the decision notice became a final order, then one of the following shall occur:

(a) If the Authority finds that the claimant did not receive the decision notice and did not have actual knowledge of the notice, the Authority shall refer the hearing request to the OAH for a contested case hearing on the merits of the Authority's action described in the notice; or

(b) If there is a factual dispute regarding the claimant's receipt or knowledge of the notice, the Authority shall refer the hearing request to the OAH for a contested case hearing to determine whether the claimant received or had actual knowledge of the notice. The Authority has the burden to prove by a preponderance of the evidence that the claimant had actual knowledge of the notice or that the Authority mailed the notice to the claimant's correct mailing address or sent an electronic notice to the claimant's correct electronic mail address according to the information the claimant provided to the Authority.

(8) If the Authority receives an untimely hearing request from the claimant, regardless of the manner in which the Authority served the decision notice on the claimant, then:

(a) If the Authority finds that the claimant's hearing request was untimely for good cause as defined in OAR 137-003-0501(7), the Authority shall refer the hearing request to the OAH for a contested case hearing on the merits of the Authority's action described in the notice; or

(b) If there is a factual dispute regarding the existence of good cause, the Authority shall refer a hearing request to the OAH for a contested case hearing to determine whether there was good cause as defined in OAR 137-003-0501(7) for the claimant's delay in submitting the hearing request to the Authority.

(c) Any hearing request is treated as timely when required under the Servicemembers Civil Relief Act.

(d) The Authority may dismiss a hearing request as untimely if the claimant does not qualify for a hearing under sections 8(a), (b), or (c).

(9) A claimant may withdraw a hearing request at any time before a final order has been issued on the contested case. When a claimant withdraws a hearing request:

(a) The Authority shall send an order confirming the withdrawal to the claimant's last known address;

(b) The claimant may cancel the withdrawal in writing. The withdrawal must be received by the Authority hearing representative no later than the tenth working day following the date the Authority sent the order confirming the withdrawal.

(10) A hearing request is dismissed by order by default when neither the claimant nor the claimant's representative appears at the time and place specified for the hearing. The order is effective on the date scheduled for the hearing. The Authority shall cancel the dismissal order on request of the claimant on a showing that the claimant was unable to attend the hearing and unable to request a postponement due to circumstances meeting the good cause criteria described in OAR 137-003-0501(7).

Stat. Auth.: ORS 183.341, 413.042, 411.060, 411.404, 411.408, 411.816, 412.014 & 412.049
Stats. Implemented: ORS 183.341, 411.060, 411.404, 411.408, 411.816, 412.014 & 412.049
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 50-2014(Temp), f. 8-14-14, cert. ef. 8-15-14 thru 2-11-15; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0200

Residency Requirements

(1) To be eligible for OCCS medical programs, an individual must be a resident of Oregon.

(2) An individual is a resident of Oregon if the individual lives in Oregon except:

(a) An individual 21 years of age or older who is placed in a medical facility in Oregon by another state is considered to be a resident of the state that makes the placement if:

(A) The individual is capable of indicating intent to reside; or

(B) The individual became incapable of indicating intent to reside after attaining 21 years of age (see section (6));

(b) For an individual less than 21 years of age who is incapable of indicating intent to reside or an individual of any age who became incapable of indicating that intent before attaining 21 years of age, the state of residence is one of the following:

(A) The state of residence of the individual's parent or legal guardian at the time of application;

(B) The state of residence of the party who applies for benefits on the individual's behalf if there is no living parent or the location of the parent is unknown, and there is no legal guardian;

(C) Oregon, if the individual has been receiving medical assistance in Oregon continuously since November 1, 1981, or is from a state with which Oregon has an interstate agreement that waives the residency requirement;

(D) When a state agency of another state places the individual, the individual is considered to be a resident of the state that makes the placement.

(3) There is no minimum amount of time an individual must live in Oregon to be a resident. The individual is a resident of Oregon if:

(a) The individual intends to remain in Oregon; or

(b) The individual entered Oregon with a job commitment or is looking for work.

(4) An individual is not a resident if the individual is in Oregon solely for a vacation.

(5) An individual continues to be a resident of Oregon during a temporary period of absence if he or she intends to return when the purpose of the absence is completed.

(6) An individual is presumed to be incapable of indicating intent to reside if the individual falls under one or more of the following:

(a) The individual is assessed with an IQ of 49 or less based on a test acceptable to the Authority;

(b) The individual has a mental age of seven years or less based on tests acceptable to the Authority;

(c) The individual is judged legally incompetent by a court of competent jurisdiction;

(d) The individual is found incapable of indicating intent to reside based on documentation provided by a physician, psychologist, or other professional licensed by the State of Oregon in the field of intellectual disabilities.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0205

Concurrent and Duplicate Program Benefits

(1) An individual receiving OCCS medical program benefits may not receive the following medical benefits at the same time:

(a) Any other OCCS medical program;

(b) Office of Child Welfare Medical;

(c) Oregon Youth Authority Medical;

(d) Oregon Supplemental Income Program-Medical (OSIPM); or

(e) Refugee Medical Assistance (REFM);

(2) An individual may not receive OCCS medical program benefits and medical benefits from another state unless the individual's provider refuses to submit a bill to the Medicaid/CHIP agency of the other state and the individual would not otherwise receive medical care.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

ADMINISTRATIVE RULES

410-200-0210

Requirement to Provide Social Security Number

(1) The Agency may collect a Social Security Number (SSN) for the following purposes:

(a) The determination of eligibility for benefits. The SSN is used to verify income and other assets and to match with other state and federal records such as the Internal Revenue Service (IRS), Medicaid, spousal support, Social Security benefits, and unemployment benefits;

(b) The preparation of aggregate information and reports requested by funding sources for the program providing benefits;

(c) The operation of the program applied for or providing benefits;

(d) Conducting quality assessment and improvement activities;

(e) Verifying the correct amount of payments, recovering overpaid benefits, and identifying any individual receiving benefits in more than one household.

(2) As a condition of eligibility, except as provided in section (6) below, each applicant (including children) requesting medical benefits shall:

(a) Provide a valid SSN; or

(b) Apply for an SSN if the individual does not have one and provide the SSN when it is received.

(3) The agency may not deny or delay services to an otherwise eligible individual pending issuance or verification of the individual's SSN or if the individual meets one of the exceptions identified in section (6).

(4) Except as provided in section (6) below, if an applicant does not recall their SSN or has not been issued an SSN and the SSN is not available to the Agency, the Agency shall:

(a) Obtain required evidence under SSA regulations to establish the age, the citizenship, or alien status and the true identity of the applicant; and

(b) Either assist the applicant in completing an application for an SSN or, if there is evidence that the applicant has previously been issued an SSN, request SSA to furnish the number.

(5) The Agency may request that non-applicants provide an SSN on a voluntary basis. The Agency shall use the SSN for the purposes outlined in section (1).

(6) An applicant is not required to apply for or provide an SSN if the individual:

(a) Does not have an SSN and the SSN may be issued only for a valid non-work reason;

(b) Is not eligible to receive an SSN;

(c) Is a member of a religious sect or division of a religious sect that has continuously existed since December 31, 1950 and the individual adheres to its tenets or teachings that prohibit applying for or using an SSN; or

(d) Is a newborn that is assumed eligible based on the eligibility of the mother of the newborn and who is under one year of age.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 413.038, 414.025, 414.231, 414.534, 414.536 & 414.706

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410-200-0215

Citizenship and Alien Status Requirements

(1) Except as provided in section (2) of this rule, to be a beneficiary of a medical program an individual must be:

(a) A citizen of the United States;

(b) A non-citizen who meets the alien status requirements in section (4) of this rule;

(c) A citizen of Puerto Rico, Guam, the Virgin Islands or Saipan, Tinian, Rota or Pagan of the Northern Mariana Islands; or

(d) A national from American Samoa or Swains Islands.

(2) To be eligible for CAWEM benefits, an individual must be ineligible for a Medicaid program solely because he or she does not meet citizenship or alien status requirements set forth in this rule.

(3) An individual is a qualified non-citizen if the individual is any of the following:

(a) A non-citizen lawfully admitted for permanent residence under the INA (8 U.S.C. 1101 et seq);

(b) A refugee admitted to the United States as a refugee under section 207 of the INA (8 U.S.C. 1157);

(c) A non-citizen granted asylum under section 208 of the INA (8 U.S.C. 1158);

(d) A non-citizen whose deportation is being withheld under section 243(h) of the INA (8 U.S.C. 1253(h)) (as in effect immediately before April 1, 1997) or section 241(b) (3) of the INA (8 U.S.C. 1231(b) (3)) (as amend-

ed by section 305(a) of division C of the Omnibus Consolidated Appropriations Act of 1997, Pub. L. No. 104-208, 110 Stat. 3009-597 (1996));

(e) A non-citizen paroled into the United States under section 212(d) (5) of the INA (8 U.S.C. 1182(d) (5)) for a period of at least one year;

(f) A non-citizen granted conditional entry pursuant to section 203(a) (7) of the INA (8 U.S.C. 1153(a) (7)) as in effect prior to April 1, 1980;

(g) A non-citizen who is a Cuban and Haitian entrant (as defined in section 501(3) of the Refugee Education Assistance Act of 1980);

(h) An Afghan or Iraqi alien granted Special Immigration Status (SIV) under section 101(a) (27) of the INA; or

(i) A battered spouse or child who meets the requirements of 8 U.S.C. 1641(c) and is in the United States on a conditional resident status, as determined by the U.S. Citizenship and Immigration Services.

(4) A non-citizen meets the alien status requirements if the individual is:

(a) An American Indian born in Canada to whom the provisions of section 289 of the Immigration and Nationality Act (INA) (8 U.S.C. 1359) apply;

(b) A member of an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Act (25 U.S.C. 450b(e));

(c) A veteran of the United States Armed Forces who was honorably discharged for reasons other than alien status and who fulfilled the minimum active-duty service requirements described in 38 U.S.C. 5303A(d);

(d) A member of the United States Armed Forces on active duty (other than active duty for training);

(e) The spouse or a child of an individual described in subsection (c) or (d) of this section.

(f) A qualified non-citizen and meets one of the following criteria:

(A) Effective October 1, 2009 is an individual under 19 years of age;

(B) Was a qualified non-citizen before August 22, 1996;

(C) Physically entered the United States before August 22, 1996, and was continuously present in the United States between August 22, 1996, and the date qualified non-citizen status was obtained. An individual is not continuously present in the United States if the individual is absent from the United States for more than 30 consecutive days or a total of more than 90 days between August 22, 1996 and the date qualified non-citizen status was obtained.;

(D) Has been granted any of the following alien statuses:

(i) Refugee under section 207 of the INA;

(ii) Asylum under section 208 of the INA;

(iii) Deportation being withheld under section 243(h) of the INA;

(iv) Cubans and Haitians who are either public interest or humanitarian parolees;

(v) An individual granted immigration status under section 584(a) of the Foreign Operations, Export Financing and Related Program Appropriations Act of 1988;

(vi) A "victim of a severe form of trafficking in persons" certified under the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 to 7112);

(vii) A family member of a victim of a severe form of trafficking in persons who holds a visa for family members authorized by the Trafficking Victims Protection Reauthorization Act of 2003 (22 U.S.C. 7101 to 7112);

(viii) An Iraqi or Afghan alien granted special immigrant status (SIV) under section 101(a) (27) of the INA;

(g) Under the age of 19 and is one of the following:

(A) A citizen of a Compact of Free Association State (i.e., Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau) who has been admitted to the U.S. as a non-immigrant and is permitted by the Department of Homeland Security to reside permanently or indefinitely in the U.S.;

(B) An individual described in 8 CFR section 103.12(a)(4) who belongs to one of the following classes of aliens permitted to remain in the United States because the Attorney General has decided for humanitarian or other public policy reasons not to initiate deportation or exclusion proceedings or enforce departure:

(i) An alien currently in temporary resident status pursuant to section 210 or 245A of the INA (8 USC 1160 and 1255a);

(ii) An alien currently under Temporary Protected Status (TPS) pursuant to section 244 of the INA (8 USC 1229b);

(iii) Cuban-Haitian entrants, as defined in section 202(b) Pub. L. 99-603 (8 USC 1255a), as amended;

(iv) Family Unity beneficiaries pursuant to section 301 of Pub. L. 101-649 (8 USC 1255a), as amended;

ADMINISTRATIVE RULES

(v) An alien currently under Deferred Enforced Departure (DED) pursuant to a decision made by the President;

(vi) An alien currently in deferred action status pursuant to Department of Homeland Security Operating Instruction OI 242.1(a) (22); or

(vii) An alien who is the spouse or child of a United States citizen whose visa petition has been approved and who has a pending application for adjustment of status;

(C) An individual in non-immigrant classifications under the INA who is permitted to remain in the U.S. for an indefinite period, including those individuals as specified in section 101(a)(15) of the INA (8 USC 1101);

(D) An alien in non-immigrant status who has not violated the terms of the status under which he or she was admitted or to which he or she has changed after admission;

(E) Aliens who have been granted employment authorization under 8 CFR 274a.12(c) (9), (10), (16), (18), (20), (22), or (24);

(F) A pending applicant for asylum under section 208(a) of the INA (8 U.S.C. § 1158) or for withholding of removal under section 241(b) (3) of the INA (8 U.S.C. § 1231) or under the Convention Against Torture who has been granted employment authorization, and such an applicant under the age of 14 who has had an application pending for at least 180 days;

(G) An alien who has been granted withholding of removal under the Convention Against Torture;

(H) A child who has a pending application for Special Immigrant Juvenile status as described in section 101(a) (27) (J) of the INA (8 U.S.C. § 1101(a)(27)(J));

(I) An alien who is lawfully present in the Commonwealth of the Northern Mariana Islands under 48 U.S.C. § 1806(e); or

(J) An alien who is lawfully present in American Samoa under the immigration laws of American Samoa.

(5) Individuals described in sections (3)(a), (3)(e), (3)(f), and (3)(i) of this rule who entered the United States or were given qualified non-citizen status on or after August 22, 1996 meet the alien status requirement five years following the date the non-citizen received the qualified non-citizen status.

(6) Individuals described in sections (3)(a) through (g), (3)(i), (4)(g)(B)(ii), (4)(g)(B)(iv), (4)(g)(B)(v), (4)(g)(B)(vii), and (4)(g)(D) through (J) with deferred action under Deferred Action for Childhood Arrivals (DACA) process do not meet the non-citizen requirement for OCCS medical programs.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 414.025, 414.231, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0220

Requirement to Pursue Assets

(1) As a condition of on-going eligibility, an applicant or beneficiary shall make a good faith effort to obtain an asset to which they have a legal right or claim, except an applicant or beneficiary is not required to:

(a) Apply for Supplemental Security Income (SSI) from the Social Security Administration;

(b) Borrow money;

(c) Make a good faith effort to obtain such asset if the individual can show good cause for not doing so (see section (4)).

(2) Pursuable assets include, but are not limited to:

(a) Claims related to an injury;

(b) Disability benefits;

(c) Healthcare coverage;

(d) Retirement benefits;

(e) Survivorship benefits;

(f) Unemployment compensation; and

(g) Veteran's compensation and pensions.

(3) Except for beneficiaries in the OHP-CHP or MAGI CHIP programs, caretakers shall obtain available health insurance coverage and cash medical support for household group members receiving medical assistance:

(a) Each caretaker in the household group shall assist the Agency and the Division of Child Support (DCS) in establishing paternity for each child receiving medical assistance and in obtaining an order directing the non-custodial parent of a child receiving benefits to provide cash medical support and health care coverage for that child;

(b) For a parent receiving medical assistance who fails to meet the requirements of section (3)(a), a penalty is applied as identified in section

(3)(e) or section (3)(f) after providing the beneficiary with notice and opportunity to show the provisions of section (4) of this rule apply;

(c) Each applicant, including a parent for their child, shall make a good faith effort to obtain available coverage under Medicare. The Authority may not penalize children for non-cooperation;

(d) With the exception of OHP-CHP, MAGI CHIP, and OHP-OPU, caretakers who are OCCS medical program beneficiaries shall apply for, accept, and maintain cost-effective employer-sponsored health insurance as set forth in OAR 461-155-0360 unless they have good cause;

(e) For MAA, MAF, EXT, CEM, and Substitute Care medical programs, a parent who fails to meet the requirements of section (3) is excluded from the family size;

(f) With the exception of OHP-CHP, MAGI-CHIP, and CEC, a parent of a child receiving OCCS medical program benefits who fails to meet the requirements of section (3) is ineligible for assistance.

(4) Section (3) of this rule does not apply to individuals when:

(a) The individual's compliance would result in emotional or physical harm to the dependent child or to the caretaker. The statement of the caretaker serves as prima facie evidence that harm would result;

(b) The child was conceived as a result of incest or rape and efforts to obtain support would be detrimental to the dependent child. The statement of the caretaker serves as prima facie evidence on the issues of conception and detrimental effect to the dependent child;

(c) Legal proceedings are pending for adoption of the child;

(d) The parent is being helped by a public or licensed private social agency to resolve the issue of whether to release the child for adoption;

(e) The individual is pregnant; or

(f) Other good cause reasons exist for non-cooperation.

(5) An individual involved in a personal injury shall pursue a claim for the personal injury. If the claim or action to enforce such claim was initiated prior to the application for medical assistance, the individual shall notify the Agency during the eligibility verification process (OAR 410-200-0230). The following information is required:

(a) The names and addresses of all parties against whom the action is brought or claim is made;

(b) A copy of each claim demand; and

(c) If an action is brought, the case number and the county where the action is filed.

(6) Unless specified otherwise in this rule, an individual who fails to comply with the requirements of this rule is ineligible for benefits until the individual meets the requirements of this rule.

Stat. Auth.: ORS 411.402, 411.404 & 413.0042

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 414.025, 414.231 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0225

Assignment of Rights

(1) The signature of the applicant or authorized representative on the application for assistance signifies the applicant's agreement to assign the rights to reimbursement for medical care costs to the Agency.

(2) As a condition of eligibility, each applicant shall:

(a) Assign to the Agency any rights of each household group member receiving benefits to reimbursement for medical care costs to the Agency including any third party payments for medical care and any medical care support available under an order of a court or an administrative agency;

(b) Assign to the Agency any rights to payment for medical care from any third party and, once they receive assistance, to assist the Agency in pursuing any third party who may be liable for medical care or services paid by the Agency, including health services paid for pursuant to ORS 414.706 to 414.750 as set forth in OAR 410-200-0220, 461-195-0303 and 461-195-0310;

(c) Unless good cause exists as established in OAR 410-200-0220 (Requirement to Pursue Assets), failure to assign the right to reimbursement for medical care costs to the Agency shall result in ineligibility for the household group until the requirements of this rule are met.

(3) Except for the OHP-OPU, OHP-CHP, and MAGI CHIP programs:

(a) An applicant shall assign to the state the right of any Medicaid-eligible individual in the household group to receive any cash medical support that accrues while the individual receives assistance, not to exceed the total amount of assistance paid; and

(b) Cash medical support received by the Agency shall be retained as necessary to reimburse the Agency for medical assistance payments made on behalf of an individual with respect to whom such assignment was executed.

ADMINISTRATIVE RULES

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, , 414.025, 414.231 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0230

Verification

(1) Except as described in section (6) of this rule, applicants, beneficiaries, or individuals of the applicant or beneficiary's choosing shall attest to the following information:

- (a) Age and date of birth;
- (b) Application for other benefits;
- (c) Caretaker relative status;
- (d) Household composition;
- (e) Legal name;
- (f) Medicare;
- (g) Pregnancy;
- (h) Receipt or availability of other healthcare coverage;
- (i) Residency;
- (j) Social Security number; and
- (k) American Indian/Alaska Native status.

(2) Applicants and beneficiaries who attest to US citizenship or US national status:

(a) Applicants, beneficiaries, or individuals of the applicant or beneficiary's choosing shall make a declaration of US citizenship or US national status;

(b) Self-attested information shall be used to determine eligibility and verified post-eligibility via the federal data services hub or by electronic data match available to the Agency;

(c) In the event additional verification is needed, the Authority shall provide a reasonable opportunity period to verify US citizen or US national status.

(3) Applicants and beneficiaries who attest to being a non-citizen:

(a) Applicants, beneficiaries, or individuals of the applicant or beneficiary's choosing shall make a declaration of non-citizen status:

(A) If an individual attests to being a non-citizen but does not provide information regarding their status, information shall be obtained by the Agency prior to making an eligibility determination;

(B) Self-attested information shall be used to approve OCCS Medicaid/CHIP as long as the information provided is considered satisfactory immigration status:

(i) The application is not considered incomplete even if the information provided does not include all the immigration information necessary to verify that the applicant meets Medicaid/CHIP non-citizen requirements; and

(ii) The information provided does not indicate that the applicant would be ineligible for full benefits;

(C) If information provided indicates the individual does not meet the Medicaid/CHIP non-citizen requirements, an otherwise eligible applicant shall be found eligible for CAWEM (OAR 410-200-0240);

(b) In the event additional verification is needed, the Authority shall provide a reasonable opportunity period to verify non-citizen status;

(c) The following are exempt from the requirement to verify citizen status:

- (A) Individuals who are assumed eligible (OAR 410-200-0135);
- (B) Individuals who are enrolled in Medicare;
- (C) Individuals who are presumptively eligible for the BCCTP program through the BCCTP screening program or through the Hospital Presumptive Eligibility process (OAR 420-200-0400 and 410-200-0105);
- (D) Individuals receiving Social Security Disability Income (SSDI);

or

(E) Individuals whose citizen status was previously documented by the Agency. The Agency may not re-verify or require an individual to re-verify citizenship at a renewal of eligibility or subsequent application following a break in coverage;

(d) Non-citizen status shall be reviewed and verified at the following times:

- (A) Initial determination of eligibility;
- (B) Each redetermination of eligibility; or
- (C) When a report of change of non-citizen status is received by the Agency.

(4) Applicants, beneficiaries, or individuals of the applicant or beneficiary's choosing shall make a declaration of income:

(a) For individuals whose request for benefits is able to be processed using the federal data services hub, self-attested information shall be used to approve MAGI-based Medicaid/CHIP; and:

(A) Verified by documentary evidence through a match with available electronic data; or

(B) In the event that additional verification is needed, the Authority shall provide a post-eligibility pend period to verify income information;

(b) Individuals whose request for benefits is not able to be processed using the federal data services hub shall have their income information verified prior to eligibility determination:

(A) Using electronic data match available to the Agency; or

(B) By providing verification of information to the Agency;

(c) In the event that verification is not available via the federal data services hub, electronic data match available to the Agency, or by any other method, the attested information will be accepted to determine eligibility;

(d) In the event that income verification via the federal data services hub or electronic data match available to the Agency is inconsistent with attested information:

(A) If the individual attests to income below the applicable standard and the data source indicates income above the applicable standard, verification or reasonable explanation will be requested from the individual;

(B) If both the data source and attested information are below the applicable standard, the applicant is eligible for MAGI-based Medicaid/CHIP;

(C) If the individual's attested information is above the applicable standard but the data source verification is below the standard, the Agency will accept the attested information, deny MAGI-based Medicaid/CHIP, and screen for potential APTC eligibility.

(5) Additional income verifications for MAGI-based Medicaid/CHIP program approvals will occur during the post-eligibility review process, during which the results of a quarterly match against Employment Department wage data will be reviewed as it becomes available. If necessary, documentation may be required per section (6).

(6) Applicants, beneficiaries, or individuals of the applicant or beneficiary's choosing shall make a declaration of receipt of private health insurance:

(a) For individuals whose request for benefits is able to be processed using the federal data services hub:

(A) Self-attested information shall be used to determine eligibility for MAGI-based Medicaid/CHIP if:

(i) Information obtained through a match with available electronic data does not conflict with self-attested information;

(ii) Information obtained through a match with available electronic data conflicts with self-attested information but does not affect eligibility; or

(iii) Verification is not available via a match with available electronic data or by any other method at the time of application processing;

(B) In the event that information obtained through a match with available electronic data conflicts with self-attested information and may affect eligibility, private health insurance information shall be verified prior to eligibility determination;

(b) Individuals whose request for benefits is not able to be processed using the federal data services hub who attest to private health insurance information that may affect eligibility shall have their private health insurance information verified prior to eligibility determination:

(A) Using electronic data match available to the Agency; or

(B) By providing verification of information to the Agency.

(7) The Authority may request that applicants and beneficiaries of medical assistance provide additional information, including documentation, to verify most eligibility criteria if data obtained electronically is not reasonably compatible with attested information.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0235

Changes That Must Be Reported

(1) Individuals shall report the following changes in circumstances affecting eligibility for beneficiaries within 30 calendar days of its occurrence:

- (a) The receipt or loss of health care coverage;
- (b) A change in mailing address or residence;
- (c) A change in legal name;
- (d) A change in pregnancy status of a household group member;

ADMINISTRATIVE RULES

(e) A change in household group membership;
(f) A claim for a personal injury. The following information shall be reported:

(A) The names and addresses of all parties against whom the action is brought or claim is made;

(B) A copy of each claim demand; and

(C) If an action is brought, identification of the case number and the county where the action is filed;

(g) In addition to section (1)(a)–(f), for all OCCS medical programs except OHP-CHP and MAGI CHIP, a change in availability of employer-sponsored health insurance;

(h) In addition to section (1)(a)–(f), in the EXT program, when a household group member receiving medical assistance is no longer a dependent child;

(i) In addition to section (1)(a)–(f), adults in the MAA, MAF, EXT, MAGI Pregnant Woman, MAGI Parent or Other Caretaker Relative, and MAGI Adult programs:

(A) A change in source of income;

(B) A change in employment status;

(i) For a new job, the change occurs the first day of the new job;

(ii) For a job separation, the change occurs on the last day of employment;

(C) A change in earned income more than \$100. The change occurs upon the receipt by the beneficiary of the first paycheck from a new job or the first paycheck reflecting a new rate of pay;

(D) A change in unearned income more than \$50. The change occurs the day the beneficiary receives the new or changed payment.

(2) Beneficiaries, adult members of the household group, or authorized representatives may report changes via the Internet, by telephone, via mail, in person, and through other commonly available electronic means.

(3) A change is considered reported on the date the beneficiary, adult member of the household group, or authorized representative reports the information to the Agency.

(4) A change reported by the beneficiary, adult member of the household group, or authorized representative for one program is considered reported for all programs administered by the Agency in which the beneficiary participates.

(5) Beneficiaries, adult members of the household group, or authorized representatives are not required to report any of the following changes:

(a) Periodic cost-of-living adjustments to the federal Black Lung Program, SSB, SSDI, SSI, and veterans assistance under Title 38 of the United States Code;

(b) Changes in eligibility criteria based on legislative or regulatory actions.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0240

Citizen/Alien Waived Emergent Medical

(1) To be eligible for CAWEM benefits, an individual must be ineligible for OCCS medical programs solely because he or she does not meet the citizen or alien status requirements. A child who is ineligible for OHP-CHP, MAGI CHIP, CEM, or CEC solely because he or she does not meet the citizen or alien status requirements is not eligible for CAWEM benefits.

(2) To be eligible for the CAWEM Prenatal enhanced benefit package, a CAWEM recipient must be pregnant.

(3) The pregnant CAWEM client's enhanced medical benefits package ends when the pregnancy ends.

(4) The woman remains eligible for CAWEM emergency benefits through the end of the calendar month in which the 60th day following the last day of the pregnancy falls.

Stat. Auth.: ORS 411.402, 411.404, 413.042, 414.025 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440, 414.534, 414.536, 414.706 & 411.060

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0305

Household Group — Modified Adjusted Gross Income (MAGI) based Medicaid and CHIP

When establishing eligibility for MAGI-based Medicaid or MAGI CHIP, each applicant or beneficiary shall have their own household group determined individually based on the following household group rules:

(1) Tax filer's household group:

(a) For tax filers who are not claimed as a tax dependent by another individual, the household group consists of:

(A) The tax filer;

(B) The individual to whom the tax filer is married and files jointly; and

(C) All individuals whom the tax filer intends to claim as tax dependents.

(b) For tax filers who are married and living with their spouse, each spouse shall be included in the household group of the other spouse, whether they file taxes together or separately.

(2) Tax dependent's household group:

(a) In the case of an individual who expects to be claimed as a tax dependent by another individual, the household group is that of the individual claiming the tax dependent; or

(b) Household group is determined under section (3) of this rule, where the tax dependent:

(A) Is not the tax filer's spouse or child;

(B) Is a child living with both parents but the parents are not filing taxes jointly and one of the parents is claiming the child as a tax dependent; or

(C) Is a child living with one parent and claimed as a tax dependent by a non-custodial parent.

(3) The household group for a tax dependent who meets the criteria in section (2) (b) consists of the tax dependent and the following individuals, if living in the same household:

(a) The tax dependent's spouse;

(b) The tax dependent's children;

(c) If the tax dependent is a child, the child's parents and siblings.

(4) For individuals who do not file a tax return and are not claimed as a tax dependent, the individual's household group is determined in accordance with section (3).

Stat. Auth.: ORS 411.402, 411.404 & 413.042

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0310

Eligibility and Budgeting; MAGI Medicaid/CHIP; Not BCCTP or EXT

(1) The budget month means the calendar month from which nonfinancial and financial information is used to determine eligibility for OCCS medical programs.

(2) The budget month is determined as follows:

(a) For a new applicant, the budget month is:

(A) The month in which medical assistance is requested; or

(B) If ineligible in the month in which medical assistance is requested, the budget month is the following month;

(b) For a current Medicaid/CHIP beneficiary, the budget month is:

(A) The final month of the twelve-month enrollment period;

(B) The month a change that affects eligibility is reported, if reported timely; or

(C) The month the individual ages off a medical program or is no longer eligible for a medical assistance program;

(c) For retroactive medical, the budget month is the month in which the applicant received medical services for which they are requesting payment. Retroactive medical is determined on a month-by-month basis.

(3) Countable income anticipated or received in the budget month is determined as follows:

(a) Income is calculated by adding together the income of the household group already received in the initial budget month and the income that is reasonably expected to be received in the remainder of the initial budget month;

(b) If ineligible using the initial budget month because the countable income is over the income standard for all OCCS medical programs, income shall be annualized using the requirements of 25 CFR §1.36 B-1(e) for the year in which medical has been requested:

(A) Annualized income will be applied to the budget month for budget month eligibility.

(B) If the annualized income is below 100 percent FPL as identified in 26 CFR §1.36 B-1(e), eligibility shall be determined for the appropriate program pursuant to OAR 410-200-0315;

(c) If ineligible under subsections (a) or (b) of this section, countable income from the month following the initial budget month is considered. If

ADMINISTRATIVE RULES

eligible, eligibility will begin the first of that month of an OCCS medical program

(4) The household group's budget month income is compared to the income standard for the appropriate family size to determine if an applicant may be eligible for an OCCS medical program.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0315

Standards and Determining Income Eligibility

(1) MAGI-based income not specifically excluded is countable, and its value is used in determining the eligibility and benefit level of an applicant or beneficiary.

(2) MAGI-based income is considered available on the date it is received or the date a member of the household group has a legal right to the payment and the legal ability to make it available, whichever is earlier, except as follows:

(a) Income usually paid monthly or on some other regular payment schedule is considered available on the regular payment date if the date of payment is changed because of a holiday or weekend;

(b) Income withheld or diverted at the request of an individual is considered available on the date the income would have been paid without the withholding or diversion;

(c) An advance or draw of earned income is considered available on the date it is received.

(3) In determining financial eligibility for each applicant, the sum of the budget month MAGI-based income of all household group members is combined and compared to the applicable income standard for the family size. If the income is at or below the MAGI income standard, the individual meets the financial eligibility requirements. Except as provided in section (4) (a), if income exceeds the MAGI income standard, the individual is ineligible.

(4) This section applies to MAGI Medicaid/CHIP programs that became effective January 1, 2014:

(a) If an individual is ineligible for MAGI Medicaid based solely on income and would otherwise be eligible for MAGI CHIP or be referred to the Exchange for APTC, a disregard equivalent to five percentage points of the federal poverty level for the applicable family size shall be applied to the household group's income. If the resulting amount is below the income standard for the applicable program and family size, the individual meets the financial eligibility requirements in the following programs:

- (A) The MAGI Parent or Other Caretaker Relative Program;
- (B) The MAGI Child Program;
- (C) The MAGI Adult Program; and
- (D) The MAGI Pregnant Woman Program;

(b) If an individual is ineligible for MAGI CHIP based solely on income and would otherwise be referred to the Exchange for APTC, a disregard equivalent to five percentage points of the federal poverty level for the applicable family size shall be applied to the household group's income. If the resulting amount is below the income standard for the applicable program and family size, the individual meets the financial eligibility requirements in the MAGI CHIP;

(c) Effective April 12, 2014, the MAGI income standard for the MAGI Parent or Other Caretaker-Relative program is set as follows: [Table not included. See ED. NOTE.]

(d) Effective April 12, 2014, the MAGI income standard for the MAGI Child Program and the MAGI Adult Program is set at 133 percent of the FPL as follows. If an individual's household group income exceeds the income standard for their family size, the appropriate disregard for their family size described in section (4)(a) shall be applied: [Table not included. See ED. NOTE.]

(e) Effective April 12, 2014, the MAGI income standard for the MAGI Pregnant Woman Program and for MAGI Child Program recipients under age one is set at 185 percent FPL. If an individual's household group income exceeds the income standard for their family size, the appropriate disregard for their family size described in section (4)(a) shall be applied: [Table not included. See ED. NOTE.]

(f) Effective April 12, 2014, the MAGI income standard for the MAGI CHIP program is set through 300 percent of FPL as follows. If a child's household group income exceeds the income standard for their family size, and the child would be otherwise ineligible for MAGI CHIP, the appropriate disregard for their family size described in section (5)(a)(B) shall be applied: [Table not included. See ED. NOTE.]

(g) When the Department makes an ELE determination and the child meets all MAGI CHIP or MAGI Child Program nonfinancial eligibility requirements, the household size determined by the Department is used to determine eligibility regardless of the family size. The countable income of the household is determined by the ELA. A child is deemed eligible for MAGI CHIP or MAGI Child Program as follows: [Table not included. See ED. NOTE.]

(A) Effective April 12, 2014, if the MAGI-based income of the household group is below 163 percent of the 2014 federal poverty level as listed below, the Department deems the child eligible for the MAGI Child Program; [Table not included. See ED. NOTE.]

(B) If the MAGI-based income of the household group is at or above 163 percent of the FPL through 300 percent of the FPL as listed in section (4)(f) of this rule, the Agency deems the child eligible for MAGI CHIP.

(5) For eligibility decisions effective October 1, 2013 through December 31, 2013, the MAGI income standards listed in this section are used:

(a) Individuals who apply from October 1, 2013 through December 31, 2013 shall first be considered for the programs described in OAR 410-200-0510. Individuals found ineligible based on information from all budget months of October, November, or December 2013 shall have their eligibility determined as follows:

(A) For individuals who would be eligible for programs based on eligibility and income standards found in section (4)(c) through (e) as of January 1, 2014, eligibility for the applicable program shall begin as of that date;

(B) For individuals who are ineligible for programs which begin on January 1, 2014 who would otherwise be eligible for MAGI CHIP or be referred to the Exchange for APTC as of January 1, 2014, a disregard equivalent to five percentage points of the federal poverty level for the applicable family size will be applied to the household group's income. If the resulting amount is below the January 1, 2014 income standard found in section (4)(c) through (e) for the applicable program and family size, the individual meets the financial eligibility requirements for MAGI Medicaid/CHIP;

(b) The 2013 MAGI-based income standard for the MAA and Substitute Care programs is as follows. If a child's household group income exceeds the income standard for their family size, and the child would be otherwise ineligible for Medicaid, the appropriate disregard for their family size described in section (5)(a)(B) shall be applied: [Table not included. See ED. NOTE.]

(c) The 2013 MAGI-based income standard for the OHP-OPU program is set at 100 percent of the 2013 federal poverty level: [Table not included. See ED. NOTE.]

(d) The MAGI-based income standard for the OHP-OPC program is set to 100 percent of the 2013 federal poverty level. If a child's household group income exceeds the income standard for their family size, and the child would be otherwise ineligible for Medicaid, the appropriate disregard for their family size described in section (5)(a)(B) shall be applied: [Table not included. See ED. NOTE.]

(e) The 2013 MAGI-based income standard for the OHP-OP6 program is set at 133 percent of the 2013 federal poverty level. If a child's household group income exceeds the income standard for their family size, and the child would be otherwise ineligible for Medicaid, the appropriate disregard for their family size described in section (5) (a) (B) shall be applied: [Table not included. See ED. NOTE.]

(f) The 2013 MAGI-based income standard for the OHP-OPP program is set at 185 percent of the 2013 federal poverty level. If a child's household group income exceeds the income standard for their family size, and the child would be otherwise ineligible for Medicaid, the appropriate disregard for their family size described in section (5) (a) (B) shall be applied: [Table not included. See ED. NOTE.]

(g) The 2013 MAGI income standard for the MAGI CHIP program is set through 300 percent of the 2013 FPL as follows: [Table not included. See ED. NOTE.]

(h) When the Department makes an ELE determination and the child meets all MAGI CHIP or MAGI Child Program nonfinancial eligibility requirements, the household size determined by the Department is used to determine eligibility regardless of the family size. The countable income of the household is determined by the ELA. A child is deemed eligible for MAGI CHIP or MAGI Child Program as follows:

(A) If the MAGI-based income of the household group is below 163 percent of the 2013 federal poverty level as listed below, the Department deems the child eligible for the MAGI Child Program; [Table not included. See ED. NOTE.]

ADMINISTRATIVE RULES

(B) If the MAGI-based income of the household group is at or above 163 percent of the 2013 FPL through 300 percent of the FPL as listed in section (5)(g) of this rule, the Agency deems the child eligible for MAGI CHIP.

[ED. NOTE: Tables referenced are available from the agency.]
Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440, 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 25-2014(Temp), f. & cert. ef. 4-14-14 thru 10-11-14; DMAP 53-2014, f. & cert. ef. 9-23-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0400

Specific Requirements; Breast and Cervical Cancer Treatment Program (BCCTP)

This rule establishes eligibility criteria for medical assistance based on an individual's need of treatment for breast or cervical cancer, including pre-cancerous conditions (treatment). The Authority administers the Oregon Breast and Cervical Cancer Treatment Program (BCCTP) by entering into agreements with qualified entities as approved by the Authority to provide screening services for BCCTP funded by the Centers for Disease Control in support of the National Breast and Cervical Cancer Early Detection Program.

(1) To be eligible for BCCTP, an individual must:

(a) Be found to need treatment following screening services provided by a qualified entity;

(b) Be under the age of 65;

(c) Not be covered for treatment by minimum essential coverage; and

(d) Not be eligible for Medicaid through a Medicaid program listed in 42 U.S.C. §1396a (a)(10)(A)(i) (mandatory Medicaid eligibility groups).

(2) An individual is presumptively eligible for BCCTP beginning the day a qualified entity determines on the basis of preliminary information that she is likely to meet the requirements of section (1). A qualified entity that determines an individual presumptively eligible for BCCTP shall:

(a) Notify the Authority of the determination within five working days; and

(b) Explain to the individual at the time the determination is made the circumstances under which an application for medical assistance shall be submitted to the Authority and the deadline for the application (see section (3)).

(3) To remain eligible for benefits, an individual determined by a qualified entity to be presumptively eligible for BCCTP shall apply for medical assistance no later than the last day of the month following the month in which the determination of presumptive eligibility is made. Presumptive eligibility for BCCTP ends on:

(a) The last day of the month following the month in which presumptive eligibility begins, if the individual does not file an application by that date;

(b) The day on which a determination is made for other Medicaid/CHIP program benefits.

(4) An individual found eligible for the BCCTP by the Authority becomes ineligible upon the first of the following to occur:

(a) The treating health professional determines the course of treatment is complete;

(b) Upon reaching age 65;

(c) When the individual becomes covered for treatment by minimum essential coverage;

(d) Upon becoming a resident of another state;

(e) When the Authority determines she does not meet the requirements for eligibility.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536, 414.540 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0405

Specific Requirements; Substitute Care

In addition to eligibility requirements applicable to the Substitute Care program in other rules in chapter 410 division 200, this rule describes specific eligibility requirements for the Substitute Care program, effective 10/01/13.

(1) To be eligible for Substitute Care, an individual shall be under the age of 21 and live in an intermediate psychiatric care facility for which a public agency of Oregon is assuming at least partial financial responsibility, including those placed in an intermediate psychiatric care facility by the Oregon Youth Authority.

(2) While living in an intermediate psychiatric care facility, an individual's household group consists of the individual only.

(3) There is no income test for Substitute Care.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 413.038, 414.025, 414.231 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0410

Specific Requirements; MAGI CHIP

In addition to eligibility requirements applicable to the MAGI CHIP program in other rules in chapter 410 division 200, this rule describes specific eligibility requirements for the MAGI CHIP program.

(1) Individuals may not be eligible for the MAGI CHIP program with an effective date prior to October 1, 2013.

(2) To be eligible for the MAGI CHIP program, an individual must be under 19 years of age and must:

(a) Not be eligible for MAGI Child, MAGI Pregnant Woman, MAGI Parent or Caretaker Relative, or Substitute Care programs;

(b) Meet budgeting requirements of OAR 410-200-0315; and

(c) Except as described in section (4), not be covered by minimum essential coverage. For the purposes of this rule, a child is not considered to have minimum essential coverage if it is not accessible for one or more of the following reasons:

(A) The travel time or distance to available providers within the minimum essential coverage network exceeds:

(i) In urban areas: 30 miles, 30 minutes, or the community standard, whichever is greater; or

(ii) In rural areas: 60 miles, 60 minutes, or the community standard, whichever is greater;

(B) Accessing the minimum essential coverage would place a household group member at risk of harm.

(3) For the Authority to enroll a child in MAGI CHIP based on a determination made by an Express Lane Agency (ELA), the child's parent or guardian shall give consent in writing, by telephone, orally, or through electronic signature.

(4) For renewals in 2014, children with minimum essential coverage shall be enrolled in MAGI CHIP for a full 12-month eligibility period if:

(a) At the time of renewal, the child is receiving Medicaid based on a 2013 non-MAGI based eligibility determination;

(b) The child meets all other MAGI CHIP financial and non-financial eligibility requirements, except they are receiving minimum essential coverage; and

(c) The child loses eligibility for Medicaid due to MAGI-based eligibility policy effective October 1, 2013, which eliminated the 50 percent self-employment income disregard.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 413.038, 414.025, 414.231 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0415

Specific Requirements; MAGI Child

In addition to eligibility requirements applicable to the MAGI Child program in other rules in chapter 410 division 200, this rule describes specific eligibility requirements for the MAGI Child program.

(1) Individuals may not be eligible for the MAGI Child program with an effective date prior to January 1, 2014.

(2) To be eligible for the MAGI Child program, the child must be under the age of 19 with household income at or below:

(a) 133 percent of the federal poverty level (OAR 410-200-0315) for the applicable family size for a child over the age of one but less than age 19; or

(b) 185 percent of the federal poverty level for the applicable family size for an infant under the age of one.

(3) To be eligible for the MAGI Child Program, an individual may not:

(a) Be receiving or deemed to be receiving SSI benefits;

(b) Be receiving Medicaid through another program.

(4) A child born to a mother eligible for and receiving Medicaid benefits is assumed eligible for medical benefits under this rule until the end of the month the child turns one year of age unless:

(a) The child dies;

(b) The child is no longer a resident of Oregon; or

ADMINISTRATIVE RULES

(c) The child's representative requests a termination of the child's eligibility.

(5) To enroll a child in the MAGI Child program based on a determination made by an Express Lane Agency (ELA), the child's parent or guardian shall give consent in writing, by telephone, orally, or through electronic signature.

(6) ELE qualifies a child for medical assistance benefits based on a finding from the Department, even when the Department's eligibility methodology differs from that used for OCCS medical programs.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0420

Specific Requirements; MAGI Parent or Other Caretaker Relative

In addition to eligibility requirements applicable to the MAGI Parent and Other Caretaker Relative program in other rules in chapter 410 division 200, this rule describes specific eligibility requirements for the MAGI Parent or Other Caretaker Relative program.

(1) Individuals may not be eligible for the MAGI Parent and Other Caretaker Relative program with an effective date prior to January 1, 2014.

(2) To be eligible for the MAGI Parent or Other Caretaker Relative program, an individual must have household group income at or below income standard for the applicable family size as identified in OAR 410-200-0315.

(3) To be eligible for the MAGI Parent or Other Caretaker Relative program, an individual must have a dependent child in the home. However, a dependent child for who foster care payments are made for more than 30 days is not eligible while the payments are being made for the dependent child.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0425

Specific Requirements; MAGI Pregnant Woman

In addition to eligibility requirements applicable to the MAGI Pregnant Woman program in other rules in chapter 410 division 200, this rule describes specific eligibility requirements for the MAGI Pregnant Woman program.

(1) Individuals may not be eligible for the MAGI Pregnant Woman program with an effective date prior to January 1, 2014.

(2) To be eligible for the MAGI Pregnant Woman program, an individual must be pregnant and:

(a) Have household income that is at or below 185 percent of the federal poverty level (OAR 410-200-0315); or

(b) Be eligible for Continuous Eligibility according to the policy described in OAR 410-200-0135(2).

(3) Once a beneficiary is eligible and receiving Medicaid through the MAGI Pregnant Woman program, they are eligible through the end of the calendar month in which the 60th day following the last day of the pregnancy falls (OAR 410-200-0135).

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0435

Specific Requirements; MAGI Adult

In addition to eligibility requirements applicable to the MAGI Adult program in other rules in chapter 410 division 200, this rule describes specific eligibility requirements for the MAGI Adult program.

(1) An individual may not be eligible for the MAGI Adult program with an effective date prior to January 1, 2014.

(2) The Agency may not allow retroactive enrollment into the MAGI Adult program for effective dates prior to January 1, 2014.

(3) To be eligible for the MAGI Adult program an individual must:

(a) Be 19 years of age or older and under age 65; and

(b) Have household income at or below 133 percent federal poverty level (OAR 410-200-0315) for the applicable family size.

(4) To be eligible for the MAGI Adult program, an individual may not be:

(a) Pregnant;

(b) Entitled to or enrolled for Medicare benefits under part A or B of Title XVIII of the Act;

(c) Receiving SSI benefits; or

(d) A parent or other caretaker relative living with a dependent child who is not enrolled in minimum essential coverage.

Stat. Auth.: ORS 411.402, 411.404 & 413.042
Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0440

Specific Requirements; Extended Medical Assistance

(1) Effective 01/01/14 individuals who are eligible for and receiving Medical Assistance Assumed (MAA), Medical Assistance to Families (MAF), or MAGI Parent or Other Caretaker Relative benefits and lose eligibility:

(a) Due to the receipt or increase of earned income are eligible for 12 months of Extended Medical Assistance (EXT) benefits if eligibility is redetermined and the individual is not eligible for Medicaid/CHIP; or

(b) Due to the receipt or increase of spousal support are eligible for four months of EXT benefits if:

(A) Eligibility is redetermined and the individual is not eligible for Medicaid/CHIP; and

(B) They were eligible for and receiving benefits for three of six months preceding the receipt or increase of spousal support.

(2) To be eligible for EXT, the household group of individuals who lose eligibility for MAGI Parent or Other Caretaker Relative benefits must contain a dependent child who has minimum essential coverage.

(3) The EXT beneficiary must be a resident of Oregon.

(4) Individuals who lose EXT eligibility may regain EXT eligibility for the remainder of the original eligibility period if the requirements outlined in sections (2) and (3) are met and:

(a) EXT eligibility is lost because the individual leaves the household during the EXT eligibility period. The individual may regain EXT eligibility if they return to the household; or

(b) EXT eligibility is lost due to a change in circumstance that results in eligibility for another OCCS medical program. If a subsequent change in circumstances occurs that results in ineligibility for all OCCS medical programs, the individual may regain EXT eligibility.

(5) The effective date of EXT is the first of the month following the month in which MAA, MAF, or MAGI Parent or Other Caretaker Relative program eligibility ends.

(6) If an individual receives MAA, MAF, or MAGI Parent or Other Caretaker Relative benefits during months when they were eligible for EXT:

(a) Such months are not an overpayment;

(b) Any month in which an individual receives MAA, MAF, or MAGI Parent or Other Caretaker Relative benefits when they were eligible for EXT is counted as a month of the EXT eligibility period.

(7) If a beneficiary of MAA, MAF, or MAGI Parent or Other Caretaker Relative benefits experiences another change in conjunction with the receipt or increase of earned income or spousal support, and the other change, by itself, makes the household group ineligible for the current program, the beneficiary is not eligible for EXT.

Stat. Auth.: ORS 411.095, 411.402, 411.404, 413.038 & 414.025
Stats. Implemented: ORS 411.095, 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440 & 414.706
Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0500

Transitioning Benefits — 2013 Programs

(1) For individuals who apply for OCCS medical programs on or after October 1, 2013, eligibility and budgeting shall be determined according to this section of rules.

(2) Individuals who apply from October 1, 2013 through December 31, 2013 shall first be considered for the programs described in OAR 410-200-0510. If an individual is eligible for one of those programs, eligibility shall continue according to section (3) of this rule. Individuals found ineligible based on information from all budget months of October, November, or December 2013 shall have their eligibility determined as follows:

(a) Individuals who would be eligible for new programs based on eligibility and income standards that begin January 1, 2014, shall become eligible for applicable programs as of that date;

ADMINISTRATIVE RULES

(b) Individuals who are ineligible for new programs that begin on January 1, 2014 shall be referred to the Exchange.

(3) Individuals who are eligible and receiving OCCS medical program benefits described in OAR 410-200-0510 on December 31, 2013, shall be treated as follows effective January 1, 2014:

(a) Individuals receiving OHP-OPU program benefits shall be converted to the MAGI Adult program;

(b) Individuals receiving HKC program benefits shall be converted to the MAGI CHIP program;

(c) Individuals receiving OHP-CHP whose household income is below 133 percent of FPL shall be converted to the MAGI Child program;

(d) All others shall maintain their current program benefits until:

(A) A change occurs that impacts their eligibility; or

(B) Their next scheduled renewal occurs according to OAR 410-200-0115.

Stat. Auth.: ORS 411.402, 411.404 & 413.042

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 414.025, 414.231, 414.440 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0505

Specific Requirements; Fast Track Eligibility and Enrollment for MAGI Medicaid

For Fast Track eligibility and enrollment, the Authority provides MAGI Medicaid benefits based on an individual's eligibility for SNAP program benefits, or for individuals who are parents of children determined eligible for OCCS Medicaid programs.

(1) A SNAP recipient adult may be found eligible for Fast Track eligibility and enrollment based on findings from the Department, even if the Department's eligibility methodology differs from that used by the Authority OCCS medical program if the adult:

(a) Has SNAP income is at or below the applicable income standards for MAGI Adult;

(b) Indicates they wish to pursue medical assistance;

(c) Is not eligible for or receiving Supplemental Security Income;

(d) Agrees to cooperate with the Division of Child Support; and

(e) Meets the specific program requirements for MAGI Adult.

(2) The adult parent or parents of a MAGI Medicaid eligible child may be found eligible for Fast Track eligibility and enrollment if the adult:

(a) Indicates they wish to pursue medical assistance;

(b) Is not eligible for or receiving Supplemental Security Income;

(c) Agrees to cooperate with the Division of Child Support; and

(d) Meets the specific program requirements for the applicable program.

(3) A new application is not required for Fast Track eligibility and enrollment.

(4) If the individual requests Fast Track eligibility and enrollment and is not eligible due to eligibility for or receipt of Supplemental Security Income, the Authority shall refer the applicant to Aging and People with Disabilities for an eligibility determination. The Date of Request is the date the Authority received consent for Fast Track eligibility and enrollment.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 413.038

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 413.032, 413.038, 414.025, 414.231 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

410-200-0510

Specific Program Requirements; BCCM, CEC, CEM, EXT, MAA, MAF, OHP, and Substitute Care

(1) This rule describes OCCS medical programs for which individuals may be determined eligible through December 31, 2013. See OAR 410-200-0500 for information regarding the treatment of those beneficiaries as of January 1, 2014.

(2) To be eligible for a program listed in this rule, an individual must meet the following:

(a) The eligibility factors set forth in OAR 410-200-0240 through 410-200-0240;

(b) The budgeting and income standard requirements set forth in OAR 410-200-0300 through 410-200-0315; and

(c) The individual must have established a Date of Request prior to January 1, 2014.

(3) For purposes of this rule, private major medical health insurance means a comprehensive major medical insurance plan that, at a minimum, provides physician services; inpatient and outpatient hospitalization; out-

patient lab, x-ray, immunizations; and prescription drug coverage. This term does not include coverage under the Kaiser Child Health Program or Kaiser Transition Program but does include policies that are purchased privately or are employer-sponsored.

(4) For the purposes of this rule, the receipt of private major medical health insurance does not affect OCCS medical program eligibility if it is not accessible. Private major medical health insurance is not considered accessible if:

(a) The travel time or distance to available providers exceeds:

(A) In urban areas: 30 miles, 30 minutes, or the community standard, whichever is greater;

(B) In rural areas: 60 miles, 60 minutes, or the community standard, whichever is greater;

(b) Accessing the private major medical health insurance would place a filing group member at risk of harm.

(5) To be eligible for Chafee medical, the individual must be a child who was receiving foster care in Oregon upon attaining:

(a) Age 18; or

(b) If over 18, the age at which Oregon Medicaid or Oregon Tribal foster care assistance ended under Title IV-E of the Act;

(6) CEM provides eligibility for the balance of the 12-month eligibility period for non-CAWEM children who were receiving Child Welfare (CW) medical, EXT, MAA, MAF, OHP, OSIPM, or Substitute Care program benefits and lost eligibility for reasons other than moving out of state or turning 19 years old. CEM benefits end when:

(a) The child becomes eligible for CW medical, EXT, MAA, MAF, OHP, OSIPM, or Substitute Care program benefits;

(b) The child turns 19 years of age;

(c) The child moves out of state; or

(d) Benefits are closed voluntarily.

(7) CEC provides eligibility for the OHP-CHP program for non-CAWEM pregnant children who were receiving OHP-CHP and would have otherwise lost eligibility for reasons other than moving out of state or becoming a recipient of private major medical health insurance. CEC eligibility for OHP-CHP ends the day following the end of the month in which the earliest of the following occur:

(a) The pregnancy ends;

(b) The individual moves out of state;

(c) The individual begins receiving private major medical health insurance;

(d) Benefits are closed voluntarily; or

(e) The individual becomes eligible for CW medical, EXT, MAA, MAF, OHP, OSIPM, or Substitute Care program benefits.

(8) For the Authority to enroll a child in the program based on a determination made by an ELA, the child's parent or guardian shall give consent in writing, by telephone, orally, or through electronic signature.

(9) To be eligible for EXT, an individual must have been eligible for and receiving MAA or MAF and became ineligible due to a caretaker relative's increased earned income or due to increased spousal support (OAR 410-200-0440).

(10) To be eligible for MAA or MAF, an individual must be one of the following:

(a) A dependent child who lives with a caretaker relative. However, a dependent child for whom foster care payments are made for more than 30 days is not eligible while the payments are being made;

(b) A caretaker relative of an eligible dependent child. However, a caretaker relative to whom foster care payments are made for more than 30 days is not eligible while the payments are being made;

(c) A caretaker relative of a dependent child, when the dependent child is ineligible for MAA or MAF for one of the following reasons:

(A) The child is receiving SSI;

(B) The child is in foster care but is expected to return home within 30 days; or

(C) The child's citizenship has not been documented;

(d) An essential person. An essential person is a member of the household group who:

(A) Is not required to be in the filing group;

(B) Provides a service necessary to the health or protection of a member of the household group who has a mental or physical disability; and

(C) Is less expensive to include in the benefit group than the cost of purchasing this service from another source;

(e) A parent of an unborn as follows:

(A) For the MAA program:

ADMINISTRATIVE RULES

(i) Any parent whose only child is an unborn child, once the mother's pregnancy has reached the calendar month preceding the month in which the due date falls;

(ii) The father of an unborn child who does not meet the criteria described in subsection (e) (A) (i) of this part may be eligible if there is another dependent child in the household group;

(B) For the MAF program, a mother whose only child is an unborn child, once the mother's pregnancy has reached the calendar month preceding the month in which the due date falls.

(11) To be eligible for any OHP program in sections (12) through (15), an individual may not be:

(a) Receiving SSI benefits;

(b) Eligible for Medicare, except that this requirement does not apply to the OHP-OPP program;

(c) Receiving Medicaid through any other program concurrently.

(12) To be eligible for the OHP-OPC program, an individual must be less than 19 years of age.

(13) To be eligible for the OHP-OP6 program, a child must be less than six years of age and not eligible for OHP-OPC.

(14) To be eligible for the OHP-OPP program, an individual must:

(a) Be pregnant;

(b) Be within the time period through the end of the calendar month in which the 60th day following the last day of the pregnancy falls; or

(c) Be an infant under age one.

(15) To be eligible for the OHP-CHP program, an individual must be under 19 years of age and must:

(a) Not be eligible for the OHP-OPC, OHP-OPP, or OHP-OP6 programs; and

(b) Not be covered by any private major medical health insurance. An individual may be eligible for OHP-CHP if the private major medical health insurance is not accessible as outlined in section (4).

(16) Effective July 1, 2004, the OHP-OPU program is closed to new applicants. Except as provided in subsections (a) and (b) of this section, a new applicant may not be found eligible for the OHP-OPU program:

(a) An individual is not a new applicant if the Department determines that the individual is continuously eligible for medical assistance as follows:

(A) The individual is eligible for and receiving benefits under the OHP-OPU program on June 30, 2004, and the Department determines that the individual continues after that date to meet the eligibility requirements for the OHP-OPU program;

(B) The individual is eligible for and receiving benefits under the CAWEM program on June 30, 2004 and is eligible for the CAWEM program based on the OHP-OPU program, and the Department determines that the individual continues to meet the eligibility requirements for the OHP-OPU program except for citizenship or alien status requirements;

(C) The eligibility of the individual ends under the BCCM, CEC, CEM, EXT, GAM, HKC, MAA, MAF, OHP-CHP, OHP-OPC, OHP-OPP, OSIPM, REFM, or Substitute Care program, or the related CAWEM program; or because the individual has left the custody of the Oregon Youth Authority (OYA); and at that time the Department determines that the individual meets the eligibility requirements for the OHP-OPU program;

(D) The individual is a child in the custody of the Department whose eligibility for Medicaid ends because of the child's age and at that time the Department determines that the individual meets the eligibility requirements for the OHP-OPU program;

(E) The Department determines that the individual was continuously eligible for the OHP-OPU program on or after June 30, 2004 under paragraphs (A) to (D) of this section;

(b) An individual who is not continuously eligible under subsection (a) is not a new applicant if the individual:

(A) Has eligibility end under the BCCM, CEC, CEM, EXT, HKC, MAA, MAF, OHP-CHP, OHP-OPP, OHP-OPU, OSIPM, REFM, or Substitute Care program, or the related CAWEM program; because the individual has left the custody of the OYA; or is a child in the custody of the Department whose eligibility for Medicaid ends due to the child's age;

(B) Established a Date of Request prior to the eligibility ending date in paragraph (A) of this section; and

(C) Meets the eligibility requirements for the OHP-OPU program or the related CAWEM program within either the month of the Date of Request or, if ineligible in the month of the Date of Request, the following month.

(17) To be eligible for the OHP-OPU program, an individual must meet the requirements listed in section (16) and be 19 years of age or older

and may not be pregnant. Additionally, and individual must meet the following requirements:

(a) Must be currently receiving Medicaid or CHIP benefits when determined eligible for OHP- OPU;

(b) Must not be covered by any private major medical health insurance. An individual may be eligible for OHP-CHP if the private major medical health insurance is not accessible as outlined in section (4);

(c) May not have been covered by private major medical health insurance during the six months preceding the effective date for starting medical benefits. The six-month waiting period is waived if:

(A) Any of the criteria in section (4) are met;

(B) The individual has a condition that, without treatment, would be life-threatening or would cause permanent loss of function or disability;

(C) The individual's health insurance premium was reimbursed because the individual was receiving Medicaid, and the Department or the Authority found the premium was cost-effective;

(D) The individual's health insurance was subsidized through FHIAP or the Office of Private Health Partnerships in accordance with ORS 414.231, 414.826, 414.831, and 414.839; or

(E) A member of the individual's household group was a victim of domestic violence.

(18) To be eligible for the Substitute Care program, an individual must meet the specific eligibility requirements for Substitute Care found in OAR 410-200-0405.

(19) Except for OHP-CHP and CEC, a pregnant woman who is eligible for and receiving benefits through any program listed in this rule remains eligible through the end of the calendar month in which the 60th day following the last day of the pregnancy falls.

(20) A child who becomes ineligible for the OHP program because of age while receiving in-patient medical services remains eligible until the end of the month in which he or she no longer receives those services if he or she is receiving in-patient medical services on the last day of the month in which the age requirement is no longer met.

Stat. Auth.: ORS 411.402, 411.404, 413.042 & 414.534

Stats. Implemented: ORS 411.400, 411.402, 411.404, 411.406, 411.439, 411.443, 413.032, 413.038, 414.025, 414.231, 414.440, 414.534, 414.536 & 414.706

Hist.: DMAP 54-2013(Temp), f. & cert. ef. 10-1-13 thru 3-30-14; DMAP 4-2014(Temp), f. & cert. ef. 1-15-14 thru 3-30-14; DMAP 20-2014, f. & cert. ef. 3-28-14; DMAP 67-2014(Temp), f. 11-14-14, cert. ef. 11-15-14 thru 5-13-15

Oregon Health Authority, Oregon Educators Benefit Board Chapter 111

Rule Caption: Updates made to plan selection offerings as well as other housekeeping amendments

Adm. Order No.: OEBC 5-2014

Filed with Sec. of State: 11-5-2014

Certified to be Effective: 11-5-14

Notice Publication Date: 9-1-2014

Rules Amended: 111-070-0005, 111-070-0030, 111-070-0040

Rules Repealed: 111-070-0005(T), 111-070-0030(T), 111-070-0040(T)

Subject: Amendments made to 111-070-0005 update the plan selection offerings for this population of eligible individuals. Housekeeping amendments made to 111-070-0030 and 0040 to keep language consistent with other OEBC Oregon Administrative Rules.

Rules Coordinator: April Kelly—(503) 378-6588

111-070-0005

Plan Selections

(1) HB 2557 eligible members will use the tiered rate structure and may elect to enroll in the following plans:

(a) Kaiser Permanente Plan 3 (limited to OEBC members in the Kaiser service area),

(b) Moda Health Plan E,

(c) Moda Health Plan G,

(d) Moda Health Plan H (limited to members who qualify for and contribute to a Health Savings Account (HSA)).

(2) If enrolling in a Moda Health medical plan, the HB 2557 eligible member may elect to enroll in the Statewide option (ODS Plus Network) or the Synergy or Summit network plan option if the HB 2557 member lives or works in an area where the Synergy or Summit network is available.

Stat. Auth.: ORS 243.860 - 243.886

Stats. Implemented 243.864(1)(a)

ADMINISTRATIVE RULES

Hist.: OEBB 4-2010, f. & cert. ef. 3-15-10; OEBB 7-2013(Temp), f. & cert. ef. 7-12-13 thru 1-7-14; OEBB 17-2013, f. & cert. ef. 10-23-13; OEBB 4-2014(Temp), f. & cert. ef. 7-31-14 thru 1-27-15; OEBB 5-2014, f. & cert. ef. 11-5-14

Stats. Implemented: ORS 243.864(1)(a)

Hist.: OEBB 4-2010, f. & cert. ef. 3-15-10; OEBB 14-2010(Temp), f. 9-30-10, cert. ef. 10-1-10 thru 1-29-11; OEBB 5-2011, f. & cert. ef. 2-11-11; OEBB 4-2014(Temp), f. & cert. ef. 7-31-14 thru 1-27-15; OEBB 5-2014, f. & cert. ef. 11-5-14

111-070-0030

Termination

(1) OEBB coverage will be terminated under the following circumstances:

(a) Premiums are not paid in full by the due date. Coverage is contingent upon the receipt of the full monthly premium payment. Coverage will be terminated on the last day of the month in which premiums were paid in full; or

(b) Upon notification and confirmation that an individual was not eligible for benefits due to adjustments that affect the individual's PERS membership. Coverage will be terminated on the last day of the month in which OEBB receives confirmation of ineligibility; or

(c) Upon notification and confirmation that an individual was not eligible for benefits due to not being a teaching or research faculty member during the calendar year upon which eligibility determination was based. Coverage will be terminated on the last day of the month in which OEBB receives confirmation of ineligibility.

(2) Eligibility for PERS membership is lost during the previous calendar year. Coverage will be terminated on the September 30th following the calendar year in which PERS membership is lost.

(3) Upon loss of OEBB coverage due to a Qualified Status Change (QSC), HB 2557 eligible members and their eligible dependents will have COBRA rights. Cancellation due to failure to make a premium payment does not constitute COBRA rights.

Stat. Auth.: ORS 243.860 – 243.886

Stats. Implemented: ORS 243.864(1)(a)

Hist.: OEBB 4-2010, f. & cert. ef. 3-15-10; OEBB 14-2010(Temp), f. 9-30-10, cert. ef. 10-1-10 thru 1-29-11; OEBB 5-2011, f. & cert. ef. 2-11-11; OEBB 4-2014(Temp), f. & cert. ef. 7-31-14 thru 1-27-15; OEBB 5-2014, f. & cert. ef. 11-5-14

111-070-0040

Qualified Status Changes (QSC's)

(1) HB 2557 eligible members experiencing a change in family status the plan year, have 31 calendar days beginning on the date of the event to make changes. If the event is gaining a child, as defined by 111-070-0040(2)(c), or results in a loss of eligibility, the eligible member has 60 calendar days after the event to make changes.

(a) The member must report the Qualified Status Change (QSC) to the Oregon Educators Benefit Board within the specified timeframe. Failure to report a QSC that would result in a removal of a spouse, domestic partner or child within the timeframe stated in 111-070-0040(1) may be considered intentional misrepresentation by OEBB and OEBB may retroactively terminate the individuals coverage back to the last day of the month in which the individual lost eligibility. If benefits are to be terminated retroactively, OEBB shall give the affected individual 30 days' notice of the termination and an opportunity to appeal before the retroactive termination takes effect.

(b) The member's failure to report timely a QSC that allows the addition of a spouse, domestic partner, or child means that the individual does not have coverage. The next opportunity the HB 2557 eligible member has to add their spouse, domestic partner, or child will be during open enrollment.

(2) The HB 2557 eligible member can only make those changes that are consistent with the event for themselves and eligible dependent(s).

(3) Qualified Status Changes which allow the member to make changes to his or her coverage are:

(a) Gaining a spouse by marriage or domestic partner by meeting domestic partner eligibility;

(b) Loss of a spouse or domestic partner by divorce, annulment, death or termination of domestic partnership,

(c) Gaining a child by birth, placement for/or adoption, or Domestic Partner's children (by affidavit of domestic partnership), 60 days from the event;

(d) Event by which dependent child satisfies eligibility requirements under OEBB plans;

(e) Event by which dependent ceases to satisfy eligibility requirements under OEBB plans;

(f) Related laws or court orders. For example: Qualified Medical Child Support Order (QMSCO), Entitlement to Medicare or Medicaid, HIPAA or Children's Health Insurance Program (CHIP). Changes are determined by the applicable law or court order.

(4) Changes in cost or coverage do not constitute a Qualified Status Change. All changes resulting from a change in cost or coverage must be made during Open Enrollment.

Stat. Auth.: ORS 243.860 – 243.886

**Oregon Health Authority,
Public Employees' Benefit Board
Chapter 101**

Rule Caption: PEBB OAR's are being temporarily amended to conform to current Affordable Care Act regulations.

Adm. Order No.: PEBB 3-2014(Temp)

Filed with Sec. of State: 11-12-2014

Certified to be Effective: 11-12-14 thru 5-10-15

Notice Publication Date:

Rules Amended: 101-010-0005, 101-015-0005, 101-020-0002, 101-020-0005, 101-020-0012, 101-020-0045, 101-030-0010, 101-030-0015, 101-030-0020

Subject: Rules are being conformed, complying with Affordable Care Act regulations regarding coverage of workers.

Rules Coordinator: Cherie Taylor—(503) 378-6296

101-010-0005

Definitions

Unless the context indicates otherwise, as used in OAR chapter 101, divisions 1 through 60, the following definitions will apply:

(1) "ACA" means the Patient Protection and Affordable Care Act and regulations promulgated under the Act by any federal agencies as of [the effective date of the amended rule], including but not limited to Shared Responsibility for Employers Regarding Health Coverage, 79 Fed. Reg. 8544 (Feb. 12, 2014).

(2) "Actively at work" for medical and dental insurance coverage means an active eligible employee at work, in paid status and scheduled for work during the month. Optional plan policies or plan certificates contain "actively at work" criteria specific to the individual plan.

(3) "Active Participation" in reference to a Flexible Spending Account (FSA) means an eligible employee currently enrolled in the plan and who each month deposits the required dollar contribution in the account.

(4) "Administrative Period" means ACA period of no longer than 90 days beginning immediately following the end of a Standard Measurement Period and no longer than 90 days beginning immediately following the end of an Initial Measurement Period and ending immediately before the start of the associated Stability Period. During this time period the employer completes administrative tasks, for example but not limited to, calculating measurement period hours, eligibility determination, providing the employee with enrollment materials.

(5) "Affidavit of Dependency" means a notarized document that attests a dependent child meets the criteria for a dependent child under OAR 101-015-0011.

(6) "Affidavit of Domestic Partnership" means a notarized document that attests the eligible employee and one other individual meet the criteria in OAR 101-015-0026(2).

(7) "Agency" means a PEBB participating organization such as an individual state of Oregon public agency, semi-independent agency, and individual OUS University.

(8) "Benefit amount" means the amount of money paid by a PEBB participating organization for the purchase of core benefit plans on behalf of active eligible employees. PEBB does not determine the benefit amount.

(9) "Benefit eligible" means an employee who has met the eligibility requirements of (18) of this rule and is eligible to enroll in PEBB core benefits and optional plans.

(10) "CBIW" means Continuation of Benefits for Injured Workers.

(11) "Certificate of Registered Domestic Partnership" means the certificate issued by an Oregon county clerk to two individuals of the same sex after they file a Declaration of Domestic Partnership with the county clerk.

(12) "COBRA" means the federal Consolidated Omnibus Reconciliation Act of 1985.

(13) "Core Benefits" means specific benefit plans that a PEBB employer contributes a benefit amount premium cost for active eligible employees (e.g., medical, dental, vision, and employee basic term life coverage).

(14) "Commuter Accounts" means either a Transportation or Parking account as permitted under Commuter Benefits 26 CFR 1.132-9. This ben-

ADMINISTRATIVE RULES

efit allows benefit enrolled employees to contribute to one or both accounts on a pretax basis to pay for work-related commuting expenses.

(15) "Dependent Care Flexible Spending Account" or "Dependent Care FSA" means the Dependent Care Assistance Program (DCAP) that PEBB has adopted in accordance with section 129 of the Internal Revenue Code.

(16) "Dependent child" means a child that satisfies the conditions of OAR 101-015-0011, as applicable.

(17) "Domestic partner" means an eligible employee's partner in a registered domestic partnership under Chapter 99 Oregon Laws 2007 or unmarried partner of the same or opposite sex that meets the requirements as outlined in OAR 101-015-0026(2).

(18) "Eligible employee" means an individual eligible to enroll in PEBB plan benefits by reason of his or her employment with a PEBB-participating employer, and includes:

(a) "Active eligible employee" means an employee of a PEBB participating employer, including a state official, in an exempt, unclassified, classified, or management service position who works at least half-time or in a position classified as job share and is expected to work at least 90 days. The term active eligible employee can apply to an employee in an initial or standard measurement period, or in a stability period, and includes:

(A) A permanent employee who is appointed to a permanent position (as defined by OAR 105-010-0000(40)) that is a benefit eligible position, including but not limited to a full time, half-time, job share, or seasonal position; or

(B) A temporary or impermanent worker who is not appointed to a permanent position and who is benefit eligible upon appointment due to work expectation or becomes benefit eligible through an initial measurement period and subsequent stability period.

(b) "Retired eligible employee" means a previously active eligible employee, who meets retiree eligibility as defined in OAR 101-050-0005. A retired eligible employee is eligible to self-pay for only the benefit plans established in division 50 of this chapter.

(c) "Other eligible employee" means an individual of a specific self-pay group as established by ORS 243.140 and 243.200. These groups are eligible only for medical or dental benefits as approved by PEBB.

(19) "Family member" means a spouse, domestic partner, or a qualifying child.

(20) "FMLA" means the federal Family Medical Leave Act.

(21) "FTE" means full time equivalent job position.

(22) "Grandchild Affidavit" means a notarized document that attests a grandchild of an eligible employee, spouse, or domestic partner meets the eligibility criteria for PEBB grandchild coverage as defined in OAR 101-015-0011(1)(B).

(23) "Half-time" means an eligible employee who works less than full time but at least:

(a) Eighty paid regular hours per month; or

(b) 0.5 FTE for unclassified OUS employees; or

(c) Eighty paid hours per month and is employed at a minimum of .5 FTE, for Oregon Judicial Department employees; or

(d) As defined by collective bargaining.

(24) "Health Flexible Spending Account" or "Health FSA" means the health flexible spending arrangement that PEBB has adopted in accordance with the Internal Revenue Code.

(25) "Imputed value" means a dollar amount established yearly for an insurance premium at fair market value. The IRS or the Oregon Department of Revenue may view the imputed value as taxable income. The imputed value dollar amount is added to the eligible employee's taxable wages.

(26) "Ineligible individual" means an individual who does not meet the definition of an eligible employee, spouse, domestic partner, or dependent child as defined in PEBB administrative rules.

(27) "Job share" means two eligible employees sharing one full time equivalent position. Each eligible employee's percentage of the total position determines the benefit amount the employee receives. The monthly benefit percentage amount remains the same regardless of each individual's hours worked per month. Job share employees may not donate their portion of the benefit amount to the job share co-worker.

Example: John and Jill share one full time equivalent position. When they were hired into the position in July, John's percentage of the total position was 40 percent; Jill's percentage was 60 percent. John worked 70 percent of the available hours in September. John's benefit amount percentage for September remains at 40 percent. Jill's benefit amount percentage remains at 60 percent.

(28) "Measurement Period" means the required ACA look-back period during which hours are calculated to determine if an employee has averaged at least 30 hours per week. There are two types of measurement periods:

(a) "Standard Measurement Period" means the twelve (12) consecutive month period starting November 1 and ending October 31.

(b) "Initial Measurement Period" means the twelve (12) consecutive month period starting with the first day of the employee's employment.

(29) "Midyear plan change event" means an event that provides an eligible employee an exception to the general plan year irrevocability rule that applies to PEBB benefit plan elections. Permissible midyear events fall into three broad groups with allowable subgroups:

(a) Change in status (QSC);

(b) Cost or coverage changes; or

(c) Other laws or court orders.

(30) "OFLA" means the Oregon Family Leave Act.

(31) "OSPS" means the Oregon State Payroll System.

(32) "OUS" means the Oregon University System.

(33) "Open enrollment period" means an annual period chosen by PEBB when both active and other eligible employees and COBRA participants can make benefit plan changes or elections for the next plan year.

(34) "Optional plans" means, but is not limited to:

(a) Dependent life insurance;

(b) Employee, spouse, or domestic partner optional life insurance;

(c) Accidental Death & Dismemberment (AD&D) insurance;

(d) Short Term Disability insurance;

(e) Long Term Disability insurance;

(f) Flexible Spending Accounts (Health and Dependent Care); (g) Long Term Care insurance; and

(g) Commuter Accounts (Transportation and Parking)

(35) "Paid regular status" means in current payroll status, and receiving payment for work time. Paid regular status includes the use of vacation, sick, holiday, or personal leave accruals, compensatory time, or other employer approved status such as furlough.

(36) "Pebb.benefits" means the electronic benefit management system sponsored by PEBB. The system allows electronic enrollment and termination of an eligible individual's benefit plans, personal information updates, and the transmittal of data to plans, payroll centers, and third party administrators.

(37) "PEBB participating organization" means a state agency, board, commission, university, or other entity that receives approval to participate in PEBB benefit plans.

(38) "Plan change period" means a period chosen by PEBB when retirees can make limited benefit plan changes.

(39) "Plan year" means a period of twelve consecutive months. PEBB's plan year is a calendar year.

(40) "Qualified status change" (QSC) means a change in family or work status that allows or requires limited mid-year changes of benefit plans consistent with the individual event.

(41) "Rescission" means a cancellation or discontinuance of coverage that has a retroactive effect. A cancellation or discontinuance of coverage that is prospective only, or one that is effective retroactively but is attributable to nonpayment of premiums or contributions, is not a rescission.

(42) "Reinstate" means to reactivate previous benefits and enrollments, if available, to an eligible employee returning to eligible status within a specific time frame. Reinstated enrollment does not include FSAs or Long Term Care.

(43) "Spouse" means an individual who is legally married. A marriage or a relationship recognized as a legal marriage between two individuals in Oregon, or another state or foreign country, will be recognized in Oregon even though such a relationship would not be a marriage if the same facts had been relied upon to create the marriage in Oregon. The definition of spouse does not include a former spouse and a former spouse does not qualify as a dependent.

(44) "Stability Period" means the twelve (12) consecutive month period that immediately follows a Standard Measurement Period or an Initial Measurement Period, and, the Administrative Period associated with that Standard Measurement Period or Initial Measurement Period. An employee remains benefit eligible for the duration of a given stability period if the employee had an average of 30 hours of service per week, or 130 hours per month, for the duration of the measurement period immediately preceding the stability period.

(a) The stability period following a standard measurement period begins on January 1 of the year after the standard measurement period ends, and ends on December 31 of that year.

(b) The stability period following an initial measurement period begins on the first day of the second full calendar month after the date on which the initial measurement period ends.

Stat. Auth.: ORS 243.061 - 243.302

Stats. Implemented: ORS 243.061 - 302, 659A.060 - 069, 743.600 - 602, 743.707

ADMINISTRATIVE RULES

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2000, f. 11-15-00, cert. ef. 1-1-01; PEBB 1-2001, f. & cert. ef. 9-6-01; PEBB 1-2002, f. 7-30-02, cert. ef. 8-1-02; PEBB 1-2003, f. & cert. ef. 12-4-03; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 3-2005, f. 8-31-05, cert. ef. 9-1-05; PEBB 2-2006(Temp), f. & cert. ef. 12-14-06 thru 6-12-07; PEBB 1-2007(Temp), f. & cert. ef. 6-11-07 thru 12-8-07; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 1-2008(Temp), f. & cert. ef. 2-4-08 thru 8-1-08; PEBB 2-2008, f. & cert. ef. 8-1-08; PEBB 3-2009, f. 9-29-09 cert. ef. 10-1-09; HLA 4-2010, f. & cert. ef. 5-18-10; PEBB 1-2010(Temp), f. & cert. ef. 6-1-10 thru 11-28-10; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; PEBB 1-2013, f. & cert. ef. 9-24-13; PEBB 2-2014(Temp), f. & cert. ef. 6-9-14 thru 12-5-14; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-015-0005

Eligible Individuals

(1) The following individuals are eligible to participate in PEBB-sponsored benefit plans:

(a) An eligible employee as defined in OAR 101-010-0005(18).

(b) A permanent position seasonal or intermittent employee who meets the following requirements:

(A) An individual hired for the first time if expected to work a 90-day continual period and works at least half-time or in a position classified as job share. The eligible employee must enroll within 30 days of his or her hire date or eligibility; or

(B) An individual hired for the first time working at least half-time or in a position classified as job share and who was not expected to work a 90-day or more continual period, and works more than a 90-day continual period. When the eligible employee submits enrollment forms to their agency, the employee is retro enrolled in benefits to the first day of the month following the individual's hire date; or

(C) A previously ineligible employee returning to work is eligible for benefit plans once they accumulate a total of 60 calendar days of employment within the current or immediately previous plan year. The 60 calendar days of employment need not be consecutive.

(c) An appointed temporary or impermanent employee who (i) as of the date of hire, is expected to work an average of 30 or more hours per week for a 90-day continual period, or (ii) has worked an average of 30 hours or more per week for an initial measurement period, and is in a subsequent benefit eligible stability period.

(d) A current spouse, domestic partner, or an eligible dependent child listed by the person who is eligible under subsection (1)(a), (b), (c), or (d) of this rule on the required enrollment form or the electronic equivalent (an ex-spouse or ex-domestic partner is not eligible for active, or retired, employee PEBB plan coverage).

(e) An appointed and elected official. Eligibility for benefit plans begins on the first day of the month following the date the official takes the oath of office.

(2) The eligible employee is responsible to maintain a valid PEBB enrollment for all eligible family members receiving coverage. See OAR 101-020-0025.

Stat. Auth.: ORS 243.061 - 243.302

Stats. Implemented: ORS 243.061-302, 659A.060-066, 743.600-602 & 743.707

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2000, f. 11-15-00, cert. ef. 1-1-01; PEBB 1-2001, f. & cert. ef. 9-6-01; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 3-2005, f. 8-31-05, cert. ef. 9-1-05; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 2-2008, f. & cert. ef. 8-1-08; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; Suspended by PEBB 1-2011(Temp), f. & cert. ef. 3-9-11 thru 8-4-11; PEBB 2-2011(Temp), f. & cert. ef. 8-5-11 thru 1-31-12; Administrative correction 2-24-12; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-020-0002

Plan Effective Dates, Employee Eligibility Continuation, and Plan Termination Dates

(1) Irrevocability Rule. Except as otherwise provided in OAR Chapter 101, all eligible employee benefit plan elections or mid-year plan changes are irrevocable for the plan year and must have a prospective effective date.

(2) PEBB's eligible employee benefits are in whole month increments for coverage and premium cost. There is no daily prorated coverage or monthly cost. PEBB's core benefits are part of an Internal Revenue Service Code 125 Cafeteria plan. The premium contribution taken from the employee's monthly pay must be in advance of the coverage. Employees work one month to earn coverage for the following month.

(3) The plan coverage effective date for newly eligible employees or for employees who receive approved qualified midyear changes is the first of the month following the later of, the agency's receipt of all appropriate forms as required or electronic enrollment, or the actual event date.

(a) The employee must be actively at work as specified in OAR 101-010-0005(1) for medical and dental coverage to become effective and as specified by optional plans in optional plan policies or certificates.

(b) When an optional plan requires a medical underwriting prior to coverage approval, coverage will be effective the first of the month following plan approval.

(4) Continuation of Coverage requirements. A benefit eligible employee continuing employment:

(a) Within a current stability period remains benefit eligible for that stability period regardless of the number of paid regular status hours accrued in the month.

(b) In a permanent benefit eligible position, but who is not within a current stability period, must accrue a minimum of 80 paid regular status hours in a month to qualify for benefit coverage in the following month. The exception to the 80 hours is a newly eligible employee during the initial month of eligibility and some individuals during their return to work month. If the employee accrues less than 80 paid regular status hours in a given month, the employee's benefits will end the last day of that month. The agency must send the employee a self-pay COBRA Enrollment Notice.

(5) Open enrollment elections are effective on the first day of the new plan year. When an optional plan requires a medical underwriting prior to coverage approval, coverage will be effective the first of the month following plan approval in the new plan year.

(6) Coverage effective date for Special Enrollment Rights. An eligible employee, family member, domestic partner, or domestic partner's dependent child losing other group medical coverage may enroll in PEBB plans within 30 days of the date of the loss of other group coverage. PEBB coverage will be effective from the date of the loss of the other group coverage.

Example 1: Joe loses coverage under his spouse's plan Oct. 15. Joe submits enrollment update forms Oct. 16. Joe's coverage effective date is October 1.

Example 2: Joe loses coverage under his spouse's plan October 31. Joe submits enrollment update forms November 16. Joe's coverage effective date is November 1.

(7) Active benefit eligible employee core benefit termination dates:

(a) When an employee terminates employment, benefit coverage for the employee and covered family members will end regardless of whether the employee is within a current stability period as follows:

(A) On the last day of the month, when the employee accrues less than 80 paid regular status hours during the month the employment terminates.

(B) On the last day of the following month, when the employee accrues more than 80 paid regular status hours during the month the employment terminates.

(b) When the employee is a temporary or impermanent worker who is benefit eligible for the current stability period and has no paid regular status hours for at least 13 weeks, or for a period at least four weeks and longer than the prior period during which the employee was working, the employee's benefits will end the last day of the month of that period. If the employee returns to work for the employer the employee must be considered a new employee.

(c) For employees of educational organizations, the time period applicable under this subsection is either 26 weeks or, if the employee's prior period of employment was less than 26 weeks, a period that is at least four weeks long and one week longer than the prior period of employment.

(d) When an employee is in an employer approved period of leave without pay, (e.g., FMLA, CBIW), or is in a benefit eligible current stability period a termination of coverage occurs when the employee's premium share is more than 30 days late. In order to terminate the coverage the agency:

(A) Must provide written notice to the employee that payment has not been received. The notice must be mailed to the employee at least 15 days before coverage terminates and the notice must advise the employee that coverage will be dropped on a specified date at least 15 days after the letter date, unless the payment is received by that specified date (30 days).

(B) When the employee has received the 15 day notice and payment is not received by the due date, coverage is terminated retroactively to the last day of the last month that employee premium was received.

(C) When coverage is terminated because of the employee's failure to pay the premium share timely and the employee later returns from the leave within 12 months, the agency must reinstate employee to the benefits equivalent to those the employee would have if the leave had not been taken and premium payments missed. See OAR 1010-20-0045 Returning to Work.

Example: John is in a benefit eligible current stability period. His August premium share was paid with his August 1 pay (July pays August). John starts a leave without pay on August 1. His current stability period status allows John to continue enrollment in his health benefits for September, but only if he pays his premium share to his agency on time. His agency requires the following month premium share payment by August 27. John's agency does not receive his payment, and the agency sends John a notice of non-payment by September 5. The notice provides a 15 day notice that payment must be made to the agency by September 28 or his enrollment will retroactively terminate to August 31 (the last day of the last month that premium was paid). John's payment is not received within 30 days. John's enrollment is terminated back to August 31 and he is sent a COBRA Election Notice. If the agency paid the premiums for September, reconciliation adjustments are made by PEBB and the agency.

ADMINISTRATIVE RULES

John returns to work in the middle of September. Upon John's return to work, his previous benefits will be reinstated for an October 1 effective date, and he does not need to work 80 hours in the month of return for benefits in the following month because he came back within his current stability period status. (If John was not in a current benefit eligible stability status and was not in a leave without pay connected to a FMLA, CBIW, or other protected leave, he would need to work 80 hours in the month of return because of his leave without pay status was not within a protected leave class.)

(8) Self-pay individuals and retired employees' benefits terminate the last day of the last period for which the required premium contribution is paid.

(9) Optional plan coverages end according to the individual optional plan's policy or certificate directives. Refer to OAR 101-020-0060 and 101-020-0065 for FSA termination dates.

Stat. Auth.: ORS 243.061-302

Stats. Implemented: ORS 243.061-302, 659A.060-069, 743.600-602 & 743.707

Hist.: PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 2-2008, f. & cert. ef. 8-1-08; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-020-0005

Newly Hired and Newly Eligible Employee

(1) A newly hired or a newly eligible active employee has 30 days from the date of hire or date of eligibility to enroll in PEBB core and optional benefit plans. Benefit plan elections are irrevocable for the plan year except as specified in OAR 101-020-0050. A newly hired benefit eligible employee: or newly eligible employee can enroll in benefit plans for the following month regardless of the number of hours worked in the month of eligibility. In the months following eligibility to continue to receive coverage a benefit eligible employee:

(a) Who is not in a current benefit eligible stability period must meet the requirement of a minimum of 80 hours in paid regular status in each month to receive benefits the following month.

(b) Who is in a current benefit eligible stability period is eligible for benefits the following month regardless of the number of paid regular status hours.

(c) Must be actively at work, as specified in OAR 101-010-0005(1), on the effective date of the insurance coverage.

Example: Sarah was hired and she enrolled in benefit plans on June 25. Sarah was in paid regular status on July 1; her coverage is effective July 1. Sarah will need to be in paid regular status for 80 hours in July in order to receive August coverage.

(d) Who enrolls in benefit plans and terminates employment before the effective date of insurance coverage will not receive active employee benefits or COBRA.

Example 1: Sarah was hired into a benefit eligible position and she enrolled in benefit plans on June 25. Sarah was in paid regular status on July 1; on July 2, she terminated employment. Sarah's coverage was effective July 1 and will remain in place through July 31. Sarah will not receive PEBB coverage in August, but will receive a COBRA notice.

Example 2: Ron was hired into a benefit eligible position and he enrolled in benefit plans on June 25. He terminated employment on June 30. Ron is not eligible for insurance coverage because he was not in paid regular status on July 1. He will not receive a COBRA notice because he did not receive active coverage.

(2) An employee that becomes eligible for benefits during or after the open enrollment period but before the start of the new plan year must receive the opportunity to complete open enrollment elections before the start of the plan year.

Stat. Auth.: ORS 243.061 - 302

Stats. Implemented: ORS 243.061 - 302

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2000, f. 11-15-00, cert. ef. 1-1-01; PEBB 1-2001, f. & cert. ef. 9-6-01; PEBB 1-2002, f. 7-30-02, cert. ef. 8-1-02; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 3-2005, f. 8-31-05, cert. ef. 9-1-05; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 3-2009, f. 9-29-09 cert. ef. 10-1-09; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-020-0012

Working in Two or More Positions or for Two or More PEBB Participating Organizations

(1) An individual working in two or more positions or for two or more PEBB participating organizations must work at least half-time or be in a benefit eligible current stability period to be eligible for any PEBB-sponsored benefit plans. The exception is an eligible employee in a job share position. An employee is not eligible for more benefits than what one full time employee is eligible for.

(2) The eligible employee must enroll in benefit plans at the PEBB participating organization with the highest percentage of the FTE position.

(a) When the employee has equal FTE percentages with more than one PEBB participating organization, the employee must enroll in benefit plans through the organization with the earlier appointment date.

(b) When the employee has equal FTE percentages and simultaneous dates of employment with two or more PEBB participating organizations,

the employee may choose to enroll in benefit plans through one of the organizations.

Stat. Auth.: ORS 243.061-302

Stats. Implemented: ORS 243.061-302

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2001, f. & cert. ef. 9-6-01; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; Renumbered from 101-040-0015, PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-020-0045

Returning to Work

(1) Refer to the following rules for an employee returning to paid regular status from the following leave status:

(a) Continuation of Benefits for Injured Workers (CBIW). See OAR 101-030-0010.

(b) Federal Family Medical Leave Act (FMLA). See OAR 101-030-0015.

(c) Oregon Family Leave Act (OFLA). See OAR 101-030-0020.

(d) Active Military Duty Leave (USERRA). See OAR 101-030-0022.

(2) A benefit eligible employee who is not in a current benefit eligible stability period and is returning to paid regular status must work at least half-time in the month of return to be eligible for core benefits and optional plan coverage the following month if returning from:

(a) A leave without pay that is not listed in subsection (1) of this rule and has a break in coverage; or

(b) A reduction in hours below benefit eligibility criteria, unless the employee is a benefit eligible employee in a job share position.

(3) Any benefit eligible employee returning to paid regular status within 30 days without a break in core coverage from a leave not listed in (1) of this rule or from an employment termination without a break in coverages will have all previous coverage reinstated. The employee cannot make benefit plan changes. A benefit eligible employee who:

(a) Is not in a current benefit eligible stability period, must work at least half-time in the month of return for benefits to be active the following month.

(b) Is in a current benefit eligible stability period will receive benefits in the month following the return to work regardless of the number of paid regular status hours in the month of return.

Example 1: Gary is employed by an agency and receives PEBB benefits. On May 20 Gary begins a leave without pay that does not provide for continued benefits throughout the leave. Gary worked more than 80 hours in May, and the agency correctly schedules his benefit coverage end date as June 30. Gary returns to paid regular status June 5, within 30 days of the leave start and with no break in core coverage. The agency will reinstate Gary's coverage with an effective date of July 1. If Gary is in a current benefit eligible stability period, his return to paid regular status will reinstate his coverage for July 1. If he is not in a current benefit eligible stability period, he must work 80 hours in June for his coverage continuation in July. Gary cannot make any election changes to his enrollments.

Example 2: Mark retires and terminates employment at his agency on June 2. Mark has not worked 80 hours in the month of June; therefore, his agency ends his coverage on June 30. Mark is rehired by an agency into a benefit eligible position, and his hire date is July 1. This is less than 30 days; however, a break in coverage occurred on June 30. Even if Mark is in a current benefit eligible stability period his benefits will not be reinstated until August 1.

(4) A temporary or impermanent position benefit eligible employee who is in a current benefit eligible stability period has no hours of service for either 13 weeks, or a period lasting at least four weeks and longer than the employee's prior employment, is considered a new employee upon return to regular pay status. Benefits are not reinstated.

(5) A permanent previously benefit eligible employee returning to a permanent benefit eligible position within 12 months of the prior core benefit termination date is not required to work at least half-time in the month of return to be eligible for benefits the following month. The agency will reinstate the previous plan enrollments, if available, effective the first of the month following the employee's return to work. The reinstatement excludes Health and Dependent Care Flexible Spending Accounts, Commuter Accounts, and Long Term Care. The employee may make midyear plan changes to their enrollments within 30 days of the return to work date. This rule shall apply whether or not the employee is benefit eligible for the current stability period.

(6) Any previously active benefit eligible employee returning to paid regular status in a benefit eligible position after a termination of core benefits of 12 months or longer must enroll as a newly eligible employee.

Stat. Auth.: ORS 243.061 - 302

Stats. Implemented: ORS 243.061-302 & 659A.060-069

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2000, f. 11-15-00, cert. ef. 1-1-01; PEBB 1-2001, f. & cert. ef. 9-6-01; PEBB 1-2002, f. 7-30-02, cert. ef. 8-1-02; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 3-2005, f. 8-31-05, cert. ef. 9-1-05; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 2-2008, f. & cert. ef. 8-1-08; PEBB 3-2009, f. 9-29-09 cert. ef. 10-1-09; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

ADMINISTRATIVE RULES

101-030-0010

Continuation of Group Health Benefit Coverage for Injured Workers (CBIW)

(1) The state is required by ORS 659A.060-069 to continue to pay the benefit amount for PEBB health benefit coverage in effect at the time an eligible employee has a work-related injury or illness. The benefit amount may continue for up to 12 consecutive months or until one of the events listed in ORS 659A.063 occurs, whichever occurs first. Health benefit coverage for this purpose includes the medical, dental, vision, and prescription drug coverage of the employee, family members, and domestic partner.

(2) An eligible employee may continue coverage for life, short term and long-term disability, and accidental death and dismemberment insurance plans for up to 12 months if they self-pay the premiums to the agency.

(3) Refer to OAR 101-020-0002(7)(d) for employee premium payment requirements.

(4) When an employee returns to work within 12 months, they will have their previous enrollment for medical, dental, life, and disability insurance reinstated the first of the month following their return to work. The employee may make midyear plan changes within 30 days of the date they return to work.

(5) An employee returning to work will not be reinstated in any pre-tax Flexible Spending Accounts. They may reenroll within 30 days of the date they return to work.

(6) A previously benefit eligible employee returning to paid regular status immediately following CBIW is not required to work at least half-time in the month they return to be eligible for benefits the following month.

(7) A COBRA qualifying event occurs at the end of the CBIW continuation period if the employee has not returned to paid regular status.

Stat. Auth.: ORS 243.061-302 & 659A.060-069

Stats. Implemented: ORS 243.061-302 & 659A.060-069

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-030-0015

Continuation of Core Benefit Coverage for Employees Covered under the Federal Family Medical Leave Act (FMLA)

(1) The state will continue to pay the benefit amount for core benefits in effect at the time the eligible employee begins an approved FMLA leave.

(2) An eligible employee may continue the following optional plans during the approved FMLA leave by self-paying premiums or contributions to the agency:

- (a) Optional Life Insurances,
- (b) Short Term and Long Term Disability,
- (c) Accidental Death and Dismemberment Insurance, and,
- (d) Healthcare Flexible Spending Account (FSA) — The total contribution amount for the complete expected leave duration must be prepaid prior to the start of the leave.

(3) Refer to OAR 101-20-0002(7)(d) for employee premium payment requirements.

(4) An eligible employee on FMLA leave during open enrollment must make open enrollment benefit elections.

(5) An eligible employee returning to work or paid regular status the first day following the end of approved FMLA leave will have previous enrollments reinstated retroactive to the first day of the month the employee returns. The returning employee is not required to work at least half-time in the month they return to be eligible for benefits the following month.

(a) The employee must self-pay premiums for optional insurance plan reinstatements for the month in which they return.

(b) An employee returning to work will not be reinstated in Long Term Care and FSA unless the employee continued contributions to the Healthcare FSA while on approved FMLA leave. In this case, the employee will be reinstated in the Healthcare FSA.

(c) The employee may make midyear plan changes within 30 days of the date they return to work.

(6) An employee who does not return to work or to paid regular status the first work day immediately following the end of approved FMLA leave is considered the same as if returning from leave without pay. See OAR 101-020-0045(2).0045.

(7) A COBRA qualifying event occurs when the employee does not return to work and is not in paid regular status the first day after the qualified FMLA leave ends or the employee terminates employment.

Stat. Auth.: ORS 243.061 - 302

Stats. Implemented: ORS 243.061 - 302

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 2-2008, f.

& cert. ef. 8-1-08; PEBB 7-2010, f. 12-10-10, cert. ef. 1-1-11; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

101-030-0020

Continuation of Group Medical and Dental Insurance Coverage for Employees Covered under the Oregon Family Leave Act (OFLA) — ORS 659A.150-186

(1) A permanent, temporary or impermanent benefit eligible employee who qualifies for OFLA leave will continue benefits as outlined in OAR 101-020-0005 according to their benefit eligible current stability status at the time the leave starts.

(2) When benefits continue, refer to OAR 101-20-0002(7)(d) for employee premium payment requirements.

(3) If active employee's PEBB insurance coverage ends, the employee will receive a COBRA election notice. See OAR 101-030-0005.

(4) See OAR 101-020-0045 Returning to Work.

Stat. Auth.: ORS 243.061-302 & 659A.150-186

Stats. Implemented: ORS 243.061-302 & 659A.150-186

Hist.: PEBB 1-1999, f. 12-8-99, cert. ef. 1-1-00; PEBB 1-2004, f. & cert. ef. 7-2-04; PEBB 3-2004, f. & cert. ef. 10-7-04; PEBB 2-2007, f. 9-28-07, cert. ef. 10-1-07; PEBB 3-2014(Temp), f. & cert. ef. 11-12-14 thru 5-10-15

Oregon Health Authority, Public Health Division Chapter 333

Rule Caption: New program rules for Ryan White Part B, HIV Case Management Program

Adm. Order No.: PH 29-2014

Filed with Sec. of State: 11-10-2014

Certified to be Effective: 12-1-14

Notice Publication Date: 9-1-2014

Rules Adopted: 333-022-2000, 333-022-2010, 333-022-2020, 333-022-2030, 333-022-2040, 333-022-2050, 333-022-2060, 333-022-2070, 333-022-2080, 333-022-2090, 333-022-2100, 333-022-2110, 333-022-2120

Subject: The Oregon Health Authority, Public Health Division, HIV Community Program is adopting rules to govern the administration of the Ryan White Part B, HIV Case Management Program. The program currently has policies and procedures but must formalize these through the rulemaking process. The adopted rules generally reflect current practice and the manner in which the program has been operating. They do not represent any significant change in who are eligible, services provided, or how the program services will be administered.

Rules Coordinator: Brittany Sande—(971) 673-1291

333-022-2000

Purpose

(1) The Oregon HIV Case Management Program provides case management and supportive services, through Ryan White Part B case management agencies, that include but are not limited to client-centered services that ensure timely and coordinated access to primary medical care, medications, treatment adherence counseling and other support services for HIV-positive individuals.

(2) Case management and supportive services will be available as long as the Oregon Health Authority (Authority) continues to receive Ryan White Program, Part B funds for this purpose.

(3) If insufficient funds are available for case management and supportive services, the Authority may reduce case management services or reduce funding for supportive services.

Stat. Auth.: ORS 413.042, 431.250, 431.830

Stats. Implemented: ORS 431.250, 431.830

Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2010

Definitions

(1) "Agency" refers to a contracted provider delivering Ryan White funded services.

(2) "AIDS" means acquired immunodeficiency syndrome.

(3) "Authority" means the Oregon Health Authority.

(4) "Family" means all individuals counted by an agency in determining the individual or client's family size.

(5) "Federal Poverty Level" or "FPL" means the annual poverty income guidelines, published by the United States Department of Health and Human Services.

ADMINISTRATIVE RULES

(6) "Gross monthly income" means income before taxes or other withholdings.

(7) "HIV" means the human immunodeficiency virus, the causative agent of AIDS.

(8) "HIV case management service area" means all Oregon counties except Multnomah, Washington, Clackamas, Columbia and Yamhill.

(9) "Ryan White Program, Part B" means The Ryan White HIV/AIDS Program authorized and funded under Title XXVI of the Public Health Services Act, as amended by the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Public Law 111-87, October 30, 2009).

(10) "Ryan White Part B case management services agency" or "agency" means a contractor of the Authority that is responsible for providing case management services and administering supportive services to individuals living with HIV/AIDS in a specific jurisdiction.

(11) "Supportive services" means financial assistance that can be authorized on behalf of an individual enrolled in Ryan White Part B case management services.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2020

Eligibility

To be eligible for the HIV Case Management Program an individual must:

- (1) Be HIV positive or have AIDS; and
- (2) Reside in an agency's jurisdiction within the HIV case management service area, unless another agency agrees to provide services and the Authority authorizes the provision of services by that other agency

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2030

Enrollment Process

(1) To enroll in the HIV Case Management Program an individual must go through an intake process with a local Ryan White Part B case management services agency. A list of the agencies may be obtained on the Authority's website at www.healthoregon.org/hiv.

(2) During the intake process an individual must provide information to an agency that enables the agency to verify at least the following:

- (a) Identity;
 - (b) HIV status;
 - (c) Residency in the HIV case management service area;
 - (d) Income;
 - (e) Household member information; and
 - (f) Health insurance information, if applicable.
- (3) Identity may be verified for an individual by providing one of the following:

- (a) Oregon Driver License;
 - (b) Tribal identification (ID);
 - (c) State of Oregon ID card;
 - (d) Military ID;
 - (e) Passport;
 - (f) Student ID;
 - (g) Social Security Card;
 - (h) Citizenship/Naturalization documents;
 - (i) Student visa;
 - (j) Oregon Learner's Permit or Temporary License;
 - (k) Birth certificate; or
 - (l) Other form of verification determined appropriate by an agency.
- (4) HIV/AIDS status must be verified within 30 days of intake by a physician or lab result.

(5) Documents that verify that an individual resides in the HIV case management service area include but are not limited to documents with the client's full legal name and an address, within the service area, that matches the residential address provided during the intake.

(6) Determination and verification of income:

(a) Family size will be determined by counting the individuals related by birth, marriage, adoption, or legally defined dependent relationships who either live in the same household as the individual seeking to enroll in the HIV Case Management Program and for whom that individual is financially responsible, or whom do not live in the same household as the individual but fall within the categories listed in subsections (b), (c) or (d) of this section, including but not limited to:

- (A) A legal spouse; or

(B) A child 18 years of age or younger who qualifies as a dependent for tax filing purposes; or

(C) A child age 19 to 26 years of age who takes 12 or more credit hours in a school term, or its equivalent; or

(D) An adult for whom the individual has legal guardianship.

(b) Gross monthly income:

(A) An individual must submit documentation for all family members and from all sources to determine total monthly gross income for a family. Income after taxes or other withholdings may only be used when:

(i) A self-employed individual or the individual's family member files an Internal Revenue Service, Form 1040, Schedule C in which case the agency will allow a 50 percent deduction from gross receipts or sales; or

(ii) An individual or individual's family member has income from rental real estate and provides a copy of the most recent year's IRS Form 1040 (Schedule E). In this case the agency may use the total rental real estate income, as reported on the Schedule E. If the Schedule E shows a loss, the applicant or applicant's family member shall be considered to have no income from this source.

(B) The agency must determine an applicant's income by adding together all sources of family income, and dividing that number by the applicable FPL. The resultant sum is the applicant's percentage of the FPL.

(7) An individual must sign any authorization necessary to permit the agency to exchange information with the individual's health care providers, and any other individual or entity necessary to coordinate care and services.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2040

Approval or Denial of Enrollment

(1) The agency will make a determination as to whether the individual is eligible for case management services within 30 days of receiving all documentation in accordance with OAR 333-022-2030.

(2) If the agency determines that an individual cannot be enrolled in the HIV Case Management Program an individual will be notified in accordance with ORS 183.415.

(3) An individual who has been denied may reapply at any time.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2050

Determination of Service Needs

Once enrolled in the HIV Case Management Program, a client must participate in a screening and assessment process with an agency to review his or her needs and resources, for the purpose of developing a plan to address the needs identified. The purpose of this assessment is to identify actions to remove barriers to HIV care and treatment.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2060

Client Rights

Individuals applying for or clients enrolled in the HIV Case Management Program have the following rights:

(1) To receive HIV case management services free of discrimination based on race, color, sex, gender, ethnicity, national origin, religion, age, class, sexual orientation, physical or mental ability.

(2) To be informed about services and options available in the HIV Case Management Program.

(3) To have HIV case management services and other program records maintained confidentially in accordance with OAR chapter 943, division 14.

(4) To have access to a written grievance process provided by the agency.

(5) To receive language assistance services including access to translation and interpretation services, at no cost if the individual or client has limited English proficiency, in order to access HIV case management services.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2070

Client Responsibilities

A client enrolled in the HIV Case Management Program is expected to:

ADMINISTRATIVE RULES

- (1) Participate in screening, assessment, care plan development and implementation activities;
 - (2) Provide accurate eligibility information at all times;
 - (3) Inform the case manager of changes in address, phone number, income, family size, legal name change, or health insurance coverage within 15 days;
 - (4) Make and keep appointments, or cancel or change an appointment within 24 hours of the scheduled time; and
 - (5) Other responsibilities as designated by the agency.
- Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2080

Supportive Services

- (1) A client enrolled in the HIV Case Management Program may be eligible for supportive services if income is at or below 250 percent of the FPL.
 - (2) Authorization by an agency of supportive services is discretionary and a decision to provide such services will be based on the following factors:
 - (a) The agency is funded to provide the services;
 - (b) The funds are available in the agency budget;
 - (c) The services are allowable per the contract with the Authority;
 - (d) No other payer exists to provide the needed services, with the exception of those that qualify for Veteran's Administration or Indian Health Services who may still qualify to receive Ryan White services;
 - (e) The client is eligible and currently active in the HIV Case Management Program; and
 - (f) The client's need for the service has been determined by the agency and documented in the client's file.
 - (3) An agency may authorize supportive services for any of the following:
 - (a) Emergency financial assistance, per agency budget, including but not limited to assistance with short-term medical costs, food, utilities or housing;
 - (b) Housing assistance, including but not limited to short-term assistance to support emergency, temporary or transitional housing;
 - (c) Linguistics services, meaning interpretation and translation services;
 - (d) Medical nutritional therapy provided by a licensed registered dietitian outside of a primary care visit, including the provision of nutritional supplements;
 - (e) Oral health care, including but not limited to diagnostic, preventive, and therapeutic services provided by general dental practitioners, dental specialists, dental hygienists and auxiliaries, and other trained primary care providers;
 - (f) Outpatient substance abuse services, meaning the provision of medical or other treatment or counseling to address substance abuse problems in an outpatient setting, provided by a physician or under the supervision of a physician or other qualified/licensed personnel;
 - (g) Residential substance abuse services, meaning treatment to address substance abuse problems in a residential health service setting, provided by a physician or under the supervision of a physician or other qualified/licensed personnel;
 - (h) Home health care services provided in the home by licensed health care workers such as nurses, and the administration of intravenous and aerosolized treatment, parenteral feeding, diagnostic testing, and other medical therapies;
 - (i) Mental health services meaning psychological and psychiatric treatment and counseling services offered to individuals with a mental illness, conducted in a group or individual setting, and provided by a mental health professional licensed or authorized within the state to render such services;
 - (j) Medical transportation services necessary to access health care services; or
 - (k) Other services funded by the Authority.
- Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2090

Client Enrollment Review

- (1) A client must participate with the agency at least every six months in reviewing the client's eligibility and enrollment information for HIV case management services, and at any time the agency deems it necessary within an eligibility period.

- (2) An individual who does not provide an agency with the information necessary to verify continued eligibility may not receive supportive services until continued eligibility is documented.
- Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2100

Incarcerated Applicants or Clients

- (1) An individual who is incarcerated may not be enrolled in the HIV Case Management Program and may not continue to be enrolled in the program except as described in section (2) of this rule.
 - (2) An agency may enroll or continue to provide services to an individual who is incarcerated in order to facilitate an HIV positive inmate's transition from a correctional facility to the community under the following circumstances:
 - (a) The incarcerated person will be released within 180 days; and
 - (b) There are no other transitional case management or discharge planning services provided by the correctional facility.
- Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2110

Termination

- (1) A client enrolled in the HIV Case Management Program may be terminated from the program for any of the following:
 - (a) Failure to continue to meet eligibility requirements;
 - (b) Placement in a custodial institution for more than 180 days, such as a state or federal prison that is legally obligated to provide medical services;
 - (c) Cannot be located or is unresponsive to program requests for more than 60 days;
 - (d) Submitting false, fraudulent or misleading information in order to obtain or retain benefits;
 - (e) Fraudulent use of supportive services; or
 - (f) Consistent documented violations of the responsibilities outlined in OAR 333-022-2070.
 - (2) If an agency proposes to terminate an individual from the program it must notify the individual in writing, and the individual must be informed of their hearing rights per ORS 183.415. An appeal must be submitted to the local or state authority to arrange the hearing.
- Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-2120

Hearings

- A client who has been terminated has a right to a contested case hearing in accordance with ORS chapter 183.
- Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 29-2014, f. 11-10-14, cert. ef. 12-1-14

Rule Caption: New program rules for Ryan White Part B, AIDS Drug Assistance Program - CAREAssist

Adm. Order No.: PH 30-2014

Filed with Sec. of State: 11-10-2014

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Rules Adopted: 333-022-1010, 333-022-1020, 333-022-1030, 333-022-1040, 333-022-1050, 333-022-1060, 333-022-1070, 333-022-1080, 333-022-1090, 333-022-1100, 333-022-1110, 333-022-1120, 333-022-1130, 333-022-1140, 333-022-1145, 333-022-1150, 333-022-1160, 333-022-1170

Rules Ren. & Amend: 410-121-3000 to 333-022-1000

Subject: The Oregon Health Authority (Authority), Division of Medical Assistance Programs, Pharmacy Programs, AIDS Drug Assistance Program/CAREAssist is adopting rules to govern the administration of the Ryan White Part B, AIDS Drug Assistance Program. These rules describe the services provided by the AIDS Drug Assistance Program, also known as CAREAssist and is one part of the Ryan White Part B program. The rules outline eligibility criteria, the enrollment process, allowable services, client rights, inactivation/termination from the program and hearing rights.

Rules Coordinator: Brittany Sande—(971) 673-1291

ADMINISTRATIVE RULES

333-022-1000

Purpose and Description of Program

(1) The CAREAssist program is Oregon's AIDS Drug Assistance Program (ADAP). The core purpose of CAREAssist is to ensure access to HIV-related prescription drugs to underinsured and uninsured individuals living with HIV/AIDS. CAREAssist also helps people living with HIV or AIDS pay for medical care expenses, including but not limited to medication, insurance premiums and medical services. The program is funded through Part B of the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Public Law 111-87), which provides grants to states and territories.

(2) The Oregon Health Authority (Authority) shall make funds available for the CAREAssist program as long as it continues to receive grant funds from the federal government.

(3) If insufficient funds are available for the CAREAssist program the Authority may:

- (a) Modify group benefits for approved clients; and
- (b) Institute a waiting list in lieu of accepting applications.

(4) Ryan White funds may not be used for any item or service if payment has been made, or can reasonably be expected to be made by another payment source. ADAP is a last-resort payment source. As such, the Authority may require the applicant or client to enroll in the most cost-effective insurance available, as determined by the Authority. If the client or applicant refuses to enroll in health insurance that the Authority has identified as the most cost-effective plan for which he or she is eligible, the Authority shall only provide assistance with the cost of HIV antiretroviral and opportunistic infection-related medications as identified in the formulary.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: HD 14-1987(Temp), f. & cert. ef. 9-30-87; HD 9-1988, f. 5-11-88, cert. ef. 5-12-88; HD 1-1990(Temp), f. & cert. ef. 1-8-90; PH 9-2005, f. 6-15-05, cert. ef. 6-21-05; PH 25-2010(Temp), f. & cert. ef. 10-1-10 thru 3-29-11; Renumbered from 333-012-0250 by DMAP 5-2011, f. & cert. ef. 3-29-11; Renumbered from 410-121-3000, PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1010

Definitions

(1) "AIDS" means acquired immunodeficiency syndrome.

(2) "Authority" means the CAREAssist program, administered by the Oregon Health Authority.

(3) "CAREAssist" includes benefits provided to clients under Bridge, UPP, Group 1 or Group 2 as those terms are used in OAR 333-022-1000 through 333-022-1170.

(4) "CAREAssist formulary" or "formulary" means a list of medications available to enrolled clients of CAREAssist when the same drug or a therapeutic all comparable medication is not available through the client's primary health insurance.

(5) "Federal Poverty Level" or "FPL" means the annual poverty income guidelines, published by the United States Department of Health and Human Services.

(6) "Family" means all individuals counted by the Authority in determining the applicant's or client's family size.

(7) "Monthly income" means the monthly average of any and all monies received on a periodic or predictable basis, which the family relies on to meet personal needs.

(8) "Gross monthly income" means income before taxes or other withholdings.

(9) "HIV" means the human immunodeficiency virus, the causative agent of AIDS.

(10) "OHP" means the Oregon Health Plan.

(11) "Oregon residency" means that an individual:

- (a) Has a physical location to reside in Oregon; and
- (b) Is in Oregon at least six months out of the year; and
- (c) Is not absent from Oregon more than three consecutive months; or
- (d) Is living out of state but is a full-time student attending an educational institution and maintaining a residential address in Oregon; or
- (e) Has employment outside of the state which requires temporary relocation of more than three consecutive months to accomplish the work.

(12) "Refuses" means a client or applicant actively declines enrollment in the insurance identified by the Authority.

(13) "Seasonal worker" means the applicant performs work cyclical during the year and most often the work is defined by seasons and typically defined by the calendar year.

(14) "Special enrollment period" means a time period outside of open enrollment in which a client is eligible to apply for private insurance because they experienced a qualifying event as defined by the Affordable Care Act.

(15) "UPP" means the CAREAssist Uninsured Persons Program.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1020

Eligibility

To qualify for the CAREAssist program an individual must:

- (1) Be HIV positive or have AIDS; and
- (2) Reside in Oregon; and
- (3) Have a monthly income based on family size which is at or below 400 percent of the FPL.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1030

Application Process

(1) An individual may apply for CAREAssist benefits by completing a form prescribed by the Authority and providing the documentation as instructed in the application so that the Authority can verify that the applicant:

- (a) Has tested positive for HIV or has AIDS; and
- (b) Has a monthly income based on family size at or below 400 percent of the FPL; and
- (c) Is a resident of Oregon.

(2) An applicant must sign an authorization that permits the Authority to contact and exchange information with the applicant's health care providers, insurers, and any other individual or entity necessary to determine the applicant's eligibility for CAREAssist, process payments and facilitate care coordination for the client.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1040

Review of Applications

(1) The Authority must review an application to determine if it is complete.

(a) An applicant or the applicant's case manager shall be notified by the Authority if the application is incomplete. Notifications shall identify what information is missing and the deadline for submitting the missing information.

(b) If the applicant does not provide the requested information before the deadline the Authority must notify the applicant in writing that the application is incomplete, shall no longer be reviewed, and that the applicant may reapply at any time.

(2) Once an application is deemed complete the Authority may verify the information submitted and make a determination within 10 business days as to whether the applicant is eligible for CAREAssist benefits.

(3) Verification of Oregon residency.

(a) An applicant must provide documentation verifying Oregon residency, as outlined in the application.

(b) An applicant may be asked to appear at an Authority office or a local case management provider's office in person if the applicant's residency status is in question.

(c) If an applicant is a seasonal worker who must be out of state for more than three consecutive months for employment, the applicant may be considered to reside in Oregon but must receive prior authorization, in writing, from the program before leaving the state for work.

(4) Verification of HIV/AIDS status. The applicant must ensure that a form prescribed by the Authority that verifies an applicant's HIV/AIDS status is signed and submitted to the Authority by:

- (a) The applicant's health care provider; or
- (b) The applicant's HIV case manager, if the case manager has received documentation of HIV/AIDS status directly from a health care provider.

(5) Determination of family size. The Authority shall determine an applicant's family size by counting the individuals related by birth, marriage, adoption, or legally defined dependent relationships who either live in the same household as the applicant and for whom the applicant is financially responsible, or whom do not live in the same household as the applicant but fall within the categories listed in subsections (b), (c) or (d) of this section, including but not limited to:

- (a) A legal spouse; or
- (b) A child 18 years of age or younger who qualifies as a dependent for tax filing purposes; or

ADMINISTRATIVE RULES

(c) A child age 19 to 26 who takes 12 or more credit hours in a school term, or its equivalent; or

(d) An adult for whom the applicant has legal guardianship.

(6) Determination of monthly income.

(a) An applicant must submit to the Authority income documentation for all family members and from all sources. The Authority shall use the documentation to calculate the total monthly income for a family. Income after taxes or other withholdings may only be used when:

(A) A self-employed applicant or the applicant's family member provides a copy of the most recent year's IRS Form 1040 (Schedule C) in which case the Authority may allow a 50 percent deduction from gross receipts or sales; or

(B) An applicant or applicant's family member has income from rental real estate and provides a copy of the most recent year's IRS Form 1040 (Schedule E). In this case the Authority may use the total rental real estate income, as reported on the Schedule E. If the Schedule E shows a loss, the applicant or applicant's family member shall be considered to have no income from this source.

(b) The Authority must determine an applicant's income by adding together all sources of family income, and dividing that number by the applicable FPL. The resultant sum is the applicant's percentage of the FPL. For example, if total annual income for a family of two is \$31,460 and 100 percent FPL for a family of two is \$15,730 for the current year: \$31,460 divided by \$15,730 equals two or 200 percent FPL.

Stat. Auth.: ORS 413.042, 431.250, 431.830

Stats. Implemented: ORS 431.250, 431.830

Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1050

Approval or Denial of Application

(1) If the Authority determines that an applicant is eligible for CAREAssist benefits the applicant shall be notified in writing within 10 business days of the Authority's determination and be assigned to a benefit group as follows:

(a) Group 1: Clients who are enrolled in a private, group or individual insurance policy and who may be required to participate in cost sharing in accordance with OAR 333-022-1110; or

(b) Group 2: Clients whose primary prescription benefits are provided by OHP or the Department of Veterans Affairs (VA).

(2) A client's notification must describe:

(a) The eligibility effective date and end date;

(b) Group number and benefits associated with that group;

(c) A list of CAREAssist in-network pharmacies;

(d) Cost-sharing responsibilities, if applicable;

(e) Recertification date and process; and

(f) The repercussions of not recertifying.

(3) CAREAssist eligibility is for six months.

(4) If the Authority determines that an applicant is not eligible for CAREAssist benefits an applicant shall be notified in writing in accordance with ORS 183.415.

(5) An applicant who has been denied may reapply at any time.

Stat. Auth.: ORS 413.042, 431.250, 431.830

Stats. Implemented: ORS 431.250, 431.830

Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1060

Group 1 and 2 Benefits

(1) Group 1 and 2 clients are eligible for assistance with:

(a) The cost of health insurance premiums if applicable, provided the coverage, at a minimum includes pharmaceutical benefits equivalent to the HIV antiretroviral and opportunistic infection-related medications on the CAREAssist formulary as well as coverage for other essential medical benefits as defined by the Affordable Care Act.

(b) Copays, coinsurance and deductibles on prescription drugs covered by the client's primary health insurance, with the exception of medications prescribed to treat erectile dysfunction.

(c) Copays, coinsurance and deductibles on medical services covered by the client's primary health insurance, up to a maximum amount set by the program each calendar year. Eligible medical services include but are not limited to laboratory tests, office visits, emergency room visits, X-rays, and hospital stays.

(d) The full cost of CAREAssist formulary prescriptions, filled at an in-network pharmacy when:

(A) The client has successfully enrolled in insurance but coverage is not yet active; or

(B) The client's insurance policy does not cover the cost of the prescription; and

(C) The prescribing provider submitted a Prior Authorization Request to the client's primary insurance, the request was denied and there is no acceptable therapeutic substitution.

(e) Prescription drugs if the required copay exceeds the cost of the prescription medication and the insurance policy therefore does not pay.

(f) Medication therapy management.

(2) CAREAssist clients who smoke or chew tobacco may be eligible to receive additional and enhanced services from the Oregon Tobacco Quit Line (1-800-QUIT-NOW), if funding is available.

(3) A client on restricted status may not be entitled to some of the benefits described in section (1) and (2) of this rule.

(4) The Authority shall only make payments directly to a service provider or benefits administrator. No reimbursements or direct payments may be made to a client or an individual who pays on behalf of a client.

Stat. Auth.: ORS 413.042, 431.250, 431.830

Stats. Implemented: ORS 431.250, 431.830

Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1070

Prescriptions

(1) Unless an exception applies under subsections (3)(a) or (b) of this rule, CAREAssist clients must use an Authority-approved CAREAssist in-network pharmacy for all:

(a) Medications not designated as acute on the CAREAssist formulary;

(b) Chronic care medications; and

(c) Medications paid for in full by the Authority

(2) The Authority must provide to each client a list of approved pharmacies and post the information on the CAREAssist website.

(3) A CAREAssist client may use a non-CAREAssist in-network pharmacy if:

(a) His or her insurance carrier requires use of a pharmacy that is not a CAREAssist in-network pharmacy; and

(b) He or she has provided the Authority with a copy of the insurance summary of benefits for that insurance plan and the requirement to use a non-CAREAssist in-network pharmacy is explicitly stated in that insurance summary.

Stat. Auth.: ORS 413.042, 431.250, 431.830

Stats. Implemented: ORS 431.250, 431.830

Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1080

Payments and Cost Coverage

(1) The Authority may only make insurance premium payments directly to the insurance carrier or benefits administrator. No direct payments may be made to a client.

(2) When no other payer for health coverage (public assistance or private) is available, CAREAssist may pay insurance premiums for a limited time for a client's insurance plan that covers his or her family members if the monthly premium cannot be divided, until the Authority determines that the client's family members can obtain their own policies.

(3) The Authority may not use CAREAssist funds to pay for any administrative costs, which are in addition to the premium payment.

(4) Authority payments for prescriptions follow the health insurance pharmacy benefits defined within the policy and may not pay for the cost to dispense a brand-name drug when a generic equivalent is the preferred option of the health insurance.

(5) The Authority shall only cover the costs of medications that are covered by the client's health insurance or those specifically listed on the CAREAssist formulary as additional benefits to the client, and prior to any payments being made by the Authority must receive a determination by the prescriber that no acceptable therapeutic equivalent is available through the primary insurance.

(6) The Authority may only pay for HIV medications or a combination of HIV drugs as approved in the federal Department of Health and Human Services (DHHS) Treatment Guidelines, which can be found at <http://aidsinfo.nih.gov/guidelines>.

(a) The CAREAssist Pharmacy Benefits Manager (PBM) clinical pharmacist team (team) assesses each client's medication regimen to ensure that it conforms to current DHHS guidelines. In the event that a treatment recommendation or guideline is not followed, the clinical pharmacist at the PBM shall notify the Authority that payment may not be made until the prescriber submits a prior authorization form to the PBM's clinical pharmacist.

(b) The Authority may deny payment for medications that are determined to be clinically inappropriate pursuant to the DHHS Treatment Guidelines.

(7) Third party benefits.

ADMINISTRATIVE RULES

(a) The Authority shall identify and inform clients of an amount to be provided within the calendar year for medical service copays and deductible. The annual financial amount shall be posted on the CAREAssist website at the beginning of each calendar year. All costs exceeding the published amount are the client's responsibility.

(b) The Authority may pay for a client's out-of-pocket medical service expense for an insurance-covered medical service or durable medical equipment, up to an annual maximum amount. The client's primary insurance must cover the service or device before CAREAssist assumes any financial cost

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1090

Client Eligibility Review

(1) The Authority must verify a client's eligibility every six months, but may conduct an eligibility review at any time and as many times as necessary within an eligibility period.

(2) The Authority must provide CAREAssist clients with a Client Eligibility Review (CER) form and instructions within 60 days of the expiration of their current eligibility period.

(3) A client must submit the CER and any other required documentation within the timeframe established by the Authority in the instructions. A deadline for submitting the CER or requested documentation may be extended at the discretion of the Authority.

(4) The Authority shall review a client's application and supporting documentation and verify the information in accordance with OAR 333-022-1040.

(5) The Authority must notify a client in writing whether his or her benefits continue and whether there are any changes. If a client is not found eligible for continued benefits the client shall have a right to a hearing in accordance with ORS 183.415.

(6) A CAREAssist client who fails to submit the required renewal documents by the requested deadline shall no longer be eligible to receive benefits, but may reapply at any time. The Authority must provide notice to the client that he or she is no longer eligible for benefits because eligibility could not be verified and inform the client that benefits shall end effective the first day of the following month.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1100

Client Reporting Requirements

(1) A CAREAssist client is required to notify the Authority within 15 calendar days of any of the following:

(a) Receiving notification of changes to premium payments or benefits from his or her insurance company or a benefits administrator;

(b) Changes in contact information including address and phone number; or

(c) Changes in eligibility for group or individual insurance coverage, whether private or publicly funded.

(2) A client's failure to notify the Authority in accordance with section (1) of this rule may result in a client being terminated from the program in accordance with OAR 333-022-1160. A client who is terminated under this section because the client failed to notify the Authority that his or her insurance plan was cancelled may not be eligible to reapply until the client is enrolled in an insurance plan.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1110

Cost Sharing Program

(1) All Group 1 and UPP clients with monthly income greater than 150 percent of the FPL must participate in the cost sharing program.

(a) A group 1 or UPP client is required to pay to the Authority monthly a sum equaling two percent of the client's monthly income, adjusted for family size;

(b) Payment must be received by the 21st of each month.

(2) The Authority may permit each client to have a payment grace period through the last day of the billing month

(3) The Authority may grant a client an extension of time beyond the grace period for good cause to make a cost sharing payment at its discretion. An extension may be requested by the client or the client's HIV case manager. For the purposes of this rule, "good cause" means an action,

delay, or failure to act that arises from an excusable mistake or from factors beyond a client's reasonable control.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1120

Restricted Status

(1) The Authority may place a client on restricted status if the client falls more than one month behind on cost share payments.

(2) The Authority shall notify a client of the restricted status. The notice must comply with ORS 183.415 and explain:

(a) How long the restriction is in effect;

(b) How the client can come into compliance and have the restriction lifted; and

(c) The consequences of not coming into compliance within the specified time period.

(3) If a client is placed on restricted status the Authority may only provide the following benefits to the client:

(a) Payment of insurance premiums; and

(b) Payment of medications that treat HIV, viral hepatitis and opportunistic infections, as those are described in the CAREAssist formulary.

(4) Clients on restricted status are ineligible for copay assistance for any medical service, even when that service continues to be paid by the client's primary insurance.

(5) A client who is placed on restricted status the first time in a 12 month period shall be re-instated to full benefits after the end of the three month restricted period, unless reinstated at an earlier date. The balance remaining at the end of this restricted period shall be removed. The client is no longer obligated to pay this amount.

(6) A client who is placed on restricted status a second time within a 12 month period shall remain on restricted status until the unpaid balance has been paid to the Authority.

(7) A client shall be eligible for full benefits once any unpaid cost-sharing balance has been paid. A client shall be eligible for full CAREAssist benefits effective the day that payment has been accepted by the Authority's banking institution.

(8) Clients are responsible for the cost of non-covered services incurred during the restriction period.

(9) Clients on a restricted status are required to comply with OAR 333-022-1090.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1130

Incarcerated Applicants or Clients

(1) A CAREAssist client who is incarcerated in a state or federal correctional institution is ineligible for CAREAssist and shall be terminated from the program in accordance with OAR 333-022-1160.

(2) A CAREAssist client who is incarcerated in a city or county correctional facility may remain enrolled in the program for up to 60 days from the first day of incarceration as long as:

(a) The client's primary insurance coverage is maintained and active; and

(b) The client completes recertification in accordance with OAR 333-022-1090 as scheduled.

(3) At the Authority's discretion, incarcerated clients, as described in section (2) may continue to receive CAREAssist benefits for an additional 30 days if the client is expected to be released within those additional 30 days.

(4) Pre-release application to CAREAssist. The Authority may accept an application and determine eligibility for an individual who is incarcerated but is expected to be released within 30 days of submitting the application.

Stat. Author.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1140

Bridge Program

(1) The Bridge Program provides limited benefits to an individual whose medical provider has applied for the program on the patient's behalf. The program provides payment for basic services and medications for an individual who is in the process of applying for CAREAssist and insurance.

(2) Bridge Program eligibility. In order to be eligible for the Bridge Program an individual must:

(a) Be HIV positive or have AIDS;

ADMINISTRATIVE RULES

- (b) Reside in Oregon;
- (c) Have income at or below 400 percent of the FPL;
- (d) Be in the process of applying for long-term medication assistance programs such as Medicaid, Medicare, or applying to CAREAssist; and
- (e) Have not previously received Bridge Program benefits or have not been terminated from the CAREAssist program within the past 365 days.

(3) To apply for Bridge Program benefits a patient's medical provider must, on behalf of the patient, submit a form prescribed by the Authority and sign the form attesting that the individual is HIV positive or has AIDS. If the health care provider is licensed outside of Oregon, the Authority may request a copy of the applicant's most current laboratory results.

(4) The Authority must notify an applicant whether the patient's application has been approved or denied, in accordance with ORS 183.415.

(5) An individual enrolled in the Bridge Program is not guaranteed to be determined eligible for CAREAssist benefits.

(6) The Bridge Program benefits include:

(a) Assistance with the cost of a 30-day supply of prescription drugs listed on the CAREAssist formulary and designated as available to Bridge Program participants, only if dispensed by a CAREAssist contract in-network pharmacy.

(b) Payment of the costs of medical services and laboratory tests as defined by the list of approved Current Procedural Terminology (CPT) codes noted on the Bridge Program instructions and application forms. Reimbursement to providers is up to 125 percent of the current Oregon Division of Medical Assistance Programs (DMAP) (Medicaid) Fee For Service rate for that service or laboratory test.

(7) The Authority may only pay for an individual's medical visits or laboratory tests for dates of service that are on or after the individual's enrollment in the Bridge Program.

(8) Individuals enrolled in the Bridge Program must actively participate with an assigned CAREAssist caseworker to assure progress toward a sustainable means of medication access. Failure to do so may result in cancellation of enrollment. At a minimum, the client is expected to submit a full application for ongoing assistance with CAREAssist within the 30 days of Bridge Program enrollment.

(9) The Bridge Program is not available to an individual who has primary health insurance coverage.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1145

Uninsured Persons Program

(1) The Uninsured Persons Program (UPP) provides full-cost coverage for a limited number of medications and medical services for clients who are ineligible for insurance.

(2) In order to be eligible for UPP an individual must:

(a) Meet all eligibility requirements outlined in OAR 333-022-1020; and

(b) Be ineligible for public and private insurance that meets minimum essential coverage under the federal Affordable Care Act, Public Law 111-148; and

(c) Be enrolled in Ryan White community-based HIV Case Management Services.

(3) To apply for UPP an individual must comply with OAR 333-022-1030 and an application shall be reviewed by the Authority in accordance with OAR 333-022-1040, as applicable.

(4) If the Authority determines that an applicant is eligible for CAREAssist benefits the applicant shall be notified in writing within 10 business days of the Authority's determination. A client's notification must describe:

- (a) The eligibility effective date and end date;
- (b) Group number and benefits associated with that group;
- (c) A list of CAREAssist in-network pharmacies;
- (d) Cost-sharing responsibilities, if applicable;
- (e) Recertification date and process; and
- (f) The repercussions of not recertifying.

(5) UPP eligibility is for six months.

(6) If the Authority determines that an applicant is not eligible for UPP benefits an applicant will be notified in writing in accordance with ORS 183.415.

(7) An applicant who is denied may reapply at any time.

(8) UPP benefits include:

(a) Assistance with the cost of prescription drugs listed on the CAREAssist formulary, when dispensed by a CAREAssist contract in-network pharmacy;

(b) Full-cost laboratory and medical visits performed in an out-patient setting. Coverage is limited to allowable CPT codes, as designated by the program. The program may cover the cost of each allowable CPT code up to four times a year. Any additional coverage requires prior authorization initiated by the client's prescribing physician. Reimbursement to providers is up to 125 percent of the current Oregon DMAP (Medicaid) Fee For Service rate for that service or laboratory test;

(c) Medication therapy management; and

(d) Smoking cessation services.

(9) An UPP client must notify the Authority immediately if he or she becomes eligible for insurance or obtains insurance.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1150

Client Rights

Applicants and clients have the following rights:

(1) To receive CAREAssist services free of discrimination based on race, color, sex, gender, ethnicity, national origin, religion, age, class, sexual orientation, physical or mental ability.

(2) To be informed about services and options available in the CAREAssist programs for which they may be eligible.

(3) To have their CAREAssist records be treated confidentially in accordance with OAR chapter 943, division 14.

(4) To have access to a written grievance process posted on the CAREAssist website.

(5) To receive language assistance services, including access to translation and interpreter services at no cost if the individual has limited English proficiency.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1160

Termination from CAREAssist

(1) The Authority may terminate a client or restrict benefits for any of the following:

(a) Failure to continue to meet eligibility requirements;

(b) Submitting false, fraudulent or misleading information to the Authority in order to obtain or retain benefits;

(c) Placement in a custodial institution, such as a state or federal prison, that is legally obligated to provide medical services; or

(d) Failure to notify the Authority of changes in accordance with OAR 333-022-1100.

(2) The Authority must provide a notice of termination to a client in writing in accordance with ORS 183.415.

(3) An individual who is found to have provided false, fraudulent or misleading information to the Authority may not reapply for CAREAssist benefits for six months following the issuance of a final order of termination and may be required to repay the Authority for benefits provided.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

333-022-1170

Hearings

A client who has benefits denied, restricted, or terminated has a right to a contested case hearing in accordance with ORS chapter 183.

Stat. Auth.: ORS 413.042, 431.250, 431.830
Stats. Implemented: ORS 431.250, 431.830
Hist.: PH 30-2014, f. 11-10-14, cert. ef. 12-1-14

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Oregon State Marine Board
Chapter 250

Rule Caption: Adopt 2014 edition of the Attorney General Model Rules

Adm. Order No.: OSMB 10-2014

Filed with Sec. of State: 10-30-2014

Certified to be Effective: 11-1-14

Notice Publication Date:

Rules Amended: 250-001-0005

Subject: Update the agency's reference to the 2014 edition of the Oregon Attorney General's Model Rules and Uniform Rules of Procedure.

Rules Coordinator: June LeTarte—(503) 378-2617

ADMINISTRATIVE RULES

250-001-0005

Model Rules of Practice and Procedure

(1) The Model Rules of Procedure, OAR 137-003-0501 to 137-003-0700, as promulgated by the Attorney General of the State of Oregon, apply to all contested case hearings conducted by a hearing officer from the Hearing Officer Panel on behalf of the Board.

(2) The Board adopts the current edition of the Model Rules of Procedure, OAR chapter 137, division 001, as promulgated by the Attorney General of the State of Oregon and effective July 1.

[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 Marine Board.]

Stat. Auth.: ORS 830

Stats. Implemented: ORS 183.341

Hist.: MB 68, f. 5-19-75, ef. 6-11-75; MB 78, f. & ef. 8-27-76; MB 3-1978, f. & ef. 4-5-78; MB 1-1982, f. & ef. 3-1-82; MB 4-1984, f. & ef. 1-19-84; MB 4-1986, f. 4-15-86, ef. 4-18-86; OSMB 2-2014, f. & cert. ef. 1-15-14; OSMB 10-2014, f. 10-30-14, cert. ef. 11-1-14

Oregon Youth Authority Chapter 416

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

Adm. Order No.: OYA 3-2014

Filed with Sec. of State: 11-4-2014

Certified to be Effective: 11-4-14

Notice Publication Date: 10-1-2014

Rules Adopted: 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

Subject: These rules institute guidelines for establishing, operating, and administering work programs for offenders residing in OYA close-custody facilities. OYA work programs emphasize each participant'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—(503) 373-7570

416-415-0010

Purpose

These rules institute guidelines for establishing, operating, and administering Work Programs for Offenders residing in OYA close-custody facilities. OYA Work Programs emphasize each participant's potential to lead a positive, productive life. The goal of OYA Work Programs 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.

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

Stats. Implemented: ORS 420A.010, 420.060, 420.240, 420.245

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0020

Definitions

(1) DOC Offender: A person in the legal custody of the Department of Corrections (DOC) and the physical custody of OYA.

(2) Facility Work Program: A type of Work Program in which Offenders are supervised while performing a job or a service administered within an OYA facility's secure perimeter.

(3) Major Behavior Violation: Behavior that is prohibited and unacceptable within an OYA facility or program and is immediately threatening to life, health, or facility safety, security or good order. Specific behaviors are listed as Levels Zero, One, and Two prohibited behaviors on the Offender Behavior Refocus Option Matrix, Exhibit 1 to OAR 416-470-0020.

(4) Multidisciplinary Team (MDT): A group of persons including, but not limited to, OYA employees, the Offender's family, and service providers responsible for developing, reviewing and revising the Offender's comprehensive case plan.

(5) Offender: Includes both DOC Offenders and Youth Offenders.

(6) Offsite Work Program: A type of Work Program in which Offenders are supervised while performing a job or service beyond an OYA close-custody facility's property.

(7) Onsite Work Program: A type of Work Program in which Offenders are supervised while performing a job or service on an OYA close-custody facility's property but beyond the facility's secure perimeter.

(8) OYA: Oregon Youth Authority

(9) Program Staff: Any OYA employee, contractor (and contractor's employees/staff), or volunteer, who works with Offenders in a Work Program.

(10) Stipend: Monetary incentive for participation in a Work Program to promote positive Offender development, reformation, and rehabilitation.

(11) Vocational Program: A program or sequence of courses or instructional units that provides an Offender with academic and technical knowledge, skills, and proficiencies to prepare the Offender for employment or further or advanced education.

(12) Work Program: An OYA-approved program in which Offenders perform a job or service as part of their treatment, education, or vocational training curriculum.

(13) Work Program Manager: A designated OYA management staff member who oversees a specific Work Program and the program's policy compliance.

(14) Work Release: A type of Work Program in which Offenders are temporarily released from an OYA close-custody facility or are authorized to leave the facility grounds to perform a job or service in a community setting without supervision.

(15) Youth Offender: A person who has been found to be within the jurisdiction of the juvenile court under ORS 419C.005 for an act committed when the person was under 18 years of age, and who has been placed in the legal and physical custody of OYA.

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

Stats. Implemented: ORS 420A.010, 420.240, 420.245

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0030

Work Program Approval

(1) The facility's superintendent or camp director is the Work Program approval authority for Facility Work Programs under the superintendent's or camp director's purview. Facility Work Programs must be approved by the facility's superintendent or camp director prior to the Work Program's implementation.

(2) The Assistant Director Facility Services, or the Assistant Director Facility Services' designee, is the Work Program approval authority for Work Programs administered beyond an OYA facility's secure perimeter. Work Programs administered beyond an OYA facility's secure perimeter must be approved by the Assistant Director Facility Services, or designee, prior to the Work Program's implementation.

(3) Prior to approving a Work Program, the Work Program approval authority must ensure the Work Program's purpose is clearly correlated to Offender participation in at least one of the following:

(a) Private, gainful employment;

(b) An educational or Vocational Program, including but not limited to technical and general education, provided by OYA staff, or public or private agencies or persons; or

(c) A specific program to develop work skills.

(4) The sale of any services or products generated from a Work Program must comply with the Ashurst-Sumners Act, 18 USC 1761-1762 (effective July 1, 2014).

(5) All Work Programs must be carried out in Oregon. No Offender may travel outside of Oregon as part of a Work Program experience.

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

Stats. Implemented: ORS 420A.010, 420.240, 420.245

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0040

Offender Eligibility for Participation in a Work Program

(1) The facility superintendent, camp director, Program Staff, or Facility Services Assistant Director may consider any eligible Offender for assignment to a Work Program.

(2) The facility superintendent, camp director, Program Staff, or Offender's Multidisciplinary Team may initiate an Offender's eligibility review for assignment to a Work Program.

(3) The Work Program approval authority, in the Work Program approval authority's sole discretion, may assign an Offender to a Work Program. The Work Program approval authority may specify conditions for the Offender's assignment to and participation in the Work Program.

(4) Eligibility Criteria.

ADMINISTRATIVE RULES

(a) To be considered for assignment and participation in any Work Program, an Offender must:

(A) Complete initial medical and mental health assessments according to OYA policy;

(B) Complete required safety and health training according to OYA policy; and

(C) Be age appropriate for the Work Program as determined by the Work Program approval authority. Offenders under 18 years of age must not perform any work prohibited by state or federal regulations pertaining to child labor.

(b) Onsite Work Program. To be considered for assignment to and participation in an Onsite Work Program, an Offender must:

(A) Meet the criteria listed in section (4)(a) of this rule;

(B) Be at least 16 years of age;

(C) Have no history of escape from a close-custody or secure facility;

(D) Have exhibited consistent high-level positive programming and progress toward reentry into the community as determined by the Work Program approval authority;

(E) Have no Major Behavior Violations within the last three months; and

(F) For DOC offenders, have 36 months or less remaining until community placement.

(c) Offsite Work Program. To be considered for assignment and participation in an Offsite Work Program, an Offender must:

(A) Meet the criteria listed in sections (4)(a) and (4)(b) of this rule; and

(B) For DOC offenders, have 24 months or less remaining until community placement.

(d) Work Release. To be considered for assignment and participation in a Work Release program, an Offender must:

(A) Meet the criteria listed in sections (4)(a) and (4)(b) of this rule;

(B) Have successfully participated in an Offsite Work Program for at least 60 days;

(C) Have no conviction or adjudication for a sex crime as listed in ORS 181.805(5);

(D) Have no conviction or adjudication for a stalking crime as listed in ORS 163.732;

(E) Have no active court restraining or stalking protective order;

(F) Have no Major Behavior Violations within the last six months;

(G) Have no detainer(s); and

(H) For DOC Offenders:

(i) Have six months or less remaining until community placement;

(ii) Not have been sentenced under ORS 137.635, 137.700, 137.707, or any other provision of law that prohibits eligibility for any form of temporary leave or release from custody; and

(iii) Have an order of the sentencing court appearing in the judgment of conviction and sentence indicating the DOC Offender's eligibility for consideration for participation in a work release program pursuant to ORS 137.750.

(e) In addition to the eligibility criteria set forth in sections (4)(a), (4)(b), (4)(c), and (4)(d) of this rule, designated Program Staff and the Work Program approval authority may consider additional screening criteria in determining whether to recommend or approve an Offender for assignment to a Work Program, including but not limited to the following:

(A) Whether the Offender's physical and mental condition is suitable to obtain and maintain work in the facility or community, participate in education programs, or participate in treatment programs as authorized by OYA;

(B) The recommendation of the juvenile or sentencing court, if any;

(C) Whether the Offender's criminal history includes crimes which may be cause for significant community concern, the circumstances of which may indicate that the Offender may not be suitable for assignment to specific Work Program activities; and

(D) Whether the Offender's behavior violation history includes any patterns of conduct the circumstances of which may indicate that the Offender may not be suitable for assignment to specific Work Program activities.

(5) The Work Program approval authority may waive any eligibility criteria specified in OAR 416-000-0040(4) except for OAR 416-000-0040(4)(d)(H), unless the Offender is otherwise ineligible to participate in a Work Program under one or more provisions of law.

(6) DOC Offenders must be specifically approved by the Department of Corrections (DOC) to participate in Onsite Work Programs, Offsite Work Programs, or Work Release in order to participate in such programs.

(7) The Work Program Manager must notify an Offender approved for assignment and participation in Work Release in writing of the approval and any conditions of participation specified by the Work Program approval authority.

(8) An Offender may appeal the Work Program approval authority's decision regarding the Offender's Work Program assignment approval or disapproval by filing an Offender grievance according to OAR chapter 416, division 20 (Offender Grievance Process).

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

Stats. Implemented: ORS 420A.010, 420.060, 420.225, 420.230, 420.240, ORS 420.245, 420.250, 420.255, 420.260, 420.270

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0050

Offender Work Program Evaluation, Stipends and Revenue

(1) OYA must evaluate an Offender's Work Program performance.

(a) Program Staff will provide the Offender and the Offender's Multidisciplinary Team with feedback on the Offender's job or service performance at least monthly.

(b) Work Program performance feedback will address, at a minimum, the Offender's quality and quantity of work, initiative, amenability to learn, dependability, response to supervision and instruction, safety and care of equipment, ability to work with others, and overall job or service proficiency.

(2) At OYA's discretion, OYA may award Stipends or other recognition to Offenders who work well or otherwise successfully participate in Work Programs. Factors considered when deciding whether to award a Stipend to an Offender participating in a Work Program include the program's educational and vocational requirements, physical demands, working conditions, the degree of responsibility held by the Offender participant, the degree of skill and supervision required for the Offender's participation in the Work Program, and the Offender's treatment, reformation and rehabilitation progress.

(3)(a) Work Program Stipends must be awarded at a rate and manner established by the OYA Assistant Director Facility Services to ensure consistency throughout all close-custody facilities, using the methodology below and according to the chart in Appendix A.

(b) Factors considered when assigning a Stipend rate to a Work Program include the program's educational and vocational requirements, physical demands, working conditions, the degree of responsibility held by the Offender participant, and the degree of skill and supervision required for the Offender's participation in a Work Program.

(4) OYA must deposit any Stipend awarded to an Offender into the Offender's trust account according to OAR chapter 416, division 260 (Offender Welfare and Trust Accounts).

(5) OYA must report Stipend awards according to Internal Revenue Service reporting requirements.

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

Stats. Implemented: ORS 420A.010, 420A.035, 420.065, 420.225, 420.230, 420.240, 420.245, 420.255, 420.260

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0060

Offender Status

(1) Offenders participating in OYA-approved Work Programs retain their legal status as Youth Offenders or DOC Offenders and must comply with any conditions of participation or standards of conduct established by the Work Program approval authority or Program Staff.

(2) Any behavior violation associated with an Offender's participation in a Work Program must be managed according to OAR chapter 416, division 470 (Prohibited Offender Behaviors and Processing Behavior Violations).

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

Stats. Implemented: ORS 420A.010, 420.070, 420.240, 420.245, 420.250, 420.255, 420.270

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0070

Work Program Participation Suspension/Termination

(1) The Work Program approval authority, Program Staff, or other OYA staff may, in their sole discretion, cause an Offender to be temporarily removed from the Offender's Work Program assignment for reasons consistent with the Offender's treatment needs, the safety and security needs of the facility, or the safety and security needs of the Work Program and any Program Staff or Offender participants.

(2) An Offender's Work Program assignment must be immediately suspended whenever the Work Program approval authority, Program Staff, or other OYA staff have reason to believe that:

ADMINISTRATIVE RULES

(a) The Offender has violated any law, or prescribed Work Program participation condition;

(b) The Offender's continued participation in the Work Program poses an imminent threat to staff, other Offenders, or the general public; or

(c) The Offender's continued participation in the Work Program is otherwise not in the best interest of the Offender, facility operations, or the community.

(3) Following suspension of an Offender from a Work Program, the Work Program Manager must review the circumstances surrounding the Offender's suspension and determine whether to terminate or reinstate the Offender to the Work Program.

(4) Unauthorized Absences

(a) An Offender participating in an Onsite Work Program, Offsite Work Program, or Work Release who is determined to be absent without written permission from the Work Program is on unauthorized absence and is immediately terminated from the Work Program.

(b) An unauthorized absence may constitute an escape from a correctional facility and must be reported as an escape according to OYA policy.

(5) An Offender who is terminated from a Work Program may appeal the termination decision by filing an Offender grievance according to OAR chapter 416, division 20 (Offender Grievance Process).

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

Stats. Implemented: ORS 420A.010, ORS 420.240, ORS 420.245, ORS 420.250, ORS 420.255, 420.265, ORS 420.270

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0080

Work Program Staff Security Precautions

(1) Program Staff may supervise Offenders who are participating in Facility Work Programs or Work Release, or escort Offenders going to or returning from Work Release activities in the community.

(2) Only a Program Staff who is an OYA employee, or an employee or agent of a local, state, or federal government agency may supervise Offenders who are participating in Onsite Work Programs or Offsite Work Programs.

(3) Program Staff who supervise or escort Offenders must:

(a) Successfully complete OYA training on basic security practices;

(b) Carry a mobile communication device; and

(c) Be familiar with and follow OYA policies pertaining to:

(A) Appropriate relationships with Offenders;

(B) Mandatory reporting of Offender abuse or harassment;

(C) Supervision of Offenders; and

(D) Transporting Offenders.

(4) OYA training on basic security practices listed in subsection (3)(a) of this rule must be designed in consultation with the Department of Corrections.

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

Stats. Implemented: ORS 420A.010, 420.070, 420.240, 420.245, 420.250, 420.255, 420.270

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

416-415-0090

Written Agreements with Public and Private Agencies or Persons

(1) A written agreement must exist between OYA and a public or private agency, or person with whom an Offender has secured authorized work, prior to the assignment of an Offender to perform the authorized work.

(2) The agreement must set forth the following:

(a) The nature and scope of the work to be performed by the Offender;

(b) Any terms or conditions of the Offender's assignment and participation required by OYA;

(c) The stipend rate for the Offender's participation in the Work Program;

(d) The costs of staff supervision, if applicable; and

(e) A provision requiring the public or private agency, or person with whom an Offender has secured authorized work to furnish to OYA a regular accounting of the Offender's work performance, behavior, and location.

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

Stats. Implemented: ORS 420A.010, 420.070, 420.240, 420.245, 420.250, 420.255, 420.270

Hist.: OYA 3-2014, f. & cert. ef. 11-4-14

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

Adm. Order No.: OYA 4-2014

Filed with Sec. of State: 11-4-2014

Certified to be Effective: 11-4-14

Notice Publication Date: 10-1-2014

Rules Repealed: 416-140-0000, 416-140-0010, 416-140-0020, 416-140-0030, 416-140-0040

Subject: 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—(503) 373-7570

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

Adm. Order No.: OYA 5-2014

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Certified to be Effective: 11-4-14

Notice Publication Date: 10-1-2014

Rules Repealed: 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

Subject: 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—(503) 373-7570

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Public Utility Commission

Chapter 860

Rule Caption: In the Matter of a Rulemaking to Amend Rules Regarding Adjustment of Utility Bills.

Adm. Order No.: PUC 7-2014

Filed with Sec. of State: 11-13-2014

Certified to be Effective: 11-13-14

Notice Publication Date: 10-1-2014

Rules Amended: 860-021-0135, 860-036-0135, 860-037-0120

Subject: These amendments provide subject utilities with the discretion to seek payment of under-billed amounts, which will allow the utilities to forego remedial actions when the costs of seeking payment exceed the actual amounts under-billed.

Rules Coordinator: Diane Davis—(503) 378-4372

860-021-0135

Adjustment of Utility Bills

(1) Except as provided in section (7) of this rule, when a large telecommunications utility has incorrectly billed a customer, the large telecommunications utility must take corrective action as follows:

(a) If the date of the error can be determined, the large telecommunications utility must issue a bill credit or refund for the over charge or a corrected bill for the under charge back to such date. If the date of the error cannot be determined, the large telecommunications utility must refund the over charge or rebill the under charge for no more than six months' usage.

(b) In no event may a large telecommunications utility issue a corrected bill or refund for more than three years of incorrectly billed charges.

(2) Except as provided in sections (6) and (7) of this rule, if an energy utility determines that a current or former customer of the energy utility was under-billed or over-billed for a service provided by the energy utility under rate schedules or tariffs in effect when the service was provided:

(a) The energy utility may issue a bill to collect amounts previously under-billed during the 12-month period ending on the date on which the customer or former customer was last under-billed. The energy utility may not bill for services provided more than two years before the date the energy utility discovered the under-billing.

(b) The energy utility must issue a refund or bill credit for amounts previously over-billed during the 12-month period ending on the date on which the customer or former customer was last over-billed. The energy

ADMINISTRATIVE RULES

utility is not required to issue a refund or bill credit for amounts over-billed more than three years before the date the energy utility discovered the over-billing.

(3) Notwithstanding subsections (1)(a) and (2)(a) of this rule, if the under-billing was the result of fraud, tampering, diversion, theft, misinformation, false identification, or other unlawful conduct on the part of the customer or former customer of the energy or large telecommunications utility, the utility may collect full payment for any amount owed without limitation.

(4) When a utility issues a bill to collect under-billed amounts, a current or former customer of an energy utility, or current customer of a telecommunications utility, may enter into a time-payment agreement as provided in OAR 860-021-0415. If the utility customer is already on a time-payment plan, the utility must offer to renegotiate the payment plan to include the under-billing error. If the customer and utility cannot agree upon payment terms, the Commission will establish terms and conditions to govern the customers' obligation. This section does not apply if the corrected billing is the result of the conditions listed in section (3) of this rule.

(5) When an energy or large telecommunications utility requires payment for amounts previously under-billed, the utility must provide a written notice that explains:

- (a) The circumstance and time period of the under-billing;
 - (b) The corrected bill amount and the amount of the necessary adjustment;
 - (c) The Commission's consumer complaint process; and
 - (d) The right of current or former customers of an energy utility or current customers of a telecommunications utility to enter into a time-payment agreement with the utility.
- (6) A billing adjustment is not required if an electric or gas meter registers less than a two percent error under conditions of normal operation.
- (7) The energy or large telecommunications utility may waive rebilling or issuing a refund check when costs make such action uneconomical.

Stat. Auth.: ORS 183, 756, 757 & 759

Stats. Implemented: ORS 756.040, & 757.250

Hist.: PUC 164, f. 4-18-74, ef. 5-11-74 (Order No. 74-307); PUC 5-1983, f. 5-31-83, ef. 6-1-83 (Order No. 83-284); Renumbered from 860-021-0030; PUC 16-1990, f. 9-28-90, cert. ef. 10-1-90 (Order No. 90-1105); PUC 13-1997, f. & cert. ef. 11-12-97; PUC 11-1998, f. & cert. ef. 5-7-98; PUC 4-1999, f. & cert. ef. 8-12-99; PUC 16-2001, f. & cert. ef. 6-21-01; PUC 5-2014, f. & cert. ef. 6-26-14; PUC 7-2014, f. & cert. ef. 11-13-14

860-036-0135

Adjustment of Bills

(1) Except as provided in sections (4) and (5) of this rule, if a water utility determines that a current or former customer of the water utility was under-billed or over-billed for a service provided by the water utility under rate schedules or tariffs in effect when the service was provided:

(a) The water utility may issue a bill to collect amounts previously under-billed during the 12-month period ending on the date on which the customer or former customer was last under-billed. The water utility may not bill for services provided more than two years before the date the utility discovered the under-billing.

(b) The water utility must issue a refund or bill credit for amounts previously over-billed during the 12-month period ending on the date on which the customer or former customer was last over-billed. The water utility is not required to issue a refund or bill credit for amounts over-billed more than three years before the date the utility discovered the over-billing.

(c) Notwithstanding subsection (1)(a) of this rule, if the under-billing was the result of fraud, tampering, diversion, theft, misinformation, false identification, or other unlawful conduct on the part of the customer or former customer of the water utility, the water utility may collect full payment for any amount owed without limitation.

(2) When a water utility issues a bill to collect under-billed amounts, a current or former customer of a water utility may enter into a time-payment agreement as provided in OAR 860-036-0125. If the utility customer is already on a time-payment plan, the water utility must offer to renegotiate the payment plan to include the under-billing error. If the customer and water utility cannot agree upon payment terms, the Commission will establish terms and conditions to govern the customers' obligation. This section does not apply if the corrected billing is the result of the conditions listed in subsection (1)(c) of this rule.

(3) When a water utility requires payment for amounts previously under-billed, the utility must provide a written notice that explains:

- (a) The circumstance and time period of the under-billing;
- (b) The corrected bill amount and the amount of the necessary adjustment;
- (c) The Commission's consumer complaint process; and

(d) The right for a current or former customer to enter into a time-payment agreement with the utility.

(4) A billing adjustment is not required if a water meter registers less than a two percent error under conditions of normal operation.

(5) The water utility may waive rebilling or issuing a refund check when the costs make such action uneconomical.

Stat. Auth.: ORS 183, 756 & 757

Stats. Implemented: ORS 756.040 & 757.250

Hist.: PUC 13-1997, f. & cert. ef. 11-12-97; PUC 15-1998, f. & cert. ef. 8-27-98; PUC 9-1999(Temp), f. 10-22-99, cert. ef. 10-23-99 thru 4-19-00; PUC 6-2000, f. 4-18-00, cert. ef. 4-20-00; PUC 5-2014, f. & cert. ef. 6-26-14; PUC 7-2014, f. & cert. ef. 11-13-14

860-037-0120

Adjustment of Bills

(1) Except as provided in sections (4) and (5) of this rule, if a wastewater utility determines that a current or former customer of the utility was under-billed or over-billed for a service provided by the wastewater utility under rate schedules or tariffs in effect when the service was provided:

(a) The wastewater utility may issue a bill to collect amounts previously under-billed during the 12-month period ending on the date on which the customer or former customer was last under-billed. The wastewater utility may not bill for services provided more than two years before the date the utility discovered the under-billing.

(b) The wastewater utility must issue a refund or bill credit for amounts previously over-billed during the 12-month period ending on the date on which the customer or former customer was last over-billed. The wastewater utility is not required to refund amounts which were received more than three years before the date the wastewater utility discovered the over-billing.

(c) Notwithstanding subsection (1)(a) of this rule, if the under-billing was the result of fraud, tampering, diversion, theft, misinformation, false identification, or other unlawful conduct on the part of the customer or former customer of the wastewater utility, the wastewater utility may collect full payment for any amount owed without limitation.

(2) When a wastewater utility issues a bill to collect under-billed amounts, a current or former customer of a wastewater utility may enter into a time-payment agreement as provided in OAR 860-037-0110. If the wastewater utility customer is already on a time-payment plan, the utility must offer to renegotiate the payment plan to include the under-billing error. If the customer and wastewater utility cannot agree upon payment terms, the Commission will establish terms and conditions to govern the customers' obligation. This section does not apply if the corrected billing is the result of the conditions listed in subsection (1)(c).

(3) When a wastewater utility requires payment for amounts previously under-billed, the utility must provide a written notice that explains:

- (a) The circumstance and time period of the under-billing;
- (b) The corrected bill amount and the amount of the necessary adjustment;
- (c) The Commission's consumer complaint process; and
- (d) The right for a current or former customer to enter into a time-payment agreement with the wastewater utility.

(4) A billing adjustment is not required if a wastewater meter registers less than a two percent error under conditions of normal operation.

(5) The wastewater utility may waive rebilling or issuing a refund check when the costs make such action uneconomical.

Stat. Auth.: ORS 183, 756 & 757

Stats. Implemented: ORS 756.040, 757.005, 757.061 & 757.250

Hist.: PUC 9-1999(Temp), f. 10-22-99, cert. ef. 10-23-99 thru 4-19-00; PUC 6-2000, f. 4-18-00, cert. ef. 4-20-00; PUC 5-2004, f. & cert. ef. 1-29-04; PUC 5-2014, f. & cert. ef. 6-26-14; PUC 7-2014, f. & cert. ef. 11-13-14

Racing Commission Chapter 462

Rule Caption: Amends rule to include defining a single shareholder subchapter S Corporation as a natural person.

Adm. Order No.: RC 3-2014(Temp)

Filed with Sec. of State: 10-23-2014

Certified to be Effective: 10-23-14 thru 4-21-15

Notice Publication Date:

Rules Amended: 462-210-0010

Subject: Amend: OAR 462-210-0010(15) Amends rule to include a single shareholder subchapter S corporation in which the shareholder is a natural person at least 18 years of age to be defined as a "Person".

Rules Coordinator: Karen Parkman—(971) 673-0208

ADMINISTRATIVE RULES

462-210-0010

Definitions

The following definitions and interpretations shall apply to these rules unless otherwise indicated or text otherwise requires.

(1) "Account": An account for account wagering with a specific identifiable record of deposits, wagers, and withdrawals established by an account holder and managed by the advance deposit wagering licensee or race meet licensee.

(2) "Account Holder": A person who successfully completed an application and for whom an account has been opened.

(3) "Account Wagering": A form of pari-mutuel wagering in which a person may deposit money in an account with an advance deposit wagering licensee or race meet licensee and then use the current balance to pay for pari-mutuel wagering.

(4) "Account Wagering Center": An actual location, equipment, and staff of an advance deposit wagering licensee or race meet licensee and/or agents involved in the management, servicing, and operation of account wagering.

(5) "Advance Deposit Wagering Licensee or ADW": Any person or entity holding a currently valid license to engage in related activities as a multi-jurisdictional simulcasting and interactive wagering totalizer hub as defined in Oregon Administrative Rule 462-220-0010(1).

(6) "Agent": Those persons or entities with the authority to accept deposits and wagers or issue a receipt or other confirmation to the account holder evidencing such deposits and wagers, and transfer credits and debits to and from accounts on behalf of the advance deposit wagering licensee or race meet licensee.

(7) "Applicant": A person who has submitted an application to establish an account with an advance deposit wagering licensee or race meet licensee.

(8) "Application": The form or forms and other required submissions received from an applicant with the intent of opening an account.

(9) "Business Day": Monday through Friday with the exception of a federal or state observed holiday.

(10) "Commission": The Oregon Racing Commission or any successor agency.

(11) "Confidential Information":

(a) The amount of money credited to, debited from, withdrawn from, or present in any particular account holder's account;

(b) The amount of money wagered by a particular account holder on any race or series of races;

(c) The account number and secure personal identification code of a particular account holder;

(d) The identities of particular entries on which the account holder is wagering or has wagered; and

(e) Unless otherwise authorized by the account holder, the name, address, and other information in the possession of the account wagering center and race meet licensee that would identify the account holder to anyone other than the commission, the account wagering center or the race meet licensee.

(12) "Credits": All positive inflows of money to an account.

(13) "Debits": All negative outflow of money from an account.

(14) "Deposit": A payment of money by cash, check, money order, credit card, debit card, or electronic funds transfer made by an account holder to the account holder's account.

(15) "Person": Any natural person at least 18 years of age or a single member limited liability company where the single member is a natural person at least 18 years of age or a single shareholder sub-chapter S corporation in which the shareholder is a natural person at least 18 years of age.

(16) "Principal Residence Address": That place where the person submitting an application for an account resides at least fifty percent (50%) of the time during the calendar year.

(17) "Proper Identification": A form of identification accepted in the normal course of business to establish that the person making a transaction is an account holder.

(18) "Race Course": As defined in ORS 462.010(5).

(19) "Race Meet Licensee": Any person or entity holding a currently valid license to engage in racing or related regulated activities.

(20) "Secure Personal Identification Code": An alpha-numeric character code chosen by an account holder as a means by which the advance deposit wagering licensee or race meet licensee may verify a wager or account transaction as authorized by the account holder.

(21) "Withdrawal": A payment of money from an account by the advance deposit wagering licensee or race meet licensee to the account holder when properly requested by the account holder.

(22) "Withdrawal Slip": A form provided by the race meet licensee for use by an account holder in withdrawing funds from an account.

Stat. Auth.: ORS 462.270(3) & 462.700

Stats. Implemented: ORS 462.142

Hist.: RC 3-2000, f. 3-27-00, cert. ef. 5-1-00; RC 2-2012, f. 5-29-12, cert. ef. 6-1-12; RC 3-2012, f. 10-9-12, cert. ef. 10-15-12; RC 3-2014(Temp), f. & cert. ef. 10-23-14 thru 4-21-15

Teacher Standards and Practices Commission

Chapter 584

Rule Caption: Amends rules associated with educator licensure and state accreditation of educator preparation programs.

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

Filed with Sec. of State: 11-10-2014

Certified to be Effective: 11-10-14 thru 5-8-15

Notice Publication Date:

Rules Amended: 584-017-1028, 584-017-1030, 584-060-0210, 584-070-0132, 584-080-0171

Subject: Amends emergency license rules for Teaching, Administrators and School Counselors. Clarifies conditions needed for an emergency license, clarifies terms of the licenses, and aligns provisions between the three license areas.

Amends admission requirements to no longer require basic skills test prior to the admission to a licensure program. Changes the requirement to passage of basic skills prior to completion of the licensure program.

Amends evidence of effectiveness rules for educator programs to require the Stanford edTPA for student teachers preparing for any initial teaching license. Permits work samples where no comparable edTPA exists.

Rules Coordinator: Victoria Chamberlain—(503) 378-6813

584-017-1028

Selection, Recruitment, Admission and Retention of Candidates

The unit attracts and admits qualified candidates to licensure programs, giving special attention to the current personnel needs of schools and actively recruits from under-represented groups.

(1) The unit admits into all initial and advanced programs only those who meet the following entry standards and requirements.

(2) Each candidate must demonstrated aptitude and interest in working with school-aged children.

(3) Each candidate attests to possessing moral character, a commitment to the profession, vow not to harm children, and commit to educational excellence. This attestation must be filed with the Commission upon application for first licensure in a format approved by the Commission.

(4) All teacher candidates for first application for licensure must:

(a) Pass the Commission approved basic skills tests prior to completion of the licensure program;

(b) Pass the Protecting Student and Civil Rights in the Educational Environment test prior to placement into any clinical, student teaching or internship experiences where work samples are required;

(c) Receive full clearance from the Commission on fingerprints and character questions prior to placement into student teaching or internship experiences.

(5) Educational Leadership Licensure: Candidates for admission into an initial educational leadership licensure program (formerly administration) must document:

(a) Licensure as either a teacher or personnel service specialist in any state;

(b) Three years of experience in the schools as a licensed educator or the legal equivalent;

(c) Evidence of educational leadership potential based on the following or the equivalent: assessments in instructional leadership, administrative experience in an educational environment, human relations, and cultural inclusion;

(d) Passing scores on a Commission-approved basic skills test, unless waived based on possession of a master's degree or higher upon admission;

(e) Passing score on Protecting Student and Civil Rights in the Educational Environment; and

(f) Receive full clearance from the Commission on fingerprints and character questions prior to placement into clinical or internship experiences.

ADMINISTRATIVE RULES

(6) Personnel Service Licensure (School Counseling, School Psychology, School Social Work) All candidates for admission into a personnel service licensure program must document:

(a) Experience working with youth in educational or social agencies;
(b) Preparation in human behavior to include: psychological, sociological, and psychological development, learning theory, and motivation; and

(c) Full clearance from the Commission on fingerprints and character questions prior to placement into clinical or internship experiences.

(d) School Counseling candidates must document prior to licensure, either:

(A) Two years teaching experience in schools; or
(B) Alternative practicum experiences in lieu of teaching.

(e) School Social Worker candidates must document a master's degree in social work prior to licensure.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.553

Hist.: TSPC 4-2012, f. & cert. ef. 5-18-12; TSPC 2-2013, f. & cert. ef. 4-30-13; TSPC 8-2014(Temp), f. & cert. ef. 11-10-14 thru 5-8-15

584-017-1030

Evidence of Effectiveness for Initial Teaching License Preparation

(1) The unit assures that candidates provide evidence of effectiveness to foster student learning.

(2) Each student teacher preparing for any initial teaching license assembles and analyzes either the Stanford edTPA or a teacher work sample where no comparable edTPA assessment exists to document the candidate's ability to demonstrate knowledge, skills and professional dispositions as designated in OAR 584-018-0105. Evidence of effectiveness includes:

(a) Context of the school and classroom is explained, learners with special needs, TAG learners, ESOL learners and learners from diverse cultural and social backgrounds are described, adaptations for their learning needs are discussed, and prerequisite skills required for the unit are considered;

(b) Goals for the unit of study, that vary in kind and complexity, but that include concept attainment and application of knowledge and skills;

(c) Instructional plans to accomplish the learning goals of the group(s) of students that include differentiation of instruction for all students listed in subsection (a) above;

(d) Data on learning gains resulting from instruction, analyzed for each student, and summarized in relation to students' level of knowledge prior to instruction;

(e) Interpretation and explanation of the learning gains, or lack thereof;

(f) A description of the uses to be made of the data on learning gains in planning subsequent instruction and in reporting student progress to the students and their parents; and

(g) Purposeful attention to literacy instruction based upon content requirements, appropriate authorization level and student needs in at least one subject.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.553

Hist.: TSPC 3-2012, f. & cert. ef. 3-9-12; TSPC 8-2014(Temp), f. & cert. ef. 11-10-14 thru 5-8-15

584-060-0210

Emergency Teaching License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant and a co-applicant district may be granted an Emergency Teaching License. An Emergency Teaching License may be issued when a school district demonstrates extenuating circumstances that merit the issuance of the license in order to protect the district's programs or students.

(2) The Emergency Teaching License shall be issued solely at the discretion of the Executive Director for any length of time deemed necessary to protect the district's programs or students.

(a) In most cases, an Emergency Teaching License will not exceed one year unless the educator or the district has presented unusual extenuating circumstances.

(b) The Executive Director may consider efforts the educator has made in meeting licensure requirements. Additionally, the Executive Director will consider academic preparation or experience the proposed educator has had in the area in which the district is requesting the license.

(c) Generally, failure to meet renewal requirements does not constitute an emergency or extenuating circumstances.

(d) In most cases, an Emergency Teaching License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(3) To be eligible for the Emergency Teaching License an applicant and co-applicant district must provide the following:

(a) A C-1 application;

(b) All licensure fees, including possible late fees, and an expedited service fee if appropriate;

(c) Fingerprints furnished in the manner prescribed by the Commission if the applicant has not been fingerprinted or has not held an active license issued by the Commission in the past three years;

(d) A letter from the district detailing the extenuating circumstances constituting the emergency and the applicant's unique skills qualifying her or him for the license. The letter should include a request for the least amount of time necessary to meet the emergency needs of the district; and

(e) An applicant may be asked to provide a resume, official transcripts or other evidence of qualifications if requested by the Executive Director.

(4)(a) The Emergency Teaching License is not subject to the 120 day grace period allowed for licensure renewal purposes under ORS 342.127. A new application and fee is required for the license the applicant must qualify for once the Emergency License has expired.

(b) It is the applicant's responsibility to apply for the subsequent license in a timely manner in order to ensure that the applicant remains licensed.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 3-2003, f. & cert. ef. 5-15-03; TSPC 8-2004(Temp), f. & cert. ef. 9-10-04 thru 3-9-05 (Suspended by TSPC 9-2004(Temp), f. & cert. ef. 9-5-04 thru 3-9-05); TSPC 1-2005, f. & cert. ef. 1-21-05; TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 2-2009, f. & cert. ef. 3-12-09; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 7-2010, f. & cert. ef. 9-15-10; TSPC 10-2010, f. 12-30-10, cert. ef. 1-1-11; TSPC 8-2014(Temp), f. & cert. ef. 11-10-14 thru 5-8-15

584-070-0132

Emergency School Counselor License

(1) Upon filing a correct and complete application in the form and manner prescribed by the Commission, a qualified applicant and a co-applicant district may be granted an Emergency School Counselor License. An Emergency School Counselor License may be issued when a school district demonstrates extenuating circumstances that merit the issuance of the license in order to protect the district's programs or students.

(2) An Emergency School Counselor License shall be issued solely at the discretion of the Executive Director for any length of time deemed necessary to protect the district's programs or students.

(a) In most cases, an Emergency School Counselor License will not exceed one year unless the educator or the district has presented unusual extenuating circumstances.

(b) The Executive Director may consider efforts the educator has made in meeting licensure requirements. Additionally, the Executive Director will consider academic preparation or experience the proposed educator has had in the area in which the district is requesting the license.

(c) Generally, failure to meet renewal requirements does not constitute an emergency or extenuating circumstances.

(d) In most cases, an Emergency School Counselor License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(3) To be eligible for the Emergency School Counselor License an applicant and co-applicant district must provide the following:

(a) A C-1 application;

(b) All licensure fees, including possible late fees, and an expedited service fee if appropriate;

(c) Fingerprints furnished in the manner prescribed by the Commission if the applicant has not been fingerprinted or has not held an active license issued by the Commission in the past three years;

(d) A letter from the district detailing the extenuating circumstances constituting the emergency and the applicant's unique skills qualifying her or him for the license. The letter should include a request for the least amount of time necessary to meet the emergency needs of the district; and
(e) An applicant may be asked to provide a resume, official transcripts or other evidence of qualifications if requested by the Executive Director.

(4)(a) The Emergency School Counselor License is not subject to the 120 days allowed for licensure renewal purposes under ORS 342.127. A

ADMINISTRATIVE RULES

new application and fee is required for the license the applicant must qualify for once the Emergency License has expired.

(b) It is the applicant's responsibility to apply for the subsequent license in a timely manner in order to ensure that the applicant remains licensed.

Stat. Auth.: ORS 342.125
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495 & 342.533
Hist.: TSPC 7-2005, f. & cert. ef. 8-24-05; TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 5-2012, f. & cert. ef. 5-18-12; TSPC 8-2014(Temp), f. & cert. ef. 11-10-14 thru 5-8-15

584-080-0171

Emergency Administrator License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant and a co-applicant district may be granted an Emergency Administrator License. An Emergency Administrator License may be issued when a school district demonstrates extenuating circumstances that merit the issuance of the license in order to protect the district's programs or students.

(2) The Emergency Administrator License shall be issued solely at the discretion of the Executive Director for any length of time deemed necessary to protect the district's programs or students.

(a) In most cases, an Emergency Administrator License will not exceed one year unless the educator or the district has presented unusual extenuating circumstances.

(b) The Executive Director may consider efforts the educator has made in meeting licensure requirements. Additionally, the Executive Director will consider academic preparation or experience the proposed educator has had in the area in which the district is requesting the license.

(c) Generally, failure to meet renewal requirements does not constitute an emergency or extenuating circumstances.

(d) In most cases, an Emergency Administrator License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(3) To be eligible for the Emergency Administrator License an applicant and co-applicant district must provide the following:

(a) A C-1 application;

(b) All licensure fees, including possible late fees, and an expedited service fee if appropriate;

(c) Fingerprints furnished in the manner prescribed by the Commission if the applicant has not been fingerprinted or has not held an active license issued by the Commission in the past three years;

(d) A letter from the district detailing the extenuating circumstances constituting the emergency and the applicant's unique skills qualifying her or him for the license. The letter should include a request for the least amount of time necessary to meet the emergency needs of the district; and

(e) An applicant may be asked to provide a resume, official transcripts or other evidence of qualifications if requested by the Executive Director.

(4)(a) The Emergency Administrator License is not subject to the 120 days allowed for licensure renewal purposes under ORS 342.127(4). A new application and fee is required for the license the applicant must qualify for once the Emergency License has expired.

(b) It is the applicant's responsibility to apply for the subsequent license in a timely manner in order to ensure that the applicant remains licensed.

Stat. Auth.: ORS 342.125
Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533
Hist.: TSPC 8-2004(Temp), f. & cert. ef. 9-10-04 thru 3-9-05; Suspended by TSPC 9-2004(Temp), f. & cert. ef. 9-5-04 thru 3-9-05; TSPC 10-2004(Temp), f. & cert. ef. 10-20-04 thru 3-1-05; TSPC 1-2005, f. & cert. ef. 1-21-05; TSPC 5-2007, f. & cert. ef. 8-15-07; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 8-2014(Temp), f. & cert. ef. 11-10-14 thru 5-8-15

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Rule Caption: Adopts and amends rules associated with educator licensure, educator preparation programs, and professional practices.

Adm. Order No.: TSPC 9-2014

Filed with Sec. of State: 11-14-2014

Certified to be Effective: 11-14-14

Notice Publication Date: 9-1-2014

Rules Adopted: 584-060-0600, 584-060-0630, 584-060-0635

Rules Amended: 584-001-0000, 584-018-0315, 584-060-0012, 584-060-0162, 584-060-0171, 584-060-0220, 584-060-0250, 584-070-0112, 584-070-0431, 584-070-0441, 584-080-0153, 584-100-0041

Rules Ren. & Amend: 584-060-0182 to 584-060-0682

Subject: Updates provisions related to agency rulemaking notice; updates provisions related to educator licensure; eliminates some testing requirements for International Visiting Teacher license; creates new rules associated with endorsements and specializations.

Rules Coordinator: Victoria Chamberlain—(503) 378-6813

584-001-0000

Notice of Rulemaking Action

Prior to the adoption, amendment, or repeal of any permanent rule, the Teacher Standards and Practices Commission shall give notice of the proposed adoption, amendment, or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date of the rule.

(2) By sending a copy of the notice to legislators as specified in ORS 183.335(15) at least 49 days before the effective date of the rule.

(3) By sending a copy of the notice to persons on the Commission's mailing list established pursuant to ORS 183.335(8) and 183.341(4) at least 28 days before the effective date of the rule.

(4) Any person may request, in writing, to be included on the mailing list described in subsection (3) of this rule. The person must provide to the Commission an address, electronic or postal mail, to which the notice may be sent.

(5) The Commission may update the mailing list described in subsection (3) of this rule annually by requesting persons to confirm that they wish to remain on the mailing list. If a person does not respond to a request within 28 days of the date the Commission sends the request, the Commission may remove the person from the mailing list. Any person removed from the mailing list will be immediately returned to the mailing list, upon request, if the person provides a current address to which the notice may be sent.

Stat. Auth.: ORS 183 & 342
Stats. Implemented: ORS 183.335 & 183.341
Hist.: TS 12, f. & cert. ef. 9-29-76; TS 6-1984, f. 12-27-84, ef. 1-15-85; TS 1-1988, f. 1-14-88, cert. ef. 1-15-88; TS 3-1988, f. & cert. ef. 4-7-88; TS 9-1994, f. & cert. ef. 11-21-94; TSPC 5-2000, f. & cert. ef. 9-20-00; TSPC 6-2002, f. & cert. ef. 10-23-02; TSPC 9-2014, f. & cert. ef. 11-14-14

584-018-0315

Authorization Levels for School Counselors

The unit assures that candidates for Initial School Counselor License and Continuing School Counselor License demonstrate knowledge, skills and competencies for a K-12 authorization level by:

(1) Completing preparation in developmental psychology and methods appropriate for early childhood through high school;

(2) Articulating and applying a philosophy of education appropriate for early childhood through high school; and

(3) Completing supervised field or clinical experience in early childhood through high school.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533
Hist.: TSPC 3-2012, f. & cert. ef. 3-9-12; TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0012

Initial I Teaching License Requirements

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant may be granted an Initial I Teaching License for three years. The first license will be issued for three years plus time to the applicant's birthday.

(2) The Initial I Teaching License is valid for regular teaching at one or more designated authorization levels in one or more designated specialties and for substitute teaching at any level in any specialty.

(3) To be eligible for an Initial I Teaching License, an applicant must:

(a) Possess the personal qualifications for licensure including attainment of at least eighteen years of age and possessing good moral character and mental and physical health necessary for employment as an educator;

(b) Hold a bachelor's degree or higher from a regionally accredited institution in the United States, or the foreign equivalent of such degree approved by the Commission. A master's degree or a doctoral degree from a regionally accredited institution in the United States validates a non-regionally accredited bachelor's degree for licensure;

(c) Complete an initial teacher education program approved by the Commission in Oregon, or complete a state-approved teacher preparation program in any U.S. jurisdiction, or complete a foreign program evaluated as satisfactory by an Oregon institution approved to offer the corresponding program;

ADMINISTRATIVE RULES

(d) Receive a passing score as currently specified by the Commission on each of one or more tests of subject mastery for license endorsement or authorization;

(e) Receive a passing score as currently specified by the Commission on a test of basic verbal and computational skills;

(f) Obtain a passing score on a test of knowledge of U.S. and Oregon civil rights laws and professional ethics; and

(g) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application.

(4) In addition to the requirements of subsection (3) of this rule, applicants who have completed programs from states other than Oregon will be required to submit:

(a) Official transcripts, verifying completion of the teacher education program; and

(b) A non-provisional license from another state valid for unrestricted full time teaching.

(c) A teaching license issued by the U.S. Department of Defense or another National Association of State Directors of Teacher Education and Certification (NASDTEC) jurisdiction will be considered as a license from another state.

(d) Completion of alternative route teaching programs resulting in licensure through school districts or other avenues are subject to Executive Director's approval.

(5) The Initial I Teaching License may be renewed two times for three years upon showing progress toward completion of the Initial II eligibility requirements during the life of the Initial I Teaching License. The progress must meet or exceed the equivalent of 3 semester hours or 4.5 quarter hours of graduate coursework germane to the license or directly germane to public school employment at each renewal period.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.165 & 342.136

Hist.: TSPC 1-2005, f. & cert. ef. 1-21-05; TSPC 5-2005(Temp), f. & cert. ef. 7-1-05 thru 12-28-05; TSPC 7-2005, f. & cert. ef. 8-24-05; TSPC 1-2007(Temp), f. & cert. ef. 3-30-07 thru 9-26-07; Administrative correction 10-16-07; TSPC 7-2007, f. & cert. ef. 12-14-07; TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 7-2008, f. & cert. ef. 8-20-08; TSPC 3-2009(Temp), f. & cert. ef. 5-15-09 thru 11-11-09; TSPC 6-2009, f. & cert. ef. 11-2-09; TSPC 8-2009, f. & cert. ef. 12-15-09; TSPC 3-2013, f. & cert. ef. 8-19-13; TSPC 2-2014, f. & cert. ef. 3-15-14; TSPC 6-2014(Temp), f. 8-5-14, cert. ef. 8-6-14 thru 2-2-15; TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0162

Restricted Teaching License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant may be granted a Restricted Teaching License.

(a) The Restricted Teaching License is issued jointly to an applicant and a district.

(b) The Restricted Teaching License will be issued for up to one year and may be renewed two times. The license will expire on June 30 of the academic year following issuance of the license.

(c) Upon expiration of the Restricted Teaching License following the second renewal period, the educator must qualify for the Initial I Teaching License.

(2) This license is valid for teaching with the requesting employer only at the designated grade levels and subject-matter endorsement areas specifically requested by the employer. This license may not be transferred to another employer without a specific request from the new district along with a duplicate license application to issue the new license.

(3) To be eligible for a Restricted Teaching License, the applicant must:

(a) Possess the personal qualifications for licensure including attainment of at least eighteen years of age and possessing good moral character and mental and physical health necessary for employment as an educator;

(b) Hold a bachelor's degree or higher from a regionally accredited institution or approved foreign equivalent. A master's degree or a doctoral degree from a regionally accredited institution in the United States validates a non-regionally accredited bachelor's degree for licensure;

(c) Obtain a passing score on a Commission-approved test of knowledge of U.S. and Oregon civil rights and professional ethics;

(d) Show substantial preparation in the subject-matter area in which licensure is requested by submitting official transcripts, and any other evidence required by the Commission, as proof of substantial completion of academic preparation or substantial work experience in the area in which the co-applicant educator is seeking licensure;

(e) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See OAR 584-036-0062 for Criminal Records Check Requirement);

(f) Submit a letter from the employing district describing the particular need in relation to the applicant's teacher qualifications. The district must agree to provide a mentor and identify that mentor in the letter of application. The district must attest that circumstances prevent hiring a suitable teacher holding an unrestricted full-time license appropriate for the assignment to be filled; and

(g) Have never held any type of Restricted Teaching License.

(4) Applicants who have failed to complete an Oregon program teacher preparation program are not eligible for the Restricted Teaching License under any circumstance.

(5) Restricted Teaching Licenses are subject to special renewal conditions:

(a) First Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Proof of admission and enrollment or proof of pending enrollment into a program for licensure in the area in which the applicant is teaching. The program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(b) Second Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Evidence the educator has completed more than 50 percent of the program to complete the Initial I Teaching License requirements. The completion of more than 50 percent of the program must be verified by the educator preparation program in which the educator is enrolled. The program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(c) In most cases, a Restricted Teaching License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(d) Renewal under these conditions is not subject to the 120-day grace period and must be submitted sufficiently in advance of the license expiration date to ensure continuity of licensure. Failure to submit a timely application is grounds for denial of a renewal pursuant to this subsection and may be grounds for discipline under OAR 584-020-0040 if the educator continues to teach without a valid license.

(e) The Executive Director may deny the application for renewal of the license upon failure to show progress in the licensure program needed for the next stage license.

(6) Upon expiration of the Restricted Teaching License, recipients of this license must meet all the requirements of the Initial I Teaching License for which they may apply at any time or qualify for an Emergency Teaching License under the provisions provided below.

(7) Emergency Teaching License: When the Executive Director determines that extenuating circumstances have prevented the applicant from completing requirements for the Initial I Teaching License, within three years, an extension for up to one year may be issued upon joint application from an educator and the employing district, but will be issued for the shortest amount of time needed to take care of the extenuating circumstances.

(8) The applicant must meet all the requirements for an Emergency Teaching License set forth in OAR 584-060-0120 and provide an explanation of the circumstances which make the request necessary. The co-applicant district must ensure that the applicant will meet all requirements for the Initial I Teaching License upon expiration of the Emergency Teaching License issued pursuant to this subsection.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 6-2004, f. & cert. ef. 8-25-04; TSPC 7-2008, f. & cert. ef. 8-20-08; TSPC 8-2008, f. & cert. ef. 11-13-08; TSPC 7-2009, f. 12-15-09, cert. ef. 1-1-10; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0171

Limited Teaching License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant may be granted a Limited Teaching License.

(2) This license, issued for three years and renewable, is valid at any level and designated for one or more highly specialized subjects of instruction for which the Commission does not issue a specific endorsement. The Executive Director has the authority to grant a Limited Teaching License for an exception to some discreet subjects within an established endorsement upon a showing of district need. Requests for exceptions to estab-

ADMINISTRATIVE RULES

lished endorsements may be submitted to the Commission for approval at the Executive Director's discretion.

(3) This license is valid for substitute teaching at any level but only in subjects listed on the license.

(4) To be eligible for a Limited Teaching License, an applicant must:

(a) Provide official transcripts documenting an accredited associate's degree or its approved equivalent in objectively evaluated post-secondary education related to the intended subject of instruction;

(b) Obtain a passing score on a Commission-approved test of knowledge of U.S. and Oregon civil rights and professional ethics; and

(c) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See also, OAR 584-036-0062 for Criminal Records Check Requirement.)

(5) The Limited Teaching License is restricted to use within a district that has applied for it jointly with the teacher, whose qualifications and job description are subject to Commission approval.

(6) Upon application, the co-applicant district must describe its particular need in relation to the co-applicant teacher's documented qualifications, agree to provide a mentor up to the first renewal of the license, and attest that circumstances prevent hiring a suitable teacher holding any other full-time license appropriate for the role to be filled.

(7) To be eligible for renewal of the Limited Teaching License, an applicant must:

(a) Provide a statement from the district attesting that the teacher's assignment is exactly the same as originally requested; and

(b) Complete professional development requirements in accordance with OAR 584, division 90.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 3-1999, f. & cert. ef. 7-15-99; TPSC 6-2003(Temp), f. & cert. ef. 11-13-03 thru 5-9-04; TSPC 3-2004, f. & cert. ef. 5-14-04; TSPC 1-2005, f. & cert. ef. 1-21-05; TSPC 7-2008, f. & cert. ef. 8-20-08; TSPC 2-2009, f. & cert. ef. 3-12-09; TSPC 3-2009(Temp), f. & cert. ef. 5-15-09 thru 11-11-09; Administrative correction 11-19-09; TSPC 8-2009, f. & cert. ef. 12-15-09; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0220

International Visiting Teacher License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified and eligible applicant may be granted an International Visiting Teacher License. The intent of this license is to provide up to a three-year cultural exchange of teachers and teaching strategies between Oregon and a participating country other than the United States.

(2) This license is issued for one year and is renewable up to two times.

(3) This license is valid for substitute teaching only at the grade authorization levels and subject-matter endorsement areas listed on the license.

(4) The International Visiting Teacher License is restricted to use within the district that has applied for it jointly with the teacher and is valid for teaching with the requesting employer only at the designated grade authorization levels and subject-matter endorsement areas requested by the employer and listed on the license. If the license is endorsed in a core academic area, the licensee may be considered to be "highly qualified" pursuant to federal law.

(5) To be eligible for the International Visiting Teacher License, the applicant must have not previously held any TSPC license and must apply with the requesting district and submit the following materials as part of the application packet:

(a) Evidence that the teacher is not a resident of the United States and is working here under a J-1 Visa;

(b) A letter from the co-applying district specifying the grade levels and subject-matter endorsement areas in which the district would like the applicant to teach and a brief description of the plan for supervision and mentoring the district has in place including the name of the mentor assigned to the applicant once licensed;

(c) Transcript evaluation or some other convincing evidence that the applicant holds the equivalent of a U.S. baccalaureate or higher degree and proof that the applicant has completed a professional teacher preparation program in their country. The transcript and other evidence submitted will be evaluated for subject-matter competency in the subject-area in which the license is being requested;

(d) A copy of all professional teaching credentials from a country other than the United States held by the applicant;

(e)(A) Evidence that the applicant has completed the equivalent of three full years (not less than 27 months) of teaching experience in the applicant's native country; or

(B) Proof of participation in the Cultural Exchange Program in a J-1 Visa status monitored by the Oregon Department of Education. Proof of participation must include verification from the Oregon Department of Education; and

(f) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See also, OAR 584-036-0062 for Criminal Records Check Requirement.)

(6) To be eligible for a one-year renewal of the International Visiting Teacher License, an applicant must submit:

(a) An application packet for renewal;

(b) A PEER form verifying the applicant's assignment; and

(c) A letter from the co-applying school district attesting to the following:

(A) That the teacher's assignment will remain within the scope of grades and subjects on the license;

(B) The plan for supervision and mentoring remains in place and updates the name of the mentor if appropriate.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 8-2009, f. & cert. ef. 12-15-09; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 8-2010(Temp), f. & cert. ef. 10-4-10 thru 12-31-10; TSPC 10-2010, f. 12-30-10, cert. ef. 1-1-11; TSPC 3-2011, f. & cert. ef. 3-15-11; TSPC 9-2012, f. & cert. ef. 9-14-12; TSPC 3-2013, f. & cert. ef. 8-19-13; TSPC 4-2014(Temp), f. & cert. ef. 8-5-14 thru 2-1-15; TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0250

License for Conditional Assignment

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a school district in Oregon may request a License for Conditional Assignment (LCA) for any educator holding an Initial, Professional, Basic, Standard or pre-1965 Five-year License.

(2) The purpose of an LCA is to allow a school district to request mis-assignment for an educator to teach in an out-of-field subject-matter endorsement area or at grade-levels for which the educator is not authorized to teach, while the educator completes requirements necessary either to add the subject-matter endorsement or grade-level authorization to the underlying license or to obtain a new license type.

(3) The LCA is required when teaching out-of-field under any of the following circumstances:

(a) Teaching assignments for more than 10 hours weekly in one subject-matter area without the appropriate subject-matter endorsement;

(b) Assignment at any grade level not held on the underlying license; EXAMPLE: A high school authorized teacher teaching in grade 4 would require an LCA for any amount of time teaching outside of her grade level.

EXAMPLE: A physical education teacher without a health endorsement teaching health three periods of the day would require a LCA for health. If only teaching two periods a day; that would fall under the 10 hours per week threshold.

(c) Teaching in more than one unendorsed subject-matter endorsement area for any amount of time; or

EXAMPLE: If the physical education teacher above was teaching one period of health and one period of math; then an LCA would be required for both areas regardless of the 10 hours per week rule. The 10 hours per week rule applies to one subject only.

(d) Moving from one license to another;

EXAMPLE: A teacher moving to administration; an administrator moving to teaching (if educator does not hold a valid teaching license); a teacher moving to school psychology.

(4) Duration of the LCA: The LCA is a provisional license that provides temporary conditional approval to teach out-of-field under the following conditions:

(a) All LCAs will expire on June 30 following the date the LCA is issued.

(b) For endorsements that require only a test, experience or nine quarter hours or less of coursework, all endorsement requirements must be completed by June 30th following the date the LCA is issued.

(c) For endorsements requiring coursework exceeding nine quarter or six semester hours of coursework, the LCA will not exceed more than three academic years in total. The LCA for these endorsements will be issued as follows:

(A) The first LCA will expire on June 30th following the date the first LCA is issued;

(B) The second LCA will be reauthorized upon application by the educator and the school district upon evidence the educator has completed some coursework toward adding the endorsement and will expire on June 30th following the date the second LCA is issued;

ADMINISTRATIVE RULES

(C) The third LCA will be reauthorized upon application by the educator and the school district and upon evidence the educator has substantially completed the coursework needed to add the endorsement and will expire on June 30th following the date the third LCA is issued.

(5) The LCA will not be "back dated." Time spent on assignments where the district failed to request the LCA will be deducted from the allowable LCA total (either one year or three years).

(6) The LCA is not renewable and is not eligible for a 120 day grace period beyond its expiration date.

(7) The LCA is not a stand-alone or independent license. The underlying license must be kept current in order for the LCA to remain active. The LCA will not be issued for a duration that exceeds the expiration date of the underlying license. In cases where there is a lapse in the underlying license, the LCA may be re-activated for a time as determined by the Executive Director upon reinstatement of the underlying license.

(8) The district applying for an LCA is assumed to have informed the educator for which the LCA is being requested. Failure to inform the educator may result in an invalid LCA upon a finding by the Commission that the educator did not grant the district permission to add the LCA to the educator's license.

(9) Licenses not eligible for an LCA include, but are not limited to the following provisional licenses:

- (a) Any Restricted License;
- (b) Limited Teaching License;
- (c) American Indian Language;
- (d) Teaching Associate License;
- (e) Career and Technical Education Teaching License;
- (f) ESEA Alternative Route License;
- (g) Substitute Teaching License;
- (h) Restricted Substitute Teaching License;
- (i) Exceptional Administrator License; or
- (j) International Teaching License.

(10) Other Special LCA Limitations:
(a) An administrator, school counselor, or school psychologist who has never held a non-provisional teaching license in any state may not be issued an LCA to teach.

(b) An educator seeking conditional assignment as an administrator must hold a master's degree in education to be eligible for the LCA.

(c) Applying educators in either school counseling or school psychology must hold at least a bachelor's degree or master's degree in the respective field of counseling or psychology.

(d) Educators holding a Basic or Standard Teaching License must only seek a LCA for school counseling if the assignment exceeds .50 FTE.

(e) Applying educators must never have held any one of the following licenses or permits endorsed in the subject-matter area or authorized grade-levels in which the educator is seeking to teach out-of- field:

- (A) Conditional assignment permit;
- (B) Restricted Licenses;
- (C) Transitional or out-of-state Initial Teaching License; or
- (D) Out of state license in the out-of-field subject-area or grade-levels.

(11) The LCA is restricted to use within the district that has applied for it. A new district may request to transfer the LCA so long as there is time remaining since the date the LCA was first issued.

(12) A district must:

(a) Apply for an LCA by October 31 for the fall term or otherwise within two weeks after the assignment has begun;

(b) Agree to provide professional assistance specific to the assignment for the educator during the first year of the conditional assignment; and

(c) Ensure that federal laws related to Highly Qualified Teachers are taken into account when applying for an LCA.

(13) After an LCA has expired, the educator must have completed all requirements necessary to add the appropriate endorsement, grade-level authorization or new licensure program in order to continue working in the area in which the educator held the LCA. Continuing to work in an out-of-field position on an expired LCA is a violation of licensure law and is unauthorized. The license-holder or the assigning administrator or both may be subject to sanctions by the Commission pursuant to OAR 584-020-0040.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.143, 342.153, 342.165 & 342.223 - 342.232

Hist.: TSPC 8-2011, f. 12-15-11, cert. ef. 1-15-12; TSPC 3-2013, f. & cert. ef. 8-19-13; TSPC 5-2014, f. & cert. ef. 8-5-14; TSPC 6-2014(Temp), f. 8-5-14, cert. ef. 8-6-14 thru 2-2-15; TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0600

Endorsements on a Teaching Licenses Generally

(1) An endorsement is the subject matter or specialty education field in which the educator is licensed to teach. Endorsements on a teaching license indicate expertise in a subject matter or specialty field and mastery of the pedagogical knowledge and skills necessary to teach the subject matter or specialty field.

(2) The Commission shall establish the standards for endorsements on all Oregon teaching licenses. The rule for adding endorsements to Professional and Distinguished Teacher Leader teaching licenses is contained in OAR 584-060-0630.

(3) Except as provided in OAR 584-060-0250 License for Conditional Assignment, educators must teach within the scope of the endorsements on their licenses. The scope of the endorsement shall be determined by the National Center for Educational Statistics (NCES) course codes associated with the endorsement. Educators may only teach the endorsed subjects or fields in the grade levels authorized on their licenses. The rules for grade authorization levels are contained in OAR 584, division 60.

(4) Commission-approved endorsements for Professional and Distinguished Teacher Leader teaching licenses are:

- (a) Multiple Subjects Endorsement: Multiple Subjects — Elementary.
- (b) Single Subject Endorsements — General:

- (A) Advanced Mathematics;
- (B) Agricultural Science;
- (C) Art;
- (D) Biology;
- (E) Business;
- (F) Business: Marketing;
- (G) Career Trades Generalist;
- (H) Chemistry;
- (I) Drama;
- (J) English Language Arts;
- (K) English for Speakers of Other Languages (ESOL);
- (L) Family and Consumer Studies;
- (M) Foundational English Language Arts (limited scope);
- (N) Foundational Mathematics (limited scope);
- (O) Foundational Science (limited scope);
- (P) Foundational Social Science (limited scope);
- (Q) Health;
- (R) Integrated Science;
- (S) Library Media;
- (T) Music;
- (U) Physical Education;
- (V) Physics;
- (W) Reading Intervention;
- (X) Social Studies;
- (Y) Speech (Forensics);
- (Z) World Language: Chinese;
- (AA) World Language: French;
- (BB) World Language: German;
- (CC) World Language: Japanese;
- (DD) World Language: Latin;
- (EE) World Language: Russian; and
- (FF) World Language: Spanish.

(c) Single Subject Endorsements — Special Education:

- (A) Special Education: Generalist;
- (B) Special Education: Early Intervention;
- (C) Special Education: Deaf and Hard of Hearing;
- (D) Special Education: Vision Impaired;
- (E) Special Education: Communications Disorders (Speech Language Pathology); and

(F) Adaptive Physical Education.

(d) Single Subject Endorsements — Career and Technical Education:

- (A) Agriculture, Food and Natural Resource Systems Endorsements:
 - (i) Agriculture Science and Technology;
 - (ii) Natural Resources Management; and
 - (iii) Environmental Services.
- (B) Arts, Information and Communications Endorsements:
 - (i) Publishing and Broadcasting;
 - (ii) Information and Communications Technology; and
 - (iii) Visual, Performing and Media Arts.
- (C) Business and Management Endorsements:
 - (i) Business Management and Administration;
 - (ii) Finance;

ADMINISTRATIVE RULES

- (iii) Hospitality and Tourism;
- (iv) Information and Communications Technology; and
- (v) Marketing.
- (D) Health Sciences Endorsement: Health Sciences
- (E) Human Resources Endorsements:
 - (i) Education and Related Fields;
 - (ii) Hospitality and Tourism (Culinary);
 - (iii) Human Services; and
 - (iv) Public Services.
- (F) Industrial and Engineering Systems Endorsements:
 - (i) Construction Technology;
 - (ii) Engineering Technology;
 - (iii) Information and Communications Technology;
 - (iv) Transportation Technology; and
 - (v) Manufacturing Technology.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.143, 342.153, 342.165 & 342.223 - 342.232

Hist.: TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0630

Adding Endorsements to Professional and Distinguished Teacher Leader Licenses

(1) An endorsement on a Professional or Distinguished Teacher Leader teaching license indicates the subject matter or specialty education field in which the educator is licensed to teach. The endorsement(s) may indicate a multiple subject or single subject teaching area.

(2) To be eligible to add a Multiple Subjects — Elementary endorsement to a Professional or Distinguished Teacher Leader teaching license, an applicant must provide documentation of completion of a Commission-approved educator preparation program, including: content courses, methods courses, and practica in elementary education.

(a) Commission-approved educator preparation programs include all Oregon programs approved to prepare elementary teachers. An out-of-state program (online or otherwise) that has been approved by the state in which the online or other program is offered must meet the requirements of OAR 584-052-0015.

(b) A Multiple Subjects — Elementary endorsement does not allow the teacher to teach the following subjects more than ten hours a week:

- (A) Adaptive Physical Education;
- (B) Art;
- (C) English for Speakers of Other Languages (ESOL);
- (D) All Special Education:
 - (i) Special Education: Generalist;
 - (ii) Special Education: Early Intervention;
 - (iii) Special Education: Deaf and Hard of Hearing;
 - (iv) Special Education: Vision Impaired; and
 - (v) Special Education: Communications Disorders (Speech Language Pathology).

- (E) Library Media;
- (F) Music; and
- (G) Physical Education.

(3) Except as provided in subsection (4) of this rule, to be eligible to add a Single Subject Endorsement to a Professional or Distinguished Teacher Leader teaching license, an applicant must demonstrate subject matter mastery in the endorsement area by:

- (a) Passage of the appropriate Commission-adopted licensure test; or
- (b) Completion of a Commission-adopted program of coursework related to the single subject endorsement area if no Commission-adopted licensure test exists for the subject. Subjects for which no Commission-adopted licensure test exists include, but are not limited to:

- (A) Drama;
- (B) World Language: Japanese;
- (C) World Language: Latin;
- (D) World Language: Chinese;
- (E) World Language: Russian; and
- (F) Adaptive Physical Education.

(4) To be eligible to add any endorsement in Special Education, ESOL or Reading Intervention, an applicant must:

- (a) Complete an appropriate Commission-approved preparation program; and
 - (b) Pass the appropriate Commission-adopted licensure test.
- (5) Subsection (4) of this rule applies to the following endorsement areas:

- (a) Special Education, including:
 - (A) Special Education: Generalist;
 - (B) Special Education: Early Intervention;

- (C) Special Education: Deaf and Hard of Hearing
- (D) Special Education: Vision Impaired; and
- (E) Special Education: Communications Disorders (Speech Language Pathology).

- (b) English for Speakers of Other Languages (ESOL); and
- (c) Reading Intervention.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.553

Hist.: TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0635

Adding Specializations to Teaching Licenses

(1) Specializations on teaching licenses represent an optional notation of a specialized expertise or preparation in a single subject area. The purpose of the specialization is to recognize that an educator has demonstrated exceptional knowledge, skills and abilities in the single subject area. Specializations are not required to teach or work in the specialized areas. Specializations do not limit the scope or area of licensure.

(2) Specializations include the following areas:

- (a) Autism Spectrum Disorder Specialist;
- (b) Dual Language; and
- (c) Elementary Mathematics Instructional Coach.

(3) Autism Spectrum Disorder Specialist: To be eligible to add an Autism Spectrum Disorder Specialist specialization to a non-provisional license, an applicant must meet the requirements set forth in OAR 584-066-0010(3).

(4) Dual Language Specialization: To be eligible to add a Dual Language specialization to a non-provisional license, an applicant must meet the requirements set forth in OAR 584-066-0015(1).

(5) Elementary Mathematics Instructional Coach: To be eligible to add an Elementary Mathematics Instructional Coach specialization to a non-provisional license, an applicant must meet the requirements set forth in OAR 584-066-0020(2).

(6) Autism Spectrum Disorder Specialist, Dual Language, and Elementary Mathematics Instructional Coach specializations may not be added to a provisional teaching license.

(7) Specializations do not replace or preclude the endorsement requirements for teaching licenses set forth in OAR chapter 584, division 60. Specializations will be noted on a license as an addition to the required endorsement area. Notations of specializations will appear on teaching licenses as follows:

Example: Specialization: Autism Spectrum Disorder Specialist.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.553

Hist.: TSPC 9-2014, f. & cert. ef. 11-14-14

584-060-0682

Restricted Substitute Teaching License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant and a co-applying district or districts may be granted a Restricted Substitute Teaching License.

(a) The Restricted Substitute Teaching License is valid for substitute teaching at any level in any specialty to replace a teacher who is temporarily unable to work.

(b) The license is valid for one year or less and expires on June 30 of each school year for which it is issued.

(c) Districts who did not co-apply with the applicant may request permission to add the substitute to their district upon filing an additional application and fee.

(d) Any single assignment on this license may not exceed 10 days consecutively under any circumstances. [See subsection (4) below for further information.]

(2) To be eligible for a Restricted Substitute Teaching License, the applicant must:

(a)(A) Hold a bachelor's degree or higher from a regionally accredited institution or an approved foreign equivalent;

(B) Awarding of a higher degree in the arts and sciences or an advanced degree in the professions from a regionally accredited institution in the United States validates a non-regionally accredited bachelor's degree for licensure;

(b) Furnish fingerprints in the manner prescribed by the Commission if the applicant has not been fingerprinted or has not held an active license issued by the Commission in the past three years;

(c) Provide a letter from the co-applicant district stating the reasons for the license; and

ADMINISTRATIVE RULES

(d) Obtain a passing score on a Commission-approved test of knowledge of U.S. and Oregon civil rights and professional ethics.

(3) To be eligible for renewal of the Restricted Substitute Teaching License an applicant must:

(a) Submit letter from district requesting renewal;

(b) Obtain a passing score as currently specified by the Commission on a test of basic verbal and computational skills, unless the applicant has a master's degree; and

(c) Complete ten (10) professional development units in accordance with OAR chapter 584, division 90.

(4)(a) A district and co-applicant educator may apply for an Emergency Teaching License for the holder of a Restricted Substitute Teaching License if the district is unable to obtain a regularly licensed teacher for any position lasting more than ten consecutive days.

(b) The Emergency Teaching License will allow the educator to teach for a time beyond the allowed timelines stated in subsection (1) above.

(c) The Executive Director may approve the Emergency Teaching License upon proof of the district's emergency pursuant to ORS 584-060-0210.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 2-2009, f. & cert. ef. 3-12-09; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 6-2014(Temp), f. 8-5-14, cert. ef. 8-6-14 thru 2-2-15; Renumbered from 584-060-0182 by TSPC 9-2014, f. & cert. ef. 11-14-14

584-070-0112

Restricted School Counselor License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant may be granted a Restricted School Counselor License.

(2)(a) The Restricted School Counselor License is issued jointly to an applicant and a district.

(b) The Restricted School Counselor License will be issued for up to one year and may be renewed two times. The license will expire on June 30 of the academic year following issuance of the license.

(c) Upon expiration of the Restricted School Counselor License following the second renewal period, the educator must qualify for the Initial School Counselor License.

(3) The Restricted School Counselor License will be restricted for use within a district that has applied for it jointly with the counselor and may not be used for substitute teaching unless the educator also holds another license valid for substitute teaching issued by the Commission.

(4) To be eligible for a Restricted School Counselor License, the applicant must:

(a) Possess the personal qualifications for licensure including attainment of at least eighteen years of age and possessing good moral character and mental and physical health necessary for employment as an educator;

(b) Have attained a bachelor's or higher degree from a regionally accredited institution or approved foreign equivalent;

(c) Meet one of the following qualifications:

(A) Be enrolled in a school counselor program approved for school counseling licensure by any state and have completed approximately one-half of the program;

(B) Have been a full-time certified Child Development Specialist (CDS) for at least three academic years; or

(C) Have a master's degree in a counseling-related field.

(D) The candidate must submit an official transcript and/or any other evidence that the Commission requires to determine the candidate has met the qualifications of this subsection.

(d) Obtain a passing score on a Commission-approved test of knowledge of U.S. and Oregon civil rights and professional ethics;

(e) Furnished fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See also, OAR 584-036-0062 for Criminal Records Check Requirement);

(f) Submit a letter from the employing district describing the particular need in relation to the applicant's school counselor qualifications. The district must agree to provide a mentor and identify that mentor in the letter of application. The district must attest that circumstances prevent hiring a suitable school counselor holding an unrestricted full-time license appropriate for the assignment to be filled; and

(g) Have never held any type of Restricted School Counselor License.

(5) Restricted School Counselor Licenses are subject to special renewal conditions:

(a) First Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Proof of admission and enrollment or proof of pending enrollment into a program for school counselor licensure program. The school counselor licensure program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(b) Second Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Evidence the educator has completed more than 50 percent of the program to complete the Initial I School Counselor License requirements. The completion of more than 50 percent of the program must be verified by the educator preparation program in which the educator is enrolled. The school counselor licensure program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(c) In most cases, a Restricted School Counselor License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(d) Renewal under these conditions is not subject to the 120-day grace period and must be submitted sufficiently in advance of the license expiration date to ensure continuity of licensure. Failure to submit a timely application is grounds for denial of a renewal pursuant to this subsection and may be grounds for discipline under OAR 584-020-0040 if the educator continues to work as a School Counselor without a valid license.

(e) The Executive Director may deny the application for renewal of the license upon failure to show progress in the licensure program needed for the next stage license.

(6) Upon expiration of the Restricted School Counselor License, recipients of this license must meet all the requirements of the Initial I School Counselor License for which they may apply at any time or qualify for an Emergency School Counselor License under the provisions provided below.

(7) Emergency School Counselor License:

(a) When the Executive Director determines that extenuating circumstances have prevented the applicant from completing requirements for the Initial I School Counselor License, within three years, an extension for up to one year may be issued upon joint application from an educator and the employing district, but will be issued for the shortest amount of time needed to take care of the extenuating circumstances.

(b) The applicant must meet all the requirements for an Emergency School Counselor License set forth in OAR 584-070-0132 and provide an explanation of the circumstances which make the request necessary. The co-applicant district must ensure that the applicant will meet all requirements for the Initial I School Counselor License upon expiration of the Emergency School Counselor License issued pursuant to this subsection.

(8) The Restricted School Counselor License is not transferable to another district. However, another district may co-apply for a Restricted School Counselor License for any time remaining in the three years from the date the first Restricted School Counselor License was issued. A C-1 application and full fee must accompany the request.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 5-2007, f. & cert. ef. 8-15-07; TSPC 7-2008, f. & cert. ef. 8-20-08; TSPC 8-2009, f. & cert. ef. 12-15-09; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 5-2012, f. & cert. ef. 5-18-12; TSPC 9-2014, f. & cert. ef. 11-14-14

584-070-0431

Transitional School Social Worker License for First Time Out-of-State Applicants

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant who has never been licensed in Oregon as a social worker or school social worker may be granted a Transitional School Social Worker License.

(2)(a) The Transitional School Social Worker License is issued for eighteen months and is not renewable. At that time, the educator must qualify for an Initial or a Continuing School Social Worker License. Under significant extenuating circumstances, additional time may be allowed, as described below in subsection (6) of this rule.

(b) The educator must qualify for a Continuing School Social Worker License upon expiration of six (6) years following the date the Transitional School Social Worker License was first issued.

(3) The Transitional School Social Worker License is valid for:

(a) School social work at all age or grade levels; and

(b) Substitute counseling at any level.

ADMINISTRATIVE RULES

(4) To be eligible for a Transitional School Social Worker License, the applicant must:

(a) Have a master's or higher degree in social work from a regionally accredited institution or approved foreign equivalent;

(b) Hold an unrestricted school social worker license or certificate in any state or comparable jurisdiction; and

(c) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See also, OAR 584-036-0062 for Criminal Records Check Requirement.)

(5) Persons holding a Transitional School Social Worker License may:

(a) Substitute as a School Counselor for a period not to exceed three consecutive months without obtaining the School Counselor License;

(b) Not substitute as a School Psychologist; and

(c) Not accept any full or part-time position as a School Counselor or as a School Psychologist and may not go by the title of School Counselor or School Psychologist.

(d) Violations of the provisions of this subsection may result in referral to the Commission for violation of professional practices.

(6) If significant extenuating circumstances prevent the educator from completing these requirements prior to expiration of the Transitional School Social Worker License, an Emergency School Social Worker License may be issued, at the sole discretion of the Executive Director. Evidence of the extenuating circumstances must be presented to the Executive Director, who then determines if and for how long an emergency license should be issued as needed to protect the district's programs or students.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 10-2010, f. 12-30-10, cert. ef. 1-1-11; TSPC 4-2011, f. & cert. ef. 4-14-11; TSPC 5-2011, f. & cert. ef. 6-15-11; TSPC 5-2012, f. & cert. ef. 5-18-12; TSPC 9-2014, f. & cert. ef. 11-14-14

584-070-0441

Restricted School Social Worker License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant may be granted a Restricted School Social Worker License.

(2)(a) The Restricted School Social Worker License is issued jointly to an applicant and a district.

(b) The Restricted School Social Worker License will be issued for up to one year and may be renewed two times. The license will expire on June 30 of the academic year following issuance of the license.

(c) Upon expiration of the Restricted School Social Worker License following the second renewal period, the educator must qualify for the School Social Worker License.

(3) The Restricted School Social Worker License will be restricted for use within a district that has applied for it jointly with the social worker and may not be used for substitute teaching unless the educator also holds another license valid for regular or substitute teaching issued by the Commission.

(4) To be eligible for a Restricted School Social Worker License, the applicant must:

(a) Possess the personal qualifications for licensure including attainment of at least eighteen years of age and possessing good moral character and mental and physical health necessary for employment as an educator;

(b) Have attained a bachelor's or higher degree from a regionally accredited institution or approved foreign equivalent;

(c) Meet one of the following qualifications:

(A) Be enrolled in a school social worker program approved for school social worker licensure by any state and have completed approximately one-half of the program; or

(B) Has completed a Master's in Social Work; or

(C) Has a master's degree in a counseling or social worker related field.

(D) The candidate must submit an official transcript and/or any other evidence that the Commission requires to determine the candidate has met the qualifications of this subsection.

(d) Obtain a passing score on a Commission-approved test of knowledge of U.S. and Oregon civil rights and professional ethics;

(e) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See also, OAR 584-036-0062 for Criminal Records Check Requirement);

(f) Submit a letter from the employing district describing the particular need in relation to the applicant's school social worker qualifications.

The district must agree to provide a mentor and identify that mentor in the letter of application. The district must attest that circumstances prevent hiring a suitable school social worker holding an unrestricted full-time license appropriate for the assignment to be filled; and

(g) Have never held any type of Restricted School Social Worker License.

(5) Restricted School Social Worker Licenses are subject to special renewal conditions:

(a) First Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Proof of admission and enrollment or proof of pending enrollment into a school social worker program. The school social worker program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(b) Second Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Evidence the educator has completed more than 50 percent of the program to complete the School Social Worker License requirements. The completion of more than 50 percent of the program must be verified by the educator preparation program in which the educator is enrolled. The school social worker program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(c) In most cases, a Restricted School Social Worker License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(d) Renewal under these conditions is not subject to the 120-day grace period and must be submitted sufficiently in advance of the license expiration date to ensure continuity of licensure. Failure to submit a timely application is grounds for denial of a renewal pursuant to this subsection and may be grounds for discipline under OAR 584-020-0040 if the educator continues to work as a School Social Worker without a valid license.

(e) The Executive Director may deny the application for renewal of the license upon failure to show progress in the licensure program needed for the next stage license.

(6) Upon expiration of the Restricted School Social Worker License, recipients of this license must meet all the requirements of the School Social Worker License for which they may apply at any time or qualify for an Emergency School Social Worker License under the provisions provided below.

(7) Emergency School Social Worker License:

(a) When the Executive Director determines that extenuating circumstances have prevented the applicant from completing requirements for School Social Worker License, within three years, an extension for up to one year may be issued upon joint a Social Worker application from an educator and the employing district, but will be issued for the shortest amount of time needed to take care of the extenuating circumstances.

(b) The applicant must the requirements for an Emergency School Social Worker License set forth in OAR 584-070-0451 and provide an explanation of the circumstances which make the request necessary. The co-applicant district must ensure that the applicant will meet all requirements for the School Social Worker upon expiration of the Emergency School Social Worker License issued pursuant to this subsection.

(8) The Restricted School Social Worker License is not transferable to another district. However, another district may co-apply for a Restricted School Social Worker License for any time remaining in the three years from the date the first Restricted School Social Worker License was first issued by the Commission. A C-1 application and full fee must accompany the request to change districts.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120-342.430; 342.455-342.495; 342.533

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120-342.430; 342.455-342.495; 342.533

Hist.: TSPC 6-2012, f. & cert. ef. 5-18-12; TSPC 9-2014, f. & cert. ef. 11-14-14

584-080-0153

Restricted Administrator License

(1) Upon filing a correct and complete joint application with a co-applicant employing school district in form and manner prescribed by the Commission, a qualified applicant may be granted a Restricted Administrator License.

(2) The Restricted Administrator License is valid for regular or substitute administration at all age or grade levels and is restricted to the district from which the co-application is received.

ADMINISTRATIVE RULES

(3) The Restricted Administrator License is not valid for substitute teaching at any level in any specialty.

(4)(a) The Restricted Administrator License is issued jointly to an applicant and a district.

(b) The Restricted Administrator License will be issued for up to one year and may be renewed two times. The license will expire on June 30 of the academic year following issuance of the license.

(c) Upon expiration of the Restricted Administrator License following the second renewal period, the educator must qualify for the Initial I Administrator License.

(5) To be eligible for a Restricted Administrator License, the applicant must have all of the following:

(a) Possess the personal qualifications for licensure including attainment of at least eighteen years of age and possessing good moral character and mental and physical health necessary for employment as an educator;

(b) Hold a master's degree or higher from a regionally-accredited institution or approved foreign equivalent;

(c) Obtain a passing score on a Commission-approved test of knowledge of U.S. and Oregon civil rights and professional ethics;

(d) Furnish fingerprints in the manner prescribed by the Commission and provide satisfactory responses to the character questions contained in the Commission's licensure application. (See OAR 584-036-0062 for Criminal Records Check Requirement);

(e) Submit a letter from the employing district describing the particular need in relation to the applicant's administrator qualifications. The district must agree to provide a mentor and identify that mentor in the letter of application. The district must attest that circumstances prevent hiring a suitable administrator holding an unrestricted full-time license appropriate for the assignment to be filled;

(f) Submit official transcripts, and any other evidence required by the Commission as proof of substantial completion of academic preparation or substantial administrative work experience; and

(g) Have never held any type of Restricted Administrator License.

(6) Restricted Administrator Licenses will be subject to special renewal conditions:

(a) First Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Proof of admission and enrollment or proof of pending enrollment into a program for administrative licensure. The administrator licensure program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(b) Second Renewal: The applicant must submit:

(A) A C-1 application and renewal fees;

(B) A letter of support from the co-applicant district; and

(C) Evidence the educator has completed more than 50 percent of the program to complete administrative licensure requirements. The completion of more than 50 percent of the program must be verified by the educator preparation program in which the educator is enrolled. The administrator licensure program must be approved by the Commission pursuant to OAR chapter 584, division 52.

(c) In most cases, an Emergency Administrator License will expire on June 30 of the academic year in which the license was granted regardless of the term for licensure. Extending the license beyond the June 30 expiration date is at the discretion of the Executive Director after considering all extenuating circumstances.

(d) Renewal under these conditions is not subject to the 120-day grace period and must be submitted sufficiently in advance of the license expiration date to ensure continuity of licensure. Failure to submit a timely application is grounds for denial of a renewal pursuant to this subsection and may be grounds for discipline under OAR 584-020-0040 if the educator continues to teach without a valid license.

(e) The Executive Director may deny the application for renewal of the license upon failure to show progress in the licensure program needed for the next stage license.

(7) Upon expiration of the Restricted Administrator License, recipients of this license must meet all the requirements of the Initial Administrator License for which they may apply at any time or qualify for an Emergency Administrator License under the provisions provided below.

(8) Emergency Administrator License:

(a) When the Executive Director determines that extenuating circumstances have prevented the applicant from completing requirements for an Initial or Continuing Administrator License, within three years, an extension for up to one year may be issued upon joint application from an edu-

cator and the employing district, but will be issued for the shortest amount of time needed to take care of the extenuating circumstances.

(b) The applicant must meet the requirements for an Emergency Administrator License set forth in OAR 584-080-0171 and provide an explanation of the circumstances which make the request necessary. The co-applicant district must ensure that the applicant will meet all requirements for the Initial I Administrator License upon expiration of the Emergency Administrator License issued pursuant to this subsection.

(9) The Restricted Administrator License is not transferable to another district. However, another district may co-apply for a Restricted Administrator License for any time remaining in the three years from the date the first Restricted Administrator License was issued. A C-1 application and full fee must accompany the request.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533

Hist.: TSPC 2-2007, f. & cert. ef. 4-23-07; TSPC 7-2008, f. & cert. ef. 8-20-08; TSPC 8-2009, f. & cert. ef. 12-15-09; TSPC 3-2010, f. & cert. ef. 4-2-10; TSPC 5-2010(Temp), f. & cert. ef. 8-13-10 thru 12-31-10; TSPC 9-2010, f. 12-15-10, cert. ef. 1-1-11; TSPC 9-2014, f. & cert. ef. 11-14-14

584-100-0041

Approved ESEA Alternative Route Teaching License

(1) Upon filing a correct and complete application in form and manner prescribed by the Commission, a qualified applicant shall be granted an Approved ESEA Alternative Route Teaching License.

(2) The application must be filed jointly by the hiring district and the teacher seeking the license.

(3) Districts hiring a highly qualified teacher based on the Approved ESEA Alternative Route Teaching License must ensure that the license has been obtained by the teacher prior to assignment within the district.

(4) The Approved ESEA Alternative Route Teaching License shall be restricted to use within the district that has jointly applied for it with the teacher.

(5) The license is not transferable to another district. Should the teacher seek to obtain another Approved ESEA Alternative Route Teaching License with another district, the license is only valid for the remainder of the three years from the initial date of the license.

(6) The district must submit an approved plan with the licensee's application that describes how the teacher will receive high-quality professional development that is sustained, intensive and classroom-focused before and while teaching in the district. The plan must also include how the teacher will be making progress toward completing full state licensure requirements in the next three years.

(7) The license will expire exactly three-years from the date of issue and is not subject to the 120-day grace period.

(8) To be eligible for an Approved ESEA Alternative Route License, the applicant must:

(a) Hold a bachelor's degree;

(b) Obtain a passing score on a test of knowledge of U.S. and Oregon civil rights laws and professional ethics;

(c) Demonstrate core academic subject matter competency by:

(A) Passing the TSPC approved rigorous state test required for the grade-level and subject-matter area; or

(B) Holding an undergraduate major or coursework equivalent in the core academic subject in the teaching area (does not apply to elementary authorizations); or

(C) Holding a graduate degree in the core academic subject in the teaching area (does not apply to elementary authorizations).

(9) Per federal law:

(a) Teachers on the Approved ESEA Alternative Route Teaching License are considered highly qualified for only three years; and

(b) The license is not renewable and is not eligible for any extension.

(10) Teachers who have taught on a Restricted Teaching License for one-year or less, upon application with a district may be eligible for the Approved ESEA Alternative Route Teaching License provided the requirements of subsection (8) of this rule are met. The Approved ESEA Alternative Route License will only be effective for three years from the date the Restricted Teaching License was first issued.

Stat. Auth.: ORS 342

Stats. Implemented: ORS 342.125

Hist.: TSPC 2-2004, f. & cert. ef. 3-17-04; TSPC 2-2006(Temp), f. & cert. ef. 2-3-06 thru 8-2-06; TSPC 8-2006, f. 5-15-06, cert. ef. 7-1-06; TSPC 3-2013, f. & cert. ef. 8-19-13; TSPC 9-2014, f. & cert. ef. 11-14-14

ADMINISTRATIVE RULES

Travel Information Council Chapter 733

Rule Caption: Permanent Certificate and adopted rule to clarify definitions, qualifications and verbiage of highway signs rules.

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Rules Amended: 733-030-0006, 733-030-0011, 733-030-0016, 733-030-0021, 733-030-0026, 733-030-0036, 733-030-0045, 733-030-0055, 733-030-0060, 733-030-0065, 733-030-0080, 733-030-0155, 733-030-0160, 733-030-0170, 733-030-0180, 733-030-0190, 733-030-0200, 733-030-0210, 733-030-0220, 733-030-0400, 733-030-0410, 733-030-0420, 733-030-0430, 733-030-0440, 733-030-0450, 733-030-0460, 733-030-0470, 733-030-0480

Rules Repealed: 733-030-0050, 733-030-0085, 733-030-0090, 733-030-0095, 733-030-0100, 733-030-0105, 733-030-0110, 733-030-0115, 733-030-0120, 733-030-0125, 733-030-0130, 733-030-0135, 733-030-0250, 733-030-0260, 733-030-0270, 733-030-0280, 733-030-0290, 733-030-0300, 733-030-0320, 733-030-0330, 733-030-0340, 733-030-0350

Subject: The Travel Information Council (Council) held a quarterly meeting on May 20, 2014 where they proposed rule changes to clarify definitions, qualifications and verbiage of highway signs rules and to consolidate the highway sign rules between 733-030-006 to 733-030-0080. The Council held a public meeting on Sept. 24, 2014 to hear public comment. After providing an opportunity and calling for public comment, the Council voted to accept the proposed rule changes. The meeting minutes and all subsequent revisions were approved on Sept. 24, 2014, and were published on Nov. 4, 2014.

Rules Coordinator: Heather Wyland—(503) 373-0870

733-030-0006

Applicability and Purpose

(1) The purpose of these rules is to establish standards for Logo, TOD, Museum, Historical Marker and Interstate Oasis signs erected within highway rights-of-way to provide directional information to qualified businesses. Eligible service categories are limited to Gas, Food, Lodging, Camping, Attraction, TOD, Museum, Historical Marker and Interstate Oasis.

(2) These rules are applicable to the Interstate, Expressway, Freeway, and Conventional State Highway systems.

(3) The authority for the issuance of these rules is Oregon Laws 1979, Chapter 478, Section 5, 7; 2007 Chapter 199, Section 20.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0011

Definitions

As used in these rules, the following definitions apply unless the context clearly indicates otherwise:

(1) “Advance Logo Plaque” means a separately attached plaque mounted on the Advance Logo Sign showing the brand, symbol, trademark, name, or combination of these, for a business on a Conventional State Highway.

(2) “Advance Logo Sign” means a sign bearing separately affixed individual Advance Logo Plaques for eligible businesses erected in advance of intersections on a Conventional State Highway.

(3) “Advance Museum Sign” means a sign with the registered business name of a qualified museum or historic site erected in advance of intersections on a Conventional State Highway.

(4) “Advance TOD Sign” means a sign with the registered business name of a qualified TOD erected in advance of intersections on a Conventional State Highway.

(5) “Attraction” means any business of regional significance that provides the general public with an agricultural, cultural, historical, or recreational activity or is a travel plaza. The following terms must be used to further define Attraction:

(a) “Agricultural” means an activity or business illustrating local and/or Oregon specialized livestock or agricultural products and processes,

production and sale of freshly harvested produce, or cultivation and sale of seasonal agricultural products.

(b) “Cultural” means an activity or business relating to local and/or Oregon artistic pursuits, events, handicrafts, artisan demonstrations, or local gift/souvenir shops.

(c) “Historical” means a business or activity based on history reflecting the past events of the area where the business or activity is signed.

(d) “Recreational” means any business or activity that people engage in during their free time as by means of agreeable exercise offering a form of leisure, amusement or relaxation.

(e) “Regional significance” means a travel experience that is important to Oregon visitor interests and the state of Oregon tourism industry.

(f) “Travel Plaza” means a staffed business designated under the authority of the Travel Information Council to serve motorists by providing brochures, displays, signs and other visitor information and located in close proximity to highway.

(6) “Business” means a facility which has met the qualifications for the placement of a Logo, TOD or Museum Sign.

(7) “Conventional State Highway” means any highway that is classified by ODOT as either a State, Regional, or District highway that is not an Expressway, Freeway or Interstate as defined in sections (13), (15), and (26) of this rule.

(8) “Council” means the Travel Information Council created by ORS 377.835.

(9) “Cultural District” means a cluster of like businesses in a concentrated area of no less than six city blocks in size and with no less than four like businesses.

(10) “Directional Legend” means a word message relating to or showing direction such as the Exit number, Next Right, or Left ¼ Mile.

(11) “Dual Logo Plaque” means an Advance, Intersection, Mainline or Ramp Logo Plaque with two distinctive brand symbols displayed on one plaque on a “Gas” or “Food” Advance, Intersection, Mainline or Ramp Logo Sign where the two businesses are located in the same business.

(12) “Engineer” means the State Traffic-Roadway Engineer.

(13) “Expressway” means a divided highway usually having two or more lanes for exclusive use of traffic in each direction and incorporating partial control of access.

(14) “Fee Schedule” means a posted schedule of the permit fees that will be paid by businesses for Logo, TOD and Museum Signs on a yearly basis, the replacement fees assessed when a Logo customer changes their plaque design or a TOD or Museum customer changes their registered business name, or the reinstatement fees that will be paid by a business that had their plaques or signs removed due to non-payment of fees.

(15) “Freeway” means a divided highway with full control of access.

(16) “General Service Sign” means a single word legend or approved symbol as an alternative to the word legend located in advance of an exit or interchange to be used when Logo Signs are not available.

(17) “Historic District” means a cluster of like businesses in a concentrated area of no less than six city blocks in size and with no less than four like businesses.

(18) “Historic Site” means a property currently listed in the National Register of Historic Places or designated as nationally significant by the United States Department of the Interior.

(19) “Immediate Area” means the region around a business to a distance of 50 miles.

(20) “Interchange” means a major road junction where vehicles can by means of access roads, bridges and underpasses, change from one road to another.

(21) “Intersection” means the area where two or more roadways join or cross at the same elevation.

(22) “Intersection Logo Plaque” means a separately attached plaque mounted on the Intersection Logo Sign showing the brand, symbol, trademark, name, or combination of these, for a business on a Conventional State Highway.

(23) “Intersection Logo Sign” means a sign bearing separately affixed individual Intersection Logo Plaques for eligible businesses erected on, opposite, or at the intersection of a Conventional State Highway.

(24) “Intersection Museum Sign” means a sign with the registered business name of a qualified museum or historic site erected on, opposite, or at the intersection of a Conventional State Highway.

(25) “Intersection TOD Sign” means a sign with the registered business name of a qualified TOD erected on, opposite, or at the intersection of a Conventional State Highway.

(26) “Interstate” means the part of the federally funded system of highways connecting the major cities, regions of the state and other states

ADMINISTRATIVE RULES

and is the highest level of mobility at the highest speed for a long uninterrupted distance for through traffic, has full access control and grade separations at major intersections.

(27) "Interstate Oasis" means a business near an Interstate, Expressway, and Freeway but not within the Interstate right-of-way, designated by the Council after meeting the eligibility criteria of these rules, that provides products and services to the public, 24-hour access to public restrooms, and parking for automobiles and heavy trucks.

(28) "Logo Sign" means a sign located on highway right of way and includes Advance Logo Sign, Intersection Logo Sign, Mainline Logo Sign, and Ramp Logo Sign.

(29) "Mainline Logo Plaque" means a separately attached plaque mounted on the Mainline Logo Sign showing the brand, symbol, trademark, name, or combination of these, for a business on an Interstate, Expressway or Freeway.

(30) "Mainline Logo Sign" means a sign bearing separately affixed individual Mainline Logo Plaques for eligible businesses erected in advance of exit ramps and interchanges on an Interstate, Expressway or Freeway.

(31) "Meal" means a combination of food items that are prepared and cooked on the licensed premises that includes one principal item and one side dish. Examples of principal items are fish, steak, chicken, pasta, and sandwich. Examples of side dishes are potatoes, potato salad, rice, french fries, beans and vegetables.

(32) "Museum" means a business applying for Museum Signs on a Conventional State Highway. A museum must be a building, place, or institution devoted to the acquisition, conservation, study, exhibition, and educational interpretation of objects having scientific, historical, or artistic value.

(33) "ODOT" means the Oregon Department of Transportation.

(34) "Owner" means a holder of fee title.

(35) "Permit" means a signed agreement between an approved business and the Travel Information Council for each Logo, TOD and/or Museum Sign.

(36) "Ramp Logo Plaque" means a separately attached plaque mounted on the Ramp Logo Sign showing the brand, symbol, trademark, name, or combination of these, for a business on an Interstate, Expressway or Freeway.

(37) "Ramp Logo Sign" means a sign bearing separately affixed individual Ramp plaques for eligible businesses erected on, opposite, or at the terminus of an exit ramp of the Interstate, Expressway or Freeway.

(38) "Responsible Operator" means a person or entity other than an owner who operates a business and who has authority to enter into an agreement relative to matters covered by these rules.

(39) "RV" means recreational vehicle.

(40) "Service Legend" means the words displayed in reflective white on the Mainline Logo or Ramp Logo sign that are limited to "Gas," "Food," "Lodging," "Camping," or "Attraction" and on the Advance Logo or Intersection Logo Sign that are limited to "Gas," "Food," "Lodging," or "Camping."

(41) "Supplemental Message" means an approved word message displayed horizontally along the bottom of an Advance, Intersection, Mainline and/or Ramp Logo Plaque presenting approved essential motorist information.

(42) "Tourist Oriented Directional or TOD" means an Attraction business applying for signs on a Conventional State Highway.

(43) "Traffic Control Devices" means any sign, signal, marking or device placed, operated or erected by authority under ORS 810.210, for the purpose of guiding, directing, warning or regulating traffic.

(44) "Trailblazer" means a small sign with a Service Legend, or the name, direction and distance to the business. Trailblazers are used when larger signs cannot be used due to sign space limitations.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 - 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 3-1995, f. & cert. ef. 11-8-95; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 2-2010, f. & cert. ef. 6-11-10; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0016

Location

(1) The location of other traffic control devices must take precedence over the location of Logo Signs, TOD Signs and Museum Signs.

(2) The use of Logo Signs, TOD Signs and Museum Signs must be limited to areas primarily rural in character or to areas where adequate sign spacing can be maintained.

(3) All signs must substantially conform to applicable portions of the Manual On Uniform Traffic Control Devices including but not limited to size, location and spacing.

(4) Logo Signs, TOD Signs and Museum Signs must be located so as to take advantage of natural terrain, to have the least impact on the scenic environment, and to avoid visual conflict with other signs within the highway right of way. Unprotected Logo Sign, TOD Sign and Museum Sign supports located within the clear zone must be of a breakaway design.

(5) In the direction of traffic on the Interstate, Freeway and Expressway, the preferred order of successive Logo Signs must be those for "Attraction," "Camping," "Lodging," "Food," and "Gas".

(6) In the direction of traffic on a Conventional State Highway, the preferred order of Advance Logo, Advance TOD and/or Advance Museum Sign placement must be to show the business first to the left, then to the right, and last, the business straight ahead.

(7) Mainline Logo Signs on Interstates, Freeways and Expressways must be installed between the preceding interchange and at least 800 feet in advance of the exit direction sign and from each other at the interchange from which the services are available. Signs installed prior to the revision of this rule in September 2014 that are not between the preceding interchange and at least 800 feet in advance of the exit direction sign and from each other at the interchange may be maintained.

(8) Ramp Logo Signs on exit ramps must be spaced at least 100 feet from the exit gore sign, from each other and from the ramp terminal.

(9) Advance Logo Signs, Advance TOD Signs and Advance Museum Signs on the Conventional State Highway must be installed between the previous intersection and at least 300 feet in advance of the intersection from which the services are available.

(10) Intersection Logo Signs, Intersection TOD Signs and Intersection Museum Signs may be provided on the intersection of a Conventional State Highway and must be located at least 200 feet in advance of the intersection. Signs installed prior to the revision of this rule in September 2014 that are not between the preceding interchange and at least 200 feet in advance of the exit direction sign and from each other at the interchange may be maintained.

(11) All spacing between signs must be determined on the basis of an engineering study.

(12) Signs may not be installed where the road user cannot conveniently re-enter the highway and continue in the same direction of travel.

(13) TOD signs and Museum Signs may not be used on Interstate, Freeway or Expressway Highways or at the ramp or the ramp terminal.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 - 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0021

Criteria for Specific Information Permitted

(1) Each business identified on a Logo Sign, TOD Sign or Museum Sign must give written assurance to the Council of its conformity with all applicable laws concerning the provision of public accommodations without regard to race, religion, color, age, sex, or national origin and meet all applicable Federal and State Americans for Disabilities Act (ADA) guidelines.

(2)(a) Distances to eligible businesses may not exceed 3 miles in any direction of an interchange or intersection. The limit of eligibility may be extended in 3-mile increments until one or more businesses choose to participate, or until 15 miles is reached, whichever comes first.

(b) If a business that is within 1 mile of the exit applies for a sign that is holding the maximum number of spaces available or has a wait list, the new business may bump an existing business off a sign based on the business that is the farthest from the exit. The existing business will be informed that they will lose their space at the end of their permitted fee period. The bumped business will be placed on the wait list for the next available space.

(3) The Service Legends permitted must be limited to "Gas", "Food," "Lodging," "Camping," and "Attraction" on Interstate, Freeway and Expressway Highways and "Gas", "Food," "Lodging," "Camping," "TOD" and "Museum" on Conventional State Highways. To qualify all businesses must display permanent on-premise signing which is visible from the roadway and sufficient to direct motorists to the appropriate entrance. The on-premise signing must display all or part of the Registered Business Name.

(4) "Gas" businesses must include:

(a) Vehicle services, including gas and/or alternative fuels, oil, and water;

(b) Restroom facilities and drinking water;

ADMINISTRATIVE RULES

(c) Continuous operation at least 16 hours per day, 7 days a week for businesses located on the Interstate, Freeway and Expressways and continuous operation at least 12 hours per day, 7 days a week on Conventional State Highways; and

(d) Telephone service.

(5) Food businesses located within Gas businesses may display their distinctive brand name on a dual logo plaque for the Gas business in which they are located. Each Gas logo plaque must be limited to the addition of only one Food business.

(6) Gas businesses that have two distinct brand names in one location may display the brand of both Gas businesses on one Gas Dual Logo Plaque.

(7) "Food" businesses must include:

(a) Appropriate business & health department licensing for the providing of meals; businesses are required to maintain a valid health permit or license for the type of service operated;

(b) Continuous operation to serve at least two meals per day, at least 6 days per week;

(c) Telephone service and restroom facilities;

(d) The primary business operation is the providing of meals; and

(e) Indoor Seating for at least 20 people or 10 drive-in service stalls for car-hop service.

(8) Food businesses that have two distinct brand names in one building may display the brand of both food businesses on one Dual Logo Plaque.

(9) "Lodging" must include:

(a) Licensing where required;

(b) Adequate sleeping accommodations; and

(c) Telephone services and restroom facilities.

(10) Bed & Breakfast businesses provided they maintain valid food and lodging health department licenses.

(11) "Camping" facilities must include:

(a) Licensing where required;

(b) Adequate parking accommodations; and

(c) Modern sanitary facilities and drinking water.

(12) "Attraction" businesses that are agricultural, cultural, historical, recreation and travel plazas must include:

(a) Adequate parking;

(b) Restrooms provided;

(c) Drinking water required;

(d) Open at least six hours a day; six days a week of continuous operation during its normal business season; and

(e) Attendant/Docent/Guide on duty during all operating hours.

(13) The following types of Attraction must include with their application:

(a) Brewery: copy of license to offer tasting and to sell malt beverages at retail directly to the consumer.

(b) Coffee Roasting/Tasting: copy of license to offer tasting and to sell locally roasted beans at retail directly to the consumer.

(c) Distillery: copy of license to offer tasting and to sell spirits at retail directly to the consumer.

(d) Tasting Room: copy of license to offer tasting and to sell wines, cider, and/or spirits at retail directly to the consumer.

(e) Tours/Trails: One qualifying business acting as a starting point and must provide a regular and reasonable tour/trail fully described in a brochure with a map.

(f) Vineyard: proof of onsite vineyard of at least 15 acres.

(g) Winery: copy of license to offer tasting and to sell wines or cider at retail directly to the consumer.

(14) Travel plazas must have an agreement on file with the Council that they are a staffed business designated to serve motorists by providing brochures, displays, signs and other visitor information.

(15) Like businesses creating a Cultural District must individually meet all conditions under (12).

(16) "Museums" must include:

(a) Restroom facilities and drinking water;

(b) Open to the public at least 1,040 hours per year which is four hours per day, five days a week;

(c) Licensing where required;

(d) Adequate parking accommodations; and

(e) Museum offerings must be the primary source of business

(17) "Museums that are a Historic Site" must include:

(a) Adequate parking accommodations;

(b) An informational device to provide public knowledge of the feature; and

(c) A copy of the listing on the National Register of Historic Places.

(18) Like businesses creating a Historic District must individually meet all conditions under (16)-(17).

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 - 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 1-1984, f. & ef. 1-13-84; TIC 3-1985, f. & ef. 6-4-85; TIC 1-1994, f. & cert. ef. 6-1-94; TIC 3-1995, f. & cert. ef. 11-8-95; TIC 2-1996, f. & cert. ef. 7-12-96; TIC 1-1997, f. & cert. ef. 2-13-97; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 2-2000, f. 10-13-00, cert. ef. 11-1-00; TIC 1-2004(Temp), f. & cert. ef. 7-20-04 thru 1-15-05; TIC 2-2004, f. & cert. ef. 11-12-04; TIC 2-2006, f. & cert. ef. 6-21-06; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 3-2009, f. & cert. ef. 9-29-09; TIC 2-2010, f. & cert. ef. 6-11-10; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0026

Composition

(1) Logo Signs must display the appropriate directional legend, the service legend, directional arrows and have a blue reflective background with a white reflective border. The size of the Logo Sign must be determined by the amount and height of the directional legend and the number and size of logo plaques attached to the sign.

(2) All arrows, upper case letters and numbers used in the service legend and directional legend must be white and reflective.

(3) Upper case letters and numbers on Logo Signs on the Interstate, Freeway or Expressway must be a minimum of 10 inches in height. Upper case letters and numbers on Logo Signs, TOD Signs and Museum Signs on Conventional State Highways must be a minimum of 6 inches in height.

(4) Directions to the business must be indicated by arrows on the Ramp Signs or Intersection Signs. Ramp Signs and Intersection Signs may also include distances to the business displayed beneath the arrow in ¼ mile increments. Arrows pointing to the left or up must be at the extreme left of the sign. Arrows pointing to the right must be at the extreme right of the sign

(5) TOD Signs must be rectangular in shape and have a blue reflective background with a white reflective legend and border. All arrows, upper case letters and numbers must be white and reflective.

(6) Museum Signs must be rectangular in shape and have a brown reflective background with a white reflective legend and border. All arrows, upper case letters and numbers must be white and reflective.

(7) Advance TOD and Advance Museum Signs must have a maximum of two lines of Directional Legend and two lines of business identification.

(8) Intersection TODS and Intersection Museum Signs must be limited to two lines of business identification, an arrow and mileage to the business.

(9) Existing Museum Signs that have a blue background must be changed to brown when the life of the sign expires or the Museum requests a change in name.

[ED. NOTE: Exhibits & Publications referenced are available from the agency.]

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 - 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 1-1996, f. & cert. ef. 1-8-96; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0036

Special Requirements — Interstate Highways and Expressways

(1) Logo Plaques:

(a) Logo Plaques must be separate panels that are attached to a Logo Sign.

(b) A Logo plaque must display either an identification symbol/trademark or a word message reproduced in the colors and general shape consistent with on-premise signing, and any integral letters must be in proportionate size. The registered business name, in whole or in part, and a Supplemental Message is the only wording allowed on the Logo Plaque. Messages, symbols, and trademarks which resemble any official traffic control device are prohibited.

(c) The vertical and horizontal spacing between logo plaques on Logo Signs may not exceed eight inches and 12 inches, respectively.

(d) Logo Plaques that use a blue background must also have a white reflective border to provide contrast to the blue Logo Sign. Logo Plaques that use a contrasting color background to the blue Logo Sign may omit the need for a white border.

(e) Word messages on Logo Plaques on Interstates, Freeways and Expressways must have a minimum letter height of 8 inches and the identification symbol/trademark must be proportional to that height. Word messages on Ramp Plaques on exits and Logo Plaques on Conventional State Highways must have a minimum letter height of 4 inches and the identification symbol/trademark must be proportional to that height.

ADMINISTRATIVE RULES

(f) Logo Plaques on the Interstates, Freeways and Expressways may not exceed 60 inches in width and 36 inches in height, including border;

(g) Ramp Plaques on the exits may not exceed 16 inches in width and 10 inches in height, including border;

(h) Logo Plaques on the Conventional State Highway may not exceed 24 inches in width and 18 inches in height, including border.

(2) Application:

(a) The number of Logo Signs, TOD Signs and Museum Signs along an approach to an interchange or intersection, regardless of the number of Service Legends displayed, must be limited to a maximum of four.

(b) A maximum of four TOD and Museum Signs per post may be displayed in advance of each intersection and at each intersection. TOD and Museum Signs may be displayed in combination with Logo Signs on Conventional State Highways, not to exceed the maximum square footage of total sign available per post.

(c) The number of Service Legends represented on any one Logo Sign must be limited to three. If three Service Legends are displayed on one Sign, then the Logo Plaques must be limited to two for each Service Legend (for a total of six Logo Plaques). If two Service Legends are displayed on one sign, then the Logo Plaques must be limited to either three per Service Legend (for a total of six Logo Plaques) or four for one Service Legend and two for the other Service Legend (for a total of six Logo Plaques). The Service Legend and Logo Plaques must be displayed such that the road user will not associate them with another Service Legend on the same sign.

(d) The same Service Legend may not be displayed on more than two signs. Where more than six businesses of a specific Service Legend are eligible for Logo Plaques at the same interchange or intersection, additional Logo Signs of that same Service Legend may be displayed. The additional Logo Plaques may be displayed either by placing more than one Service Legend on the same sign or by using a second Sign of that same Service Legend (if the additional Sign can be added without exceeding the limit of four total Signs at an interchange or intersection approach). No more than 12 Logo Plaques of a specific Service Legend may be displayed at the same interchange or intersection approach.

(e) At single exit interchanges the Service Legend followed by the exit number must be displayed on one line above the Logo Plaques. This does not apply to Logo Signs already erected before December 15, 2000. At unnumbered interchanges the Directional Legend NEXT RIGHT (LEFT) may be used.

(f) At double exit interchanges, Logo Signs must consist of two sections, one for each exit. The top section must display the Logo Plaques for the first exit and the lower section must display the Logo Plaques for the second exit. The Service Legend and the exit number must be displayed in a line above the Logo Plaques in each section. The exit number requirements of this section do not apply to Logo Signs erected before December 15, 2000. At unnumbered interchanges, the Directional Legends NEXT RIGHT (LEFT) and SECOND RIGHT (LEFT) must be used. Where a Service Legend is signed for at only one exit, one section of the Logo Sign may be omitted or a single exit interchange Logo Sign may be used. Where a Service Legend is displayed on two Logo Signs, one of the Signs must display the Logo Plaques to the businesses that are accessible from one of the two exits and the other Sign must display the Logo Plaques for the businesses that are accessible from the other exit.

(g) Where businesses are not visible from an interchange or intersection, Ramp and Intersection Signs must be installed along the ramp, at the ramp terminal, along the crossroad or at the intersection. These Ramp and Intersection signs must be similar to the corresponding Mainline and Advance Logo Signs but reduced in size. A maximum of 24 Ramp and Intersection Logo Plaques may be displayed along any one ramp, at the ramp terminal, along the crossroad or at the intersection. Maximum Ramp Sign size must be limited to eight plaque spaces. Maximum Intersection Sign must be limited to six plaque spaces. On channelized off-ramps, Ramp Signs must be placed in advance of the channelized markings. Separate Ramp Signs, for the same Service Legend, may be installed on opposite sides of the ramp to direct motorists into the proper lane for those businesses.

[ED. NOTE: Exhibits referenced are available from the agency.]

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 1-1991, f. & cert. ef. 12-23-91; TIC 1-1997, f. & cert. ef. 2-13-97; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 3-2004, f. & cert. ef. 11-15-04; TIC 2-2006, f. & cert. ef. 6-21-06; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 2-2010, f. & cert. ef. 6-11-10; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0045

Special Requirements — Conventional Highways

(1) Logo signs may not be displayed for any business if its building or on-premise signing is visible and/or recognizable on the traveled way for a distance of 300 feet or more from the ramp, at the ramp terminal, along the crossroad or at the intersection. Increased distances may be allowed for businesses providing camping where issues of safety and RV maneuvering are concerned or in order to direct the traveling public to the business in order to avoid a traffic hazard or misdirection because of the complexity of the particular interchange or intersection. Visibility and recognition are determined by being able to recognize the business by observing the building or existing signing adjacent to or attached to the business, as to the Service Legend for which it has applied. A business that is visible within 300 feet or more, but is not recognizable, may qualify for signing if a favorable determination is made by the Council. However, in rural towns with a population of 500 persons or less, where there are minimal Services Legends meeting qualifications, and where the nearest available Services Legends are at least 25 miles from that town, the Council, upon consultation with the Engineer, may consider installing Logo Signs in cases where the business is visible on the traveled way the last 300 feet from the ramp, at the ramp terminal, along the crossroad or at the intersection.

(2) Combination legend signing (i.e., legend reading “FOOD/LODGING,” and displaying one businesses logo plaque) will be allowed in rural locations only. The business must be the only one available in the geographical area. Approval for combination legend signing will be under an agreement between the Council and the business. If another business is built in the area, the business with the combination legend signing will be required to display their logo plaques on two Logo Signs, one for each Service Legend. Businesses approved for combination legend signing will be required to pay 1-1/3 the annual fee for a business in their area.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 2-1996, f. & cert. ef. 7-12-96; TIC 1-1997, f. & cert. ef. 2-13-97; TIC 2-1998, f. & cert. ef. 11-13-98; TIC 3-2004, f. & cert. ef. 11-15-04; TIC 1-2005(Temp), f. & cert. ef. 3-14-05 thru 9-9-05; TIC 2-2005, f. & cert. ef. 6-16-05; TIC 2-2006, f. & cert. ef. 6-21-06; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0055

State Sign Policy

(1) General Service Signs may be used in conjunction with Logo Signs for eligible Services Legends that are not represented by a Logo Sign.

(2) A trailblazer may be installed upon the recommendations of the Council and approval of the Engineer at intersections of Conventional State Highways, or intersections of Conventional State Highways and county roads or city streets if it can be placed on Conventional State Highway right of way. Trailblazers may also be installed on county roads and city streets with the approval of authorities for the local jurisdiction. The text for trailblazers must have a minimum letter height of 4 inches. Standards for trailblazers must be adopted by the Engineer.

(3) Subject to the approval of the Council, and if spaces are available, the logo plaque of a business may be placed on a Ramp or Intersection Sign, although its logo plaque cannot be placed on a Mainline or Advance Logo Sign because permits have already been issued for the maximum number of logo plaques for the particular Logo Sign. If the Logo Sign is not available due to lack of space on an Interstate, Freeway or Expressway, a General Service Sign for that Service Legend must first be installed.

(4) If applications are received for any one interchange or intersection for more than the maximum allowable logo plaques to be placed on any one Logo Sign, the order of priority for the wait list must be based on the date of the properly completed application received by the Council.

(5) A business may apply for Logo Signs, TOD Signs and Museum Signs on more than one Highway adjacent to that business.

(6) Any business may be allowed one logo plaque on one Mainline or Advance Logo Sign in each direction of travel for each Service Legend on any Interstate, Freeway, Expressway or Conventional State Highway.

(7) Any TOD or Museum business may be allowed one Advance Sign in each direction of travel on any Conventional State Highway.

(8) The owner or responsible operator of a business must file an application for placement of its logo plaque on a Logo Sign and tender the permit fee for the first year. The business must also agree to furnish the necessary logo plaques to be affixed to the Logo Signs.

(9) The owner or responsible operator of a business must file an application for placement of a TOD Sign or Museum Sign and tender the permit fee for the first year.

ADMINISTRATIVE RULES

(10) Eligibility of businesses for continued placement of their logo plaque on a Logo Sign or TOD Sign or Museum Sign may be reviewed by the Council at any time to assess whether the business or the Logo Sign, TOD Sign or Museum Sign location meets present guidelines. If the review finds that the business or the Sign location does not meet all applicable rules and laws, the Sign or Logo Plaque may be removed. If payment is not received for a renewal permit on or before the payment due date stated in the Council's invoice, the logo plaque or sign may be removed. The space made available after the removal of a logo plaque or sign due to nonpayment of fees may be offered to the next qualified business on a wait list for that Sign. Should space continue to be available and the removed business desire to have its logo plaque or sign reinstalled, the Council may require a new review to be performed prior to approving the reinstallation. If approved for reinstallation, the business must pay the permit fees due and reinstallation fee prior to reinstallation of their logo plaque or sign.

(11) Notwithstanding section (10) of this rule, a business is entitled to the installation of a logo plaque or sign for one year following the remittance of their permit or invoice.

(12) Notwithstanding section (10) of this rule, the logo plaque or sign of a business may be removed and replaced by another qualified business for failure to comply with subsections (a)–(c) of this section as hereafter set out:

(a) If the business fails to correct and provide all of the services required for its specific type pursuant to 733-030-0021 within 30 days after written notice thereof is mailed to the business;

(b) If the business fails to open for business for more than seven consecutive days or for more than 10 days cumulatively, during any one-year period, unless the Council finds that closure for such period was beyond the control of the owner or responsible operator, or that the closure was justified by extenuating circumstances;

(c) The logo plaque is not kept in a proper state of repair; is non-reflective, peeling, fading, chipping or otherwise unattractive; or does not meet requirements for size or supplemental messages.

(13) If due to fire, accident or similar causes, a business becomes inoperable for an extended period of time, exceeding seven days, but not more than 90 days, its logo plaque or sign must be temporarily removed, but the business will not lose its priority, nor be required to reapply prior to the formal time of a renewal application. Further extension may be granted for good cause shown. However, failure of the owner or responsible operator to proceed with necessary repairs as rapidly as possible may cause loss of the right to continued placement of the logo plaque or sign and require a new application.

(14) Notwithstanding the fact that a business meets all of the other eligibility qualifications of these rules, an application may be denied if it is determined by the Council after investigation by the Engineer that adequate direction to the business cannot be given by a reasonable number of allowable Ramp Signs, Intersection Signs or trailblazers.

(15) If a Sign is removed due to reconstruction at any given interchange, and only one legend may be retained, the Council shall survey the immediate area of that interchange to assess availability of specific Services Legends. The Services Legends not available within the immediate area, but located at the interchange to be removed, will have Legends retained to meet business needs. If all Legends are represented in the immediate area, Legends at that interchange will be retained by giving priority to the date of application of the first business of all Legends installed.

(16) In the case of removal, relocation, displacement, destruction or damage to the Sign or Logo Plaque from any act of the business, its officers, employees or agents, a claim for a refund of the permit fee will not be valid.

(17) Any business that changes ownership and the registered business name on a Logo Plaque or Sign with a waiting list, forfeits the right to the space and the logo plaques or sign will be removed. The next business on the wait list may be notified of the available space.

(18) Seasonal businesses must notify the Council of their seasonal dates at the time of application and of any changes in seasonal dates during the duration of the permit period. Logo plaques for seasonal businesses must be removed or covered during the period of seasonal closure. TOD and Museum Signs must be covered or removed during the period of seasonal closure.

(19) If a business qualifies for a "Gas," "Food," "Lodging," or "Camping" Logo sign, then it may not also qualify for a Historical "Attraction" Logo sign on the Interstate, Freeway or Expressway. If a business qualifies as an ODOT Cultural and Historical Feature and receives Cultural and Historical signs from ODOT, it may not qualify for any "Attraction" Logo signs. If a visitor information business does not qualify

as a TIC Travel Plaza, it may not qualify for any "Attraction" Logo signs. If a business qualifies for a "Gas," "Food," "Lodging," or "Camping" Logo Sign then it may not qualify for a TOD or Museum sign on the Conventional State Highway.

(20) Any Intersection TOD or Museum sign erected as the Advance TOD or Museum sign before September 19, 1988, may be maintained.

(21) Those TOD or Museum businesses that had "CLOSED" riders installed prior to November 15, 1996, will continue to use the "CLOSED" riders as long as it is determined by the Council and ODOT that they can be easily accessed and safely operated.

[Publications: Publications & forms referenced are available from the agency.]

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 3-1983(Temp), f. & ef. 7-21-83; TIC 5-1983, f. & ef. 8-26-83; TIC 2-1987(Temp), f. & cert. ef. 8-4-87; TIC 3-1988, f. & cert. ef. 12-23-88; TIC 1-1989, f. & cert. ef. 6-9-89; TIC 2-1989, f. & cert. ef. 10-27-89; TIC 1-1991, f. & cert. ef. 12-23-91; TIC 1-1994, f. & cert. ef. 6-1-94; TIC 1-1995, f. & cert. ef. 5-17-95; TIC 1-1996, f. & cert. ef. 1-8-96; TIC 2-1996, f. & cert. ef. 7-12-96; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 3-2000, f. 12-14-00, cert. ef. 12-15-00; TIC 1-2002, f. & cert. ef. 4-19-02; TIC 2-2002, f. & cert. ef. 10-30-02; TIC 1-2007, f. & cert. ef. 3-1-07; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 2-2010, f. & cert. ef. 6-11-10; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0060

Waiver

(1) Upon petition by a business, the Council may authorize a waiver of the appropriate requirements of 733-030-0021(4)–(17). The business must list the particular requirements it seeks to have waived, the business must show that the waiver will benefit the motoring public and not violate the overall intent of the rules, that no traffic hazard or reduction in traffic safety will occur, and that the motoring public can be advised of the waived condition on the Logo Plaque through a supplemental message or on the advance TOD or Museum sign through a rider.

(2) Riders may be installed for seasonal TOD and Museum businesses which qualify only with an approved waiver and are the only business installed on a post. The rider must be a concise, one line description of the waived issue.

(3) Waivers may not be granted to a business applying for a Logo Sign, TOD Sign or Museum Sign that has a wait list.

(4) Riders required as part of an open hours or open days criteria waiver or seasonal closure for TOD or Museum businesses must be assessed a fee prior to installation. Sign revision fees must be assessed when the business changes the days or hours of operation or takes other waiver related action that requires a change in the rider message and therefore requires the manufacture and installation of new riders.

(5) Any order of the Council denying a permit or waiver under these rules, or for removal of a logo plaque or sign under these rules, may be entered administratively without hearing, subject to requirements of ORS Chapter 183 and the administrative and judicial review as provided therein. The Council shall notify businesses promptly on any permit or waiver denial or decision to remove a logo plaque or sign under these rules.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 6-1983, f. & ef. 8-26-83; TIC 3-1985, f. & ef. 6-4-85; TIC 1-1996, f. & cert. ef. 1-8-96; TIC 1-2000, f. 4-14-00, cert. ef. 5-1-00; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0065

Permit Fees and Installation

(1) The Council may request ODOT to furnish, erect and maintain Logo Signs, TOD Signs and Museum Signs and trailblazers at locations specified by the Council.

(2) Upon the approval of a permit for a Logo Plaque or Sign, the Council shall request installation of the Logo Plaque or Sign from ODOT, the Council sign crew or the Council contractor as determined appropriate by the Council staff. The Council shall provide the installer with all necessary information to install the Logo Plaque or Sign.

(3) The Council shall notify the business promptly when a permit has been approved to allow the business sufficient time to furnish the necessary number of Logo Plaques. If the Council is notified that a business has failed to furnish its Logo Plaques by the specified date given by the Council, or that the Logo Plaques furnished are not in compliance with specifications provided by the Council, it may cancel the permit and refund the amount paid in advance by the business.

(4) Permit fees. The annual permit fee for each Logo Plaque or Sign must be based on the traffic volume and population density of the area where the highway is located. Permit fees will be reviewed and established annually by the Council pursuant to ORS 377.825.

ADMINISTRATIVE RULES

(5) Permit fees will be charged according to the Council's current Schedule of Fees. When permit fees are reviewed for potential changes, the Council shall send a notice of permit fee changes to each business with a permit and to all interested parties requesting the information. Businesses and interested parties will have 30 days to respond in writing or attend a public hearing scheduled after the 30 day time period. The Schedule of Fees will also be available on the Council web site for personal download or by mail upon request.

(6) In accordance with OAR 733-030-0055(10)-(12), permit fees are due with the contract and the permit automatically renewed upon receipt of the annual payment of invoice to the Council on or before the payment due date stated in the Council's invoice.

(7) Permit fees for Food businesses that display the name of two distinct brand Food businesses on one Food Logo Plaque may be charged 1-1/3 the permit fee of a regular Food business permit fee in that area. Permit fees for Gas businesses that include a Food name on their Logo Plaque may be charged 1-1/3 the permit fee of a regular Gas business permit fee in that area. Payment of permit fees is the responsibility of the Gas business, which will be designated as the primary business.

(8) Permit fees for combination Legend signing may be charged 1-1/3 the fee for one Service Legend charged in that area.

(9) The Council may charge a fee when a business desires to replace their Logo Plaques due to a redesign of the Logo Plaque, color or a change in the registered business name.

(10) If a business desires to move their Logo Plaque from their current position on a Logo Sign to a vacant position on the same Logo Sign, the Council may charge a relocation fee.

(11) When a vacancy occurs on a Logo Sign, the Council will give written notification to all businesses with Logo Plaques on that Logo Sign to respond within seven (7) days of any preference they may have for relocating their Logo Plaque to a vacant position on that Logo Sign.

(12) If two or more businesses indicate preference for the same vacant space, the business with longest seniority on that Logo Sign will be offered the first option to relocate their Logo Plaque.

(13) The Council may charge a fee when a TOD or Museum business desires to change their registered business name resulting in the manufacture and installation of new TOD or Museum signs.

(14) Nonpayment of permit fees will result in the removal of Logo Plaques or Signs, and the Logo Plaque or Sign space will be offered to the next business desiring that space. Should the Logo Plaque or Sign be reinstalled after removal due to nonpayment of permit fees, the Council shall charge a maintenance fee per Logo Plaque or Sign to be reinstalled, along with their permit fees due.

(15) If any business is publicly owned and operated or not-for profit as determined by the Federal Internal Revenue Service, the permit fee may be set at the non-profit Sign fee rate.

(a) Proof of not-for profit status must be submitted with the application.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 1-1979(Temp), f. & ef. 7-26-79; TIC 2-1979, f. & ef. 9-28-79; TIC 1-1980, f. & ef. 5-5-80; TIC 3-1984 (Temp), f. & ef. 10-29-84; TIC 2-1985, f. & ef. 6-4-85; TIC 1-1986, f. & ef. 5-28-86; TIC 2-1986, f. & ef. 9-19-86; TIC 1-1996, f. & cert. ef. 1-8-96; TIC 2-1996, f. & cert. ef. 7-12-96; TIC 3-1996, f. & cert. ef. 10-16-96; TIC 1-1997, f. & cert. ef. 2-13-97; TIC 1-1998, f. & cert. ef. 7-1-98; TIC 2-1998, f. & cert. ef. 11-13-98; TIC 1-2000, f. & cert. ef. 5-1-00; TIC 3-2000, f. & cert. ef. 12-14-00, cert. ef. 12-15-00; TIC 1-2001, f. & cert. ef. 5-11-01, cert. ef. 5-15-01; TIC 2-2002, f. & cert. ef. 10-30-02; TIC 1-2004(Temp), f. & cert. ef. 7-20-04 thru 1-15-05; TIC 2-2004, f. & cert. ef. 11-12-04; TIC 1-2006, f. & cert. ef. 3-2-06; TIC 3-2006, f. & cert. ef. 11-24-06; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0080

Requirements for Supplemental Messages on Logo Plaques

(1) All Supplemental Messages must be displayed within the Logo Plaque in one horizontal line along the bottom of the Plaque. The Supplemental Message must be reflective, displayed in a color to contrast effectively with the background of the Logo Plaque or be separated by a divider bar.

(2) On Interstate, Freeways and Expressways the Supplemental Message must have a minimum letter height of six inches and be proportional in size on all Ramp Signs. On Conventional State Highways the Supplemental Message must have a minimum letter height of four inches.

(3) Gas businesses that are exclusively card-lock stations must display the Supplemental Message "CARD LOCK ONLY" on Interstate, Freeway and Expressway Logo Plaques and "CARD LOCK" on Conventional State Highway Logo Plaques.

(4) Seasonal businesses or businesses that only qualify with an approved waiver must display a concise description of the waived issue as a Supplemental Message.

(5) Supplemental Messages with the words "DIESEL", "PROPANE", "24 HOUR", "RV DUMP", "RV PARKING", "RV ACCESS", "ALT FUELS", "BIODIESEL", "CLEAN DIESEL," or "WiFi", and/or the abbreviations CNG, EV, E85, LNG or DEF or a combination of two messages may be used by any business that offers those products or services. If a business elects to display the circular RV symbol, it must be the only Supplemental Message allowed. If a business designated as an INTERSTATE OASIS is displayed on a Logo Sign, the word "OASIS" may be used as a Supplemental Message on its Logo Plaque.

(6) All Supplemental Messages and their design on Logo Plaques must be approved by the Council.

(7) Logo Plaques using separate logo riders must comply with Supplemental Message rules when those Plaques are replaced with new Plaques. All Logo Plaques must comply with Supplemental Message rules by March 27, 2019.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 3-1982, f. & ef. 6-1-82; TIC 4-1985, f. & ef. 6-4-85; TIC 5-1985, f. & ef. 12-13-85; TIC 1-1987(Temp), f. & ef. 3-6-87; TIC 5-1988, f. & cert. ef. 12-23-88; TIC 3-1989, f. & cert. ef. 10-27-89; TIC 1-1991, f. & cert. ef. 12-23-91; TIC 1-1996, f. & cert. ef. 1-8-96; TIC 1-1997, f. & cert. ef. 2-13-97; TIC 2-1998, f. & cert. ef. 11-13-98; TIC 1-2000, f. & cert. ef. 5-1-00; TIC 1-2002, f. & cert. ef. 4-19-02; TIC 2-2006, f. & cert. ef. 6-21-06; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 2-2010, f. & cert. ef. 6-11-10; TIC 1-2011, f. & cert. ef. 9-22-11; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0150

Applicability and Purpose

(1) The purpose of these administrative rules is to establish standards for Oregon's historical marker signs erected within Conventional Highway right-of-way to provide the motorist with signing of historical or geological points of interest to the traveling public.

(2) These administrative rules are applicable to the Conventional Highway system. These rules are also applicable to Interstate Highway rest areas.

(3) The authority for the issuance of these administrative rules is ORS 377.787.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0155

Definitions

In addition to the definitions described in OAR 733-030-011, the following definitions apply unless the context indicates otherwise:

(1) "Applicant" means an entity, group or individual applying for the placement of a new or replacement historical marker.

(2) "Committee" means the Historical Marker Committee acting as an advisory board. The Committee meets quarterly, and consists of volunteer representatives from various governmental and historical organizations statewide. The Committee is comprised of voting members, and advisors representing six geographic sections of the state.

(3) "Defined Geological Feature" means a geological site of state or regional significance, as defined in Oregon Historical Marker guidelines.

(4) "Defined Historical Feature" means a site designated by the State Historical Marker Committee to commemorate an event, person or place of statewide or national significance, as defined in Oregon Historical Marker guidelines.

(5) "Directional Information" means an advance sign stating "historical marker ahead," or "geological marker ahead" or other necessary information to direct the motoring public to defined historical feature or defined geological feature placed on a marker.

(6) "Marker" means an historical sign panel and support structure.

(7) "Sponsor" means an entity, group or individual that is responsible for a financial contribution to the cost of the new marker, and future maintenance of the new marker. The sponsor and the Council have authority to enter into an agreement relative to matters covered by these administrative rules.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0160

Location

(1) Marker panels must be located so as to take advantage of natural terrain, to have the least impact on the scenic environment, and to avoid

ADMINISTRATIVE RULES

visual conflict with other signs within the Conventional Highway right-of-way and at Interstate rest areas.

(2) Marker panels must be located as close as possible to the historical or geological occurrence within the Conventional Highway right-of-way and at Interstate rest areas.

(3) The proposed location must be reviewed and approved by ODOT.
Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0170

Eligibility

(1) New marker applications are limited to two applications per biennium per organization, entity or individual.

(2) New marker applications are subject to a non-refundable fee \$50.00. If approved, the fee will apply toward the total cost of the marker.

(3) Acceptance of responsibility for financial partnership for cost of new marker including design, production, installation, delivery, and maintenance will be that of the sponsoring group.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0180

Criteria

(1) The Council shall establish a program for marking historical and geological sites in Oregon.

(2) The Council shall approve design(s) for historical markers. A person may not erect a historical marker within the Conventional Highway right-of-way and at Interstate rest areas in the state format without the approval of the Council and ODOT.

(3) Markers may be erected to commemorate a person, events, places, or geological features that are judged of statewide or national significance as stated in the State historical markers program guidelines.

(4) Sponsoring groups have six months following the application approval in which to complete the text approval process, and to submit appropriate graphics to the Council to produce the panels.

(5) The Historical Marker Committee may issue a waiver for location of markers off Conventional Highway right-of-way, or not visible from the Conventional Highway. ODOT is not responsible for markers located off Conventional Highway right-of-way.

(6) If Council funds allocated for funding the markers have been exhausted for the biennium, markers may be privately funded. A privately funded marker must follow state approved design when located on Conventional Highway right-of-way or located on private land. A privately funded marker becomes the property of the Council.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0190

Composition

(1) New historical markers must have a wooden support structure and a fiberglass embedded interpretive panel following approved program format(s).

(2) The words “Oregon History” or “Oregon Geology” must be at the top of the marker.

(3) The Council and the Historical Marker Committee shall have authorization to augment the single design format with other design formats as requested.

(4) The sponsoring group may place as a credit line their organizational symbol in the bottom color band, lower right. Commercial sponsors will be allowed corporate logos or trademarks in black and white only and in accordance with the marker design.

(5) Initial text must be submitted by the sponsoring group, and may be edited by the Council. Text may be from 150-300 words, partially dependent on the graphics submitted to accompany the text. Text must be factual, stressing statewide or national significance, and be accompanied by a source bibliography.

(6) Graphics such as photographs, maps and illustrations that augment the proposed text are to be submitted by the sponsoring group. If not available, the sponsoring group or appropriate agency is responsible for working with a design firm or appropriate agency to procure such graphics.

(7) Advance signs must be installed for all markers placed on Conventional Highway right-of-way excluding Interstate Highway rest

areas. See ODOT’s Sign Policy Guidelines (see current drawings D-424 and D-424A) for specifications.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2009, f. & cert. ef. 4-3-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0200

Fees and Installation

(1) The Council shall furnish, erect and maintain state historical markers, as required.

(2) Upon the approval of an application for a marker the Council shall direct the installation of the marker.

(3) Fees are determined by the total cost of the marker. Fees are payable within 30 days following the installation date.

(4) The applicant shall be notified when the marker is erected.

(5) Limited Council funds available for historical markers will be used in combination with local sponsorship funding.

(6) If Council funds have been exhausted for the biennium or indefinitely, the sponsor or applicant may fund the entire cost of a marker, although following state guidelines.

(7) Agencies, organizations or entities may elect to co-sponsor historical markers while following state guidelines.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0210

Temporary Removal and Reinstallation

(1) Upon request the Council and Committee may authorize a relocation of an existing or new historical marker upon a showing by the applicant that the granting of such a relocation will benefit the motoring public and not violate the overall intent of these administrative rules. Relocation may only occur with the written permission of the Council and ODOT.

(2) All costs including site preparation and advance signing, associated with moving the marker must be borne by the party desiring the relocation.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0220

Maintenance

(1) New Historical markers and those refurbished by the Council are the property of the Council, which is responsible for their maintenance, but the Council encourages cooperative maintenance agreements with the sponsoring group.

(2) If the sponsoring group elects not to maintain the marker and immediate grounds on which the marker is erected, an annual fee must be paid by the sponsoring group.

(3) Any significant physical changes by the sponsor to the marker or grounds must be approved in advance by the Council and ODOT.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 4-1995, f. & cert. ef. 11-8-95; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0400

Applicability and Purpose

(1) The purpose of these rules is to establish standards for Interstate Oasis signing erected within highway rights-of-way to provide directional information to qualified businesses that provide products and services to the public.

(2) These rules are applicable to the Interstate, Freeway and Expressway systems.

(3) The authority for the issuance of these rules is Oregon Laws 1979, Chapter 478, Section 7 and 23 U.S.C. 109(d), 131(f), 315 and 49 CFR 1.48(b).

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845
Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0410

Definitions

In addition to the definitions described in OAR 733-030-0011, the following definitions will apply unless the context clearly indicates otherwise:

(1) “Guide sign” means a sign that shows route designations, directions, distances, services, points of interest, or other geographical, recreational, or cultural information.

(2) “Interstate Oasis Supplemental Plaque” means a traffic control device intended to communicate Interstate Oasis to road users through a

ADMINISTRATIVE RULES

word legend that is placed immediately above or below an existing Guide sign to supplement the message on the sign. The difference between a plaque and a sign is that a plaque cannot be used alone.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0420

Location

(1) Interstate Oasis signs are intended for use primarily in rural areas. Urban areas may be considered if a suitable location is available and approved by ODOT.

(2) Interstate Oasis signs must be located so as to take advantage of natural terrain, to have the least impact on the scenic environment, and to avoid visual conflict with other signs within the highway right of way. Unprotected sign supports located within the clear zone must be of a break-away design.

(3) If adequate sign spacing allows, a separate Interstate Oasis sign may be installed in an effective location with spacing of at least 800 feet from other adjacent guide signs, including any Logo Signs. This sign must be located in advance of the advance guide sign or between the advance guide sign and the exit direction sign for the exit leading to the Oasis.

(4) If the spacing of other Guide signs precludes use of a separate Interstate Oasis sign, a Supplemental Plaque with a white legend and border on a blue background may be appended above or below an existing Logo Sign or Guide Sign for the interchange.

(5) A limit of one Interstate Oasis sign may be erected in advance of an interchange in each direction of travel.

(6) The proposed locations of Interstate Oasis signs must be reviewed and approved by the Engineer to determine that no conflicts resulting in unsafe driving conditions will exist with other traffic control devices.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0430

Eligibility Criteria

(1) Each qualified Interstate Oasis business identified on a sign must give written assurance to the Council of its conformity with all applicable laws concerning the provision of public accommodations without regard to race, religion, color, age, sex, or national origin and meet all applicable Federal and State Americans with Disabilities Act (ADA) guidelines.

(2) Each qualified Interstate Oasis business must have an appropriate business and health department licensing where required.

(3) Each qualified Interstate Oasis business may not be located more than 3 miles from an interchange with an Interstate, Freeway and Expressway. Greater distances, in 3-mile increments up to a maximum of 15 miles may be considered for interchanges in very sparsely developed rural areas where eligible businesses are not available within the 3-mile limit.

(4) Each qualified Interstate Oasis business must be accessible via a route that can safely and conveniently accommodate vehicles of the types, sizes, and weights that would be traveling to the business, entering and leaving the business, returning to the Interstate, Freeway and Expressway, and continuing in the original direction of travel.

(5) Each qualified Interstate Oasis business must have physical geometry of site layout, including parking areas and ingress/egress points, that can safely and efficiently accommodate movements into and out of the site, onsite circulation, and parking by all vehicles, including heavy trucks of the types, sizes, and weights anticipated to use the business.

(6) Each qualified Interstate Oasis business must have restrooms available to the public at all times (24 hours per day, 365 days per year). Restrooms must be modern and sanitary and must have drinking water. The restrooms and drinking water must be available at no charge or obligation.

(7) Each qualified Interstate Oasis business must have parking spaces available to the public for 50 automobiles and 50 heavy trucks. The parking spaces must be well lit and must be available at no charge or obligation for parking durations of up to 10 hours or more, in sufficient numbers for the various vehicle types, including heavy trucks.

(8) Each qualified Interstate Oasis business must provide products and services to the public. These products and services must include: public telephone; food (vending, snacks, fast food, and/or full service); and fuel, oil, and water for automobiles, trucks, and other motor vehicles.

(9) Each qualified Interstate Oasis business must be staffed by at least one person on duty at all times (24 hours per day, 365 days per year).

(10) In cases where no single business near an interchange meets all the eligibility criteria, the Council may allow the criteria to be satisfied by

a combination of two or more businesses located immediately adjacent to each other and easily accessible on foot from each other's parking lots via pedestrian walkways compliant with ADA and that do not require crossing a public highway.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0440

Composition

(1) A separate Interstate Oasis sign must have a blue reflective background with a white reflective border and white reflective legends. The directional legend must consist of the exit number, or an action message such as "NEXT RIGHT," and the service legend must read "INTERSTATE OASIS." All numbers must be 10 inches in height and all words must be in 10-inch capital letters.

(2) A ramp Interstate Oasis sign must have the legend "OASIS" in white reflective 6-inch capital letters on a blue reflective background with white reflective border.

(3) If Logo signing is provided at the interchange, a business designated as an Interstate Oasis and having a Logo Plaque on a Logo Sign may use the bottom portion of the Plaque to display the word "OASIS" as a Supplemental Message.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0450

Special Requirements — Interstate Highways and Expressways

If Ramp Logo Plaques containing the Supplemental Message "OASIS" are not used on the exit ramp, a Trailblazer with a white reflective legend (minimum 6 inch letters) and border on a blue reflective background may be provided on the exit ramp to indicate the direction and distance to the Interstate Oasis, unless the Interstate Oasis is clearly visible and identifiable from the exit ramp. Additional Trailblazers may be used, if determined to be necessary, along the cross road to guide motorists to the Oasis.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2011, f. & cert. ef. 9-22-11; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0460

State Sign Policy

(1) If an eligible Interstate Oasis business existing within three miles of an interchange has not applied for a permit for Interstate Oasis signing, then an otherwise eligible Interstate Oasis business that is located farther than three miles from the interchange may apply for a permit.

(2) If applications are received for any one interchange from more than one eligible Interstate Oasis business, the order of priority must be based on the date of the properly completed application received by Council.

(3) The owner or responsible operator of an Interstate Oasis business must file an application for Interstate Oasis signing on a form specified by the Council.

(4) Eligibility of Interstate Oasis businesses for continued placement of their Interstate Oasis signing may be reviewed by the Travel Information Council at any time to assess whether the businesses and sign locations meet present guidelines. If the review finds that the business or the signing location does not meet all applicable rules and laws, the signing may be removed.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

733-030-0470

Waiver

Procedures. Administrative Procedure Act. Any order of the Council denying a permit under these rules, or for removal of a sign under these rules, may be entered administratively without hearing, subject to requirements of ORS Chapter 183 and the administrative and judicial review as provided therein. The Council shall notify businesses promptly on any permit denial or waiver denial or decision to remove a sign under these rules.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 – 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

ADMINISTRATIVE RULES

733-030-0480

Installation and Permit Fees

(1) Upon approval of a permit, the Council may furnish, erect and maintain Interstate Oasis signs as required and shall notify the business applying for those signs when a permit has been approved.

(2) Upon the approval of a permit for Interstate Oasis signs, the Council shall issue a Request for Quotation (RFQ) from qualified contractors and suppliers to determine the total construction and fabrication costs to install the Interstate Oasis signs.

(3) All costs to install the Interstate Oasis signs must be paid for by the business applying for those signs.

(4) Installation fees are determined by the total cost of the Interstate Oasis signs. Fees are payable within 30 days following the installation date.

(5) Permit fees will be reviewed and established annually by the Council pursuant to ORS 377.825 and will be charged according to the Council's current Schedule of Fees. When permit fees are reviewed for potential changes, the Council shall send a notice of permit fee changes to the business with an Interstate Oasis sign permit and to all interested parties requesting the information. Businesses and interested parties will have 30 days to respond in writing or attend a public hearing scheduled after the 30 day time period. The Schedule of Fees will also be available on the Council web site for personal download or by mail upon request.

(6) Permit fees are due with the contract and the permit automatically renewed upon receipt of the annual payment of invoice to the Council on or before the payment due date stated in the Council's invoice.

Stat. Auth.: ORS 377.787

Stats. Implemented: ORS 377.710, 377.790-377.830, 377.833-377.836 & 377.838 - 377.845

Hist.: TIC 2-2009, f. & cert. ef. 6-1-09; TIC 1-2014, f. & cert. ef. 11-5-14

Veterinary Medical Examining Board

Chapter 875

Rule Caption: Establishes veterinary technician licensure for other states' qualified applicants.

Adm. Order No.: VMEB 6-2014

Filed with Sec. of State: 10-20-2014

Certified to be Effective: 10-20-14

Notice Publication Date: 9-1-2014

Rules Amended: 875-030-0010

Subject: Creates eligibility for Certified Veterinary Technician licensure for other states' qualified applicants.

Rules Coordinator: Lori V. Makinen—(971) 673-0224

875-030-0010

Criteria for Becoming a Certified Veterinary Technician (CVT)

In order to be licensed as a CVT, an individual must:

(1) Pass the examinations referred to in OAR 875-030-0020; and
(2) Hold a certificate in veterinary technology (or a comparable certificate) from a college accredited by the American Veterinary Medical Association, or other program approved by the Board; or

(3) Have been actively licensed or registered in good standing as a veterinary technician in another state or states for a period of at least five years and:

(a) Have been employed as a licensed veterinary technician or instructor of veterinary technology for a minimum of three of the last five years; and

(b) Pass the examinations referred to in OAR 87-030-0020, and

(c) Provide notarized letters confirming clinical competency as a veterinary technician or instructor from at least a veterinarian who supervised the applicant pursuant to A of this section; and

(d) Provide W2 federal tax forms or other Board-approved proof of employment as a licensed veterinary technician or instructor; and

(e) Provide proof of CE as required in OAR 875-010-0090 that is current at the time of application.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92; Renumbered from 875-010-0025; VMEB 2-2000, f. & cert. ef. 6-21-00; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 10-2008, f. & cert. ef. 7-22-08; VMEB 15-2008, f. & cert. ef. 12-15-08; VMEB 3-2009, f. & cert. ef. 10-15-09; VMEB 3-2010, f. & cert. ef. 5-6-10; VMEB 2-2011, f. & cert. ef. 3-2-11; VMEB 4-2014, f. & cert. ef. 1-17-14; VMEB 6-2014, f. & cert. ef. 10-20-14

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	111-040-0030	3-7-2014	Amend	4-1-2014
101-010-0005	11-12-2014	Amend(T)	12-1-2014	111-040-0030(T)	3-7-2014	Repeal	4-1-2014
101-015-0005	11-12-2014	Amend(T)	12-1-2014	111-040-0040	12-27-2013	Amend(T)	2-1-2014
101-020-0002	11-12-2014	Amend(T)	12-1-2014	111-040-0040	3-7-2014	Amend	4-1-2014
101-020-0005	11-12-2014	Amend(T)	12-1-2014	111-040-0040(T)	3-7-2014	Repeal	4-1-2014
101-020-0012	11-12-2014	Amend(T)	12-1-2014	111-040-0050	12-27-2013	Amend(T)	2-1-2014
101-020-0045	11-12-2014	Amend(T)	12-1-2014	111-040-0050	3-7-2014	Amend	4-1-2014
101-030-0010	11-12-2014	Amend(T)	12-1-2014	111-040-0050(T)	3-7-2014	Repeal	4-1-2014
101-030-0015	11-12-2014	Amend(T)	12-1-2014	111-070-0005	7-31-2014	Amend(T)	9-1-2014
101-030-0020	11-12-2014	Amend(T)	12-1-2014	111-070-0005	11-5-2014	Amend	12-1-2014
101-070-0001	12-17-2013	Adopt(T)	2-1-2014	111-070-0005(T)	11-5-2014	Repeal	12-1-2014
101-070-0001	5-1-2014	Adopt	6-1-2014	111-070-0030	7-31-2014	Amend(T)	9-1-2014
101-070-0001(T)	5-1-2014	Repeal	6-1-2014	111-070-0030	11-5-2014	Amend	12-1-2014
101-070-0005	12-17-2013	Adopt(T)	2-1-2014	111-070-0030(T)	11-5-2014	Repeal	12-1-2014
101-070-0005	5-1-2014	Adopt	6-1-2014	111-070-0040	7-31-2014	Amend(T)	9-1-2014
101-070-0005(T)	5-1-2014	Repeal	6-1-2014	111-070-0040	11-5-2014	Amend	12-1-2014
104-020-0000	1-1-2014	Amend	2-1-2014	111-070-0040(T)	11-5-2014	Repeal	12-1-2014
104-020-0010	1-1-2014	Amend	2-1-2014	115-010-0005	9-3-2014	Amend	10-1-2014
104-020-0020	1-1-2014	Amend	2-1-2014	115-010-0045	9-3-2014	Amend	10-1-2014
104-020-0030	1-1-2014	Amend	2-1-2014	115-010-0068	9-3-2014	Amend	10-1-2014
104-020-0040	1-1-2014	Amend	2-1-2014	115-010-0070	9-3-2014	Amend	10-1-2014
105-010-0018	1-1-2014	Adopt(T)	2-1-2014	115-010-0077	9-3-2014	Amend	10-1-2014
111-010-0015	11-19-2013	Amend(T)	1-1-2014	115-015-0000	9-3-2014	Repeal	10-1-2014
111-010-0015	12-27-2013	Amend	2-1-2014	115-015-0010	9-3-2014	Repeal	10-1-2014
111-010-0015	12-27-2013	Amend(T)	2-1-2014	115-015-0020	9-3-2014	Repeal	10-1-2014
111-010-0015	3-7-2014	Amend	4-1-2014	115-015-0025	9-3-2014	Repeal	10-1-2014
111-010-0015(T)	12-27-2013	Repeal	2-1-2014	115-015-0028	9-3-2014	Repeal	10-1-2014
111-010-0015(T)	3-7-2014	Repeal	4-1-2014	115-015-0030	9-3-2014	Repeal	10-1-2014
111-020-0001	12-27-2013	Amend	2-1-2014	115-015-0035	9-3-2014	Repeal	10-1-2014
111-020-0001(T)	12-27-2013	Repeal	2-1-2014	115-015-0040	9-3-2014	Repeal	10-1-2014
111-020-0005	12-27-2013	Amend	2-1-2014	115-025-0005	3-14-2014	Amend(T)	4-1-2014
111-020-0005(T)	12-27-2013	Repeal	2-1-2014	115-025-0005	9-10-2014	Amend	10-1-2014
111-020-0010	12-27-2013	Adopt	2-1-2014	115-025-0010	3-14-2014	Amend(T)	4-1-2014
111-020-0010	7-22-2014	Amend	9-1-2014	115-025-0010	9-10-2014	Amend	10-1-2014
111-020-0010(T)	12-27-2013	Repeal	2-1-2014	115-025-0030	3-14-2014	Amend(T)	4-1-2014
111-030-0050	12-27-2013	Amend	2-1-2014	115-025-0030	9-10-2014	Amend	10-1-2014
111-030-0050(T)	12-27-2013	Repeal	2-1-2014	115-025-0065	3-14-2014	Amend(T)	4-1-2014
111-040-0001	12-27-2013	Amend(T)	2-1-2014	115-025-0065	9-10-2014	Amend	10-1-2014
111-040-0001	3-7-2014	Amend	4-1-2014	115-025-0070	3-14-2014	Amend(T)	4-1-2014
111-040-0001(T)	3-7-2014	Repeal	4-1-2014	115-025-0070	9-10-2014	Amend	10-1-2014
111-040-0005	12-27-2013	Amend(T)	2-1-2014	115-025-0075	3-14-2014	Amend(T)	4-1-2014
111-040-0005	3-7-2014	Amend	4-1-2014	115-025-0075	9-10-2014	Amend	10-1-2014
111-040-0005(T)	3-7-2014	Repeal	4-1-2014	115-035-0000	9-3-2014	Amend	10-1-2014
111-040-0010	12-27-2013	Amend(T)	2-1-2014	115-035-0007	9-3-2014	Repeal	10-1-2014
111-040-0010	3-7-2014	Amend	4-1-2014	115-035-0035	9-3-2014	Amend	10-1-2014
111-040-0010(T)	3-7-2014	Repeal	4-1-2014	115-035-0040	9-3-2014	Amend	10-1-2014
111-040-0011	12-27-2013	Amend(T)	2-1-2014	115-035-0055	9-3-2014	Amend	10-1-2014
111-040-0011	3-7-2014	Amend	4-1-2014	115-035-0057	9-3-2014	Amend	10-1-2014
111-040-0011(T)	3-7-2014	Repeal	4-1-2014	123-006-0035	12-30-2013	Amend(T)	2-1-2014
111-040-0015	12-27-2013	Amend(T)	2-1-2014	123-006-0035	3-3-2014	Amend	4-1-2014
111-040-0015	3-7-2014	Amend	4-1-2014	123-015-0100	4-1-2014	Adopt	5-1-2014
111-040-0015(T)	3-7-2014	Repeal	4-1-2014	123-015-0200	4-1-2014	Adopt	5-1-2014
111-040-0025	12-27-2013	Amend(T)	2-1-2014	123-015-0300	4-1-2014	Adopt	5-1-2014
111-040-0025	3-7-2014	Amend	4-1-2014	123-015-0400	4-1-2014	Adopt	5-1-2014
111-040-0025(T)	3-7-2014	Repeal	4-1-2014	123-015-0500	4-1-2014	Adopt	5-1-2014
111-040-0030	12-27-2013	Amend(T)	2-1-2014	123-019-0010	7-1-2014	Amend	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
123-019-0020	7-1-2014	Amend	8-1-2014	123-095-0030	12-1-2013	Amend	1-1-2014
123-019-0030	7-1-2014	Amend	8-1-2014	123-095-0030(T)	12-1-2013	Repeal	1-1-2014
123-019-0040	7-1-2014	Amend	8-1-2014	123-095-0035	12-1-2013	Adopt	1-1-2014
123-019-0050	7-1-2014	Amend	8-1-2014	123-095-0035(T)	12-1-2013	Repeal	1-1-2014
123-019-0060	7-1-2014	Amend	8-1-2014	123-095-0040	12-1-2013	Amend	1-1-2014
123-019-0100	7-1-2014	Amend	8-1-2014	123-095-0040(T)	12-1-2013	Repeal	1-1-2014
123-024-0011	3-3-2014	Amend	4-1-2014	123-097-0100	5-1-2014	Adopt	6-1-2014
123-024-0031	3-3-2014	Amend	4-1-2014	123-097-0200	5-1-2014	Adopt	6-1-2014
123-025-0025	3-3-2014	Amend	4-1-2014	123-097-0500	5-1-2014	Adopt	6-1-2014
123-043-0010	1-1-2014	Amend	2-1-2014	123-097-1000	5-1-2014	Adopt	6-1-2014
123-043-0015	1-1-2014	Amend	2-1-2014	123-097-1500	5-1-2014	Adopt	6-1-2014
123-043-0025	1-1-2014	Amend	2-1-2014	123-097-2000	5-1-2014	Adopt	6-1-2014
123-043-0035	1-1-2014	Amend	2-1-2014	123-097-2200	5-1-2014	Adopt	6-1-2014
123-043-0041	1-1-2014	Amend	2-1-2014	123-097-2500	5-1-2014	Adopt	6-1-2014
123-043-0041	6-1-2014	Amend	7-1-2014	123-097-2600	5-1-2014	Adopt	6-1-2014
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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
125-045-0235	1-1-2014	Amend	2-1-2014	137-049-0130	7-1-2014	Amend(T)	8-1-2014
125-055-0100	1-1-2014	Amend	2-1-2014	137-049-0380	7-1-2014	Amend(T)	8-1-2014
125-055-0105	1-1-2014	Amend	2-1-2014	137-049-0600	7-1-2014	Amend(T)	8-1-2014
125-055-0115	1-1-2014	Amend	2-1-2014	137-049-0610	7-1-2014	Amend(T)	8-1-2014
125-055-0120	1-1-2014	Amend	2-1-2014	137-049-0620	7-1-2014	Amend(T)	8-1-2014
125-055-0125	1-1-2014	Amend	2-1-2014	137-049-0630	7-1-2014	Amend(T)	8-1-2014
125-055-0130	1-1-2014	Amend	2-1-2014	137-049-0640	7-1-2014	Amend(T)	8-1-2014
125-246-0100	1-1-2014	Amend	2-1-2014	137-049-0650	7-1-2014	Amend(T)	8-1-2014
125-246-0110	1-1-2014	Amend	2-1-2014	137-049-0660	7-1-2014	Amend(T)	8-1-2014
125-246-0130	1-1-2014	Amend	2-1-2014	137-049-0690	7-1-2014	Amend(T)	8-1-2014
125-246-0165	1-1-2014	Amend	2-1-2014	137-049-0820	7-1-2014	Amend(T)	8-1-2014
125-246-0170	1-1-2014	Amend	2-1-2014	137-050-0710	5-22-2014	Amend	7-1-2014
125-246-0350	1-1-2014	Amend	2-1-2014	137-050-0735	5-22-2014	Amend	7-1-2014
125-246-0360	1-1-2014	Amend	2-1-2014	137-050-0740	5-22-2014	Amend	7-1-2014
125-246-0400	1-1-2014	Amend	2-1-2014	137-050-0745	5-22-2014	Amend	7-1-2014
125-246-0500	1-1-2014	Amend	2-1-2014	137-050-0755	5-22-2014	Amend	7-1-2014
125-246-0556	1-1-2014	Amend	2-1-2014	137-055-1100	4-1-2014	Amend	5-1-2014
125-246-0570	1-1-2014	Amend	2-1-2014	137-055-2045	5-22-2014	Amend	7-1-2014
125-246-0900	1-1-2014	Amend	2-1-2014	137-055-2160	10-1-2014	Amend(T)	11-1-2014
125-247-0170	1-1-2014	Amend	2-1-2014	137-055-2170	1-13-2014	Amend(T)	2-1-2014
125-247-0200	1-1-2014	Amend	2-1-2014	137-055-2170	5-22-2014	Amend	7-1-2014
125-247-0265	1-1-2014	Amend	2-1-2014	137-055-2170(T)	5-22-2014	Repeal	7-1-2014
125-247-0270	1-1-2014	Amend	2-1-2014	137-055-3300	4-1-2014	Amend	5-1-2014
125-247-0805	1-1-2014	Amend	2-1-2014	137-055-3360	4-1-2014	Amend	5-1-2014
125-248-0130	1-1-2014	Amend	2-1-2014	137-055-3420	1-13-2014	Amend(T)	2-1-2014
125-700-0010	5-1-2014	Amend	6-1-2014	137-055-3420	5-22-2014	Amend	7-1-2014
125-700-0015	5-1-2014	Amend	6-1-2014	137-055-3420(T)	5-22-2014	Repeal	7-1-2014
125-700-0120	5-1-2014	Repeal	6-1-2014	137-055-3435	4-1-2014	Amend	5-1-2014
125-700-0125	5-1-2014	Amend	6-1-2014	137-055-3660	4-1-2014	Amend	5-1-2014
125-700-0130	5-1-2014	Repeal	6-1-2014	137-055-5030	10-1-2014	Amend(T)	11-1-2014
125-700-0135	5-1-2014	Amend	6-1-2014	137-055-5110	10-1-2014	Amend(T)	11-1-2014
125-700-0140	5-1-2014	Amend	6-1-2014	137-055-5510	4-1-2014	Amend	5-1-2014
125-700-0145	5-1-2014	Amend	6-1-2014	137-055-6024	5-22-2014	Amend	7-1-2014
125-700-0150	5-1-2014	Amend	6-1-2014	137-055-6120	4-1-2014	Amend	5-1-2014
125-700-0155	5-1-2014	Amend	6-1-2014	137-055-7180	4-1-2014	Amend	5-1-2014
137-003-0505	2-1-2014	Amend(T)	3-1-2014	137-084-0500	4-1-2014	Amend	5-1-2014
137-003-0505	4-1-2014	Amend	5-1-2014	137-110-0001	1-31-2014	Repeal	3-1-2014
137-003-0505(T)	4-1-2014	Repeal	5-1-2014	137-110-0005	1-31-2014	Repeal	3-1-2014
137-003-0640	2-1-2014	Amend(T)	3-1-2014	137-110-0010	1-31-2014	Amend	3-1-2014
137-003-0640	4-1-2014	Amend	5-1-2014	137-110-0020	1-31-2014	Repeal	3-1-2014
137-003-0640(T)	4-1-2014	Repeal	5-1-2014	137-110-0110	1-31-2014	Amend	3-1-2014
137-045-0050	7-11-2014	Amend(T)	8-1-2014	137-110-0200	1-31-2014	Amend	3-1-2014
137-045-0050	10-1-2014	Amend(T)	11-1-2014	137-110-0210	1-31-2014	Amend	3-1-2014
137-045-0050(T)	10-1-2014	Suspend	11-1-2014	137-110-0300	1-31-2014	Adopt	3-1-2014
137-046-0130	7-1-2014	Amend(T)	8-1-2014	137-110-0410	1-31-2014	Amend	3-1-2014
137-047-0260	7-1-2014	Amend(T)	8-1-2014	137-110-0420	1-31-2014	Amend	3-1-2014
137-047-0265	7-1-2014	Amend(T)	8-1-2014	137-110-0430	1-31-2014	Repeal	3-1-2014
137-047-0270	7-1-2014	Amend(T)	8-1-2014	137-110-0500	1-31-2014	Repeal	3-1-2014
137-047-0300	7-1-2014	Amend(T)	8-1-2014	137-110-0510	1-31-2014	Repeal	3-1-2014
137-047-0450	7-1-2014	Amend(T)	8-1-2014	137-110-0520	1-31-2014	Repeal	3-1-2014
137-047-0560	7-1-2014	Amend(T)	8-1-2014	137-110-0600	1-31-2014	Amend	3-1-2014
137-048-0130	7-1-2014	Amend(T)	8-1-2014	137-110-0605	1-31-2014	Adopt	3-1-2014
137-048-0210	7-1-2014	Amend(T)	8-1-2014	137-110-0610	1-31-2014	Amend	3-1-2014
137-048-0220	7-1-2014	Amend(T)	8-1-2014	137-110-0620	1-31-2014	Amend	3-1-2014
137-049-0100	7-1-2014	Amend(T)	8-1-2014	137-110-0630	1-31-2014	Amend	3-1-2014
137-049-0120	7-1-2014	Amend(T)	8-1-2014	137-110-0640	1-31-2014	Amend	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
137-110-0650	1-31-2014	Amend	3-1-2014	141-089-0825	1-1-2014	Amend	1-1-2014
137-110-0660	1-31-2014	Repeal	3-1-2014	141-089-0830	1-1-2014	Amend	1-1-2014
137-110-0670	1-31-2014	Amend	3-1-2014	141-089-0835	1-1-2014	Amend	1-1-2014
137-110-0675	1-31-2014	Adopt	3-1-2014	141-145-0000	2-1-2014	Adopt	2-1-2014
137-120-0010	1-31-2014	Repeal	3-1-2014	141-145-0005	2-1-2014	Adopt	2-1-2014
137-120-0020	1-31-2014	Amend	3-1-2014	141-145-0010	2-1-2014	Adopt	2-1-2014
137-130-0001	10-31-2014	Adopt(T)	12-1-2014	141-145-0015	2-1-2014	Adopt	2-1-2014
137-130-0005	10-31-2014	Adopt(T)	12-1-2014	141-145-0020	2-1-2014	Adopt	2-1-2014
137-130-0010	10-31-2014	Adopt(T)	12-1-2014	141-145-0025	2-1-2014	Adopt	2-1-2014
137-130-0110	10-31-2014	Adopt(T)	12-1-2014	141-145-0030	2-1-2014	Adopt	2-1-2014
137-130-0210	10-31-2014	Adopt(T)	12-1-2014	141-145-0035	2-1-2014	Adopt	2-1-2014
141-030-0015	2-1-2014	Amend	2-1-2014	141-145-0040	2-1-2014	Adopt	2-1-2014
141-030-0025	2-1-2014	Amend	2-1-2014	141-145-0045	2-1-2014	Adopt	2-1-2014
141-030-0036	2-1-2014	Repeal	2-1-2014	141-145-0050	2-1-2014	Adopt	2-1-2014
141-030-0037	2-1-2014	Amend	2-1-2014	141-145-0055	2-1-2014	Adopt	2-1-2014
141-035-0012	2-1-2014	Amend	2-1-2014	141-145-0060	2-1-2014	Adopt	2-1-2014
141-035-0013	2-1-2014	Amend	2-1-2014	141-145-0065	2-1-2014	Adopt	2-1-2014
141-035-0015	2-1-2014	Repeal	2-1-2014	141-145-0070	2-1-2014	Adopt	2-1-2014
141-035-0016	2-1-2014	Amend	2-1-2014	141-145-0075	2-1-2014	Adopt	2-1-2014
141-035-0018	2-1-2014	Amend	2-1-2014	141-145-0080	2-1-2014	Adopt	2-1-2014
141-035-0020	2-1-2014	Amend	2-1-2014	141-145-0085	2-1-2014	Adopt	2-1-2014
141-035-0025	2-1-2014	Amend	2-1-2014	141-145-0090	2-1-2014	Adopt	2-1-2014
141-035-0030	2-1-2014	Amend	2-1-2014	150-118.005	12-26-2013	Adopt	2-1-2014
141-035-0035	2-1-2014	Amend	2-1-2014	150-118.010	12-26-2013	Adopt	2-1-2014
141-035-0040	2-1-2014	Amend	2-1-2014	150-118.010(1)	12-26-2013	Amend	2-1-2014
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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
150-307.175	7-31-2014	Amend	9-1-2014	150-323.106	7-31-2014	Adopt	9-1-2014
150-307.475	7-31-2014	Amend	9-1-2014	150-323.520	7-31-2014	Amend	9-1-2014
150-307.547	7-31-2014	Amend	9-1-2014	150-457.440(9)	1-1-2014	Amend	2-1-2014
150-308.010	1-1-2014	Amend	2-1-2014	160-010-0700	1-1-2014	Adopt	2-1-2014
150-308.290-(A)	7-31-2014	Amend	9-1-2014	160-010-0700	1-3-2014	Adopt	2-1-2014
150-308.515(1)(h)	7-31-2014	Repeal	9-1-2014	160-010-0701	1-1-2014	Adopt	2-1-2014
150-308A.056(1)(g)	7-31-2014	Adopt	9-1-2014	160-010-0701	1-3-2014	Adopt	2-1-2014
150-308A.092	7-31-2014	Amend	9-1-2014	160-010-0710	1-1-2014	Adopt	2-1-2014
150-308A.724	1-1-2014	Repeal	2-1-2014	160-010-0710	1-3-2014	Adopt	2-1-2014
150-309.100(3)-(B)	1-1-2014	Amend	2-1-2014	160-010-0720	1-1-2014	Adopt	2-1-2014
150-309.110-(A)	8-11-2014	Amend	9-1-2014	160-010-0720	1-3-2014	Adopt	2-1-2014
150-309.110(1)-(A)	1-1-2014	Amend	2-1-2014	160-100-0000	3-6-2014	Amend	4-1-2014
150-311.223(4)	1-1-2014	Amend	2-1-2014	161-001-0005	10-30-2014	Amend	12-1-2014
150-311.674	1-1-2014	Repeal	2-1-2014	161-006-0155	1-1-2014	Amend(T)	2-1-2014
150-311.686(2)	7-31-2014	Repeal	9-1-2014	161-006-0155	4-22-2014	Amend	6-1-2014
150-311.689	1-1-2014	Repeal	2-1-2014	161-006-0155	5-20-2014	Amend	7-1-2014
150-311.691	7-31-2014	Amend	9-1-2014	161-006-0160	1-1-2014	Amend(T)	2-1-2014
150-314.280(3)	1-1-2014	Amend	2-1-2014	161-006-0160	4-22-2014	Amend	6-1-2014
150-314.360	7-31-2014	Amend	9-1-2014	161-006-0160	5-20-2014	Amend	7-1-2014
150-314.380(2)-(B)	1-1-2014	Amend	2-1-2014	161-010-0010	7-7-2014	Amend(T)	8-1-2014
150-314.385(4)	12-26-2013	Amend	2-1-2014	161-010-0025	7-7-2014	Amend(T)	8-1-2014
150-314.410(2)	7-31-2014	Amend	9-1-2014	161-010-0035	7-7-2014	Amend(T)	8-1-2014
150-314.410(4)	1-1-2014	Amend	2-1-2014	161-010-0045	7-7-2014	Amend(T)	8-1-2014
150-314.415(7)	12-26-2013	Amend	2-1-2014	161-010-0065	7-7-2014	Amend(T)	8-1-2014
150-314.665(1)-(A)	7-31-2014	Amend	9-1-2014	161-010-0085	7-7-2014	Amend(T)	8-1-2014
150-314.775	1-1-2014	Amend	2-1-2014	161-015-0000	7-7-2014	Amend(T)	8-1-2014
150-314.778	1-1-2014	Amend	2-1-2014	161-025-0060	1-1-2014	Amend(T)	2-1-2014
150-314.HB2071(B)	12-26-2013	Renumber	2-1-2014	161-025-0060	4-22-2014	Amend	6-1-2014
150-315.068	1-1-2014	Amend	2-1-2014	161-025-0060	5-20-2014	Amend	7-1-2014
150-315.141	7-31-2014	Repeal	9-1-2014	161-570-0025	1-1-2014	Amend(T)	2-1-2014
150-315.164	7-31-2014	Amend	9-1-2014	161-570-0025	4-22-2014	Amend	6-1-2014
150-315.204-(A)	1-1-2014	Amend	2-1-2014	161-570-0025	5-20-2014	Amend	7-1-2014
150-315.304(9)	1-1-2014	Amend	2-1-2014	161-570-0030	1-1-2014	Amend(T)	2-1-2014
150-315.514	12-26-2013	Amend	2-1-2014	161-570-0030	4-22-2014	Amend	6-1-2014
150-316.014	12-26-2013	Am. & Ren.	2-1-2014	161-570-0030	5-20-2014	Amend	7-1-2014
150-316.102	1-1-2014	Amend	2-1-2014	162-010-0000	2-13-2014	Amend	3-1-2014
150-316.127-(A)	7-31-2014	Amend	9-1-2014	162-010-0010	2-13-2014	Amend	3-1-2014
150-316.127(10)	1-1-2014	Amend	2-1-2014	162-010-0020	2-13-2014	Amend	3-1-2014
150-316.202(3)	7-31-2014	Amend	9-1-2014	162-010-0030	2-13-2014	Amend	3-1-2014
150-316.368	1-1-2014	Amend	2-1-2014	162-010-0050	2-13-2014	Amend	3-1-2014
150-316.587(8)-(A)	7-31-2014	Amend	9-1-2014	162-010-0115	2-13-2014	Amend	3-1-2014
150-316.680(1)(c)-(A)	1-1-2014	Repeal	2-1-2014	162-010-0120	2-13-2014	Amend	3-1-2014
150-316.680(1)(c)-(B)	1-1-2014	Repeal	2-1-2014	162-010-0130	2-13-2014	Amend	3-1-2014
150-316.693	1-1-2014	Adopt	2-1-2014	162-010-0140	2-13-2014	Amend	3-1-2014
150-316.789	1-1-2014	Repeal	2-1-2014	162-010-0160	2-13-2014	Repeal	3-1-2014
150-316.791	1-1-2014	Repeal	2-1-2014	162-010-0170	2-13-2014	Repeal	3-1-2014
150-316.792	1-1-2014	Adopt	2-1-2014	162-010-0190	2-13-2014	Amend	3-1-2014
150-317.010(4)	1-1-2014	Amend	2-1-2014	162-010-0200	2-13-2014	Amend	3-1-2014
150-317.067	1-1-2014	Amend	2-1-2014	162-010-0230	2-13-2014	Amend	3-1-2014
150-317.147	7-31-2014	Amend	9-1-2014	162-010-0260	2-13-2014	Amend	3-1-2014
150-317.314	7-31-2014	Amend	9-1-2014	165-001-0050	1-2-2014	Amend	2-1-2014
150-317.715(2)-(A)	7-31-2014	Am. & Ren.	9-1-2014	165-010-0005	1-2-2014	Amend	2-1-2014
150-317.715(2)-(B)	7-31-2014	Am. & Ren.	9-1-2014	165-010-0080	1-2-2014	Repeal	2-1-2014
150-317.715(3)(b)	7-31-2014	Am. & Ren.	9-1-2014	165-012-0005	1-2-2014	Amend	2-1-2014
150-317.715(5)	7-31-2014	Adopt	9-1-2014	165-012-0240	1-2-2014	Amend	2-1-2014
150-323.105	7-31-2014	Amend	9-1-2014	165-013-0010	1-2-2014	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
165-014-0005	1-2-2014	Amend	2-1-2014	166-200-0225	8-7-2014	Adopt	9-1-2014
165-014-0030	1-7-2014	Amend	2-1-2014	166-200-0230	8-7-2014	Adopt	9-1-2014
165-016-0000	3-11-2014	Adopt	4-1-2014	166-200-0235	8-7-2014	Adopt	9-1-2014
165-016-0040	3-11-2014	Repeal	4-1-2014	166-200-0240	8-7-2014	Adopt	9-1-2014
165-016-0045	3-11-2014	Repeal	4-1-2014	166-200-0245	8-7-2014	Adopt	9-1-2014
165-016-0050	3-11-2014	Repeal	4-1-2014	166-200-0250	8-7-2014	Adopt	9-1-2014
165-016-0055	3-11-2014	Repeal	4-1-2014	166-200-0255	8-7-2014	Adopt	9-1-2014
165-016-0060	3-11-2014	Repeal	4-1-2014	166-200-0260	8-7-2014	Adopt	9-1-2014
165-016-0070	3-11-2014	Repeal	4-1-2014	166-200-0265	8-7-2014	Adopt	9-1-2014
165-016-0080	3-11-2014	Repeal	4-1-2014	166-200-0270	8-7-2014	Adopt	9-1-2014
165-016-0100	3-11-2014	Repeal	4-1-2014	166-200-0275	8-7-2014	Adopt	9-1-2014
165-016-0105	3-11-2014	Repeal	4-1-2014	166-200-0280	8-7-2014	Adopt	9-1-2014
165-016-0814	8-18-2014	Adopt(T)	10-1-2014	166-200-0285	8-7-2014	Adopt	9-1-2014
165-016-2014	2-13-2014	Adopt(T)	3-1-2014	166-200-0290	8-7-2014	Adopt	9-1-2014
165-020-0025	1-2-2014	Repeal	2-1-2014	166-200-0295	8-7-2014	Adopt	9-1-2014
166-005-0010	2-25-2014	Amend	4-1-2014	166-200-0300	8-7-2014	Adopt	9-1-2014
166-150-0005	2-25-2014	Amend	4-1-2014	166-200-0305	8-7-2014	Adopt	9-1-2014
166-150-0035	2-25-2014	Amend	4-1-2014	166-200-0310	8-7-2014	Adopt	9-1-2014
166-150-0040	2-25-2014	Amend	4-1-2014	166-200-0315	8-7-2014	Adopt	9-1-2014
166-150-0095	2-25-2014	Amend	4-1-2014	166-200-0320	8-7-2014	Adopt	9-1-2014
166-150-0135	2-25-2014	Amend	4-1-2014	166-200-0325	8-7-2014	Adopt	9-1-2014
166-150-0210	2-25-2014	Amend	4-1-2014	166-200-0330	8-7-2014	Adopt	9-1-2014
166-200-0005	8-7-2014	Repeal	9-1-2014	166-200-0335	8-7-2014	Adopt	9-1-2014
166-200-0010	8-7-2014	Repeal	9-1-2014	166-200-0340	8-7-2014	Adopt	9-1-2014
166-200-0015	8-7-2014	Repeal	9-1-2014	166-200-0345	8-7-2014	Adopt	9-1-2014
166-200-0020	8-7-2014	Repeal	9-1-2014	166-200-0350	8-7-2014	Adopt	9-1-2014
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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
172-005-0020	5-14-2014	Amend	6-1-2014	250-015-0025	1-15-2014	Repeal	2-1-2014
172-005-0020	5-28-2014	Amend	7-1-2014	250-015-0026	1-15-2014	Amend	2-1-2014
172-005-0045	5-14-2014	Adopt	6-1-2014	250-015-0027	1-15-2014	Repeal	2-1-2014
172-005-0045	5-30-2014	Adopt	7-1-2014	250-015-0028	1-15-2014	Repeal	2-1-2014
173-006-0005	12-19-2013	Amend	2-1-2014	250-015-0029	1-15-2014	Repeal	2-1-2014
173-008-0005	12-19-2013	Amend	2-1-2014	250-015-0031	1-15-2014	Repeal	2-1-2014
177-075-0040	12-1-2013	Amend	1-1-2014	250-015-0032	1-15-2014	Repeal	2-1-2014
177-075-0040(T)	12-1-2013	Repeal	1-1-2014	250-015-0033	1-15-2014	Repeal	2-1-2014
177-094-0100	4-6-2014	Adopt	5-1-2014	250-015-0035	1-15-2014	Adopt	2-1-2014
177-099-0095	1-1-2014	Amend	2-1-2014	250-016-0080	1-15-2014	Amend	2-1-2014
177-099-0100	4-1-2014	Amend	5-1-2014	250-016-0090	1-15-2014	Adopt	2-1-2014
213-003-0001	2-3-2014	Amend	3-1-2014	250-019-0010	1-15-2014	Repeal	2-1-2014
213-008-0002	2-3-2014	Amend	3-1-2014	250-019-0020	1-15-2014	Repeal	2-1-2014
213-017-0004	2-3-2014	Amend	3-1-2014	250-019-0030	1-15-2014	Repeal	2-1-2014
213-017-0005	2-3-2014	Amend	3-1-2014	250-019-0040	1-15-2014	Repeal	2-1-2014
213-017-0005(T)	2-3-2014	Repeal	3-1-2014	250-019-0050	1-15-2014	Repeal	2-1-2014
213-017-0006	2-3-2014	Amend	3-1-2014	250-019-0060	1-15-2014	Repeal	2-1-2014
213-017-0006(T)	2-3-2014	Repeal	3-1-2014	250-019-0070	1-15-2014	Repeal	2-1-2014
213-017-0008	2-3-2014	Amend	3-1-2014	250-019-0080	1-15-2014	Repeal	2-1-2014
213-017-0008(T)	2-3-2014	Repeal	3-1-2014	250-020-0032	1-15-2014	Amend	2-1-2014
213-017-0009	2-3-2014	Amend	3-1-2014	250-020-0033	3-10-2014	Amend(T)	4-1-2014
213-017-0009(T)	2-3-2014	Repeal	3-1-2014	250-020-0033(T)	3-13-2014	Suspend	4-1-2014
213-018-0012	2-3-2014	Adopt	3-1-2014	250-020-0221	4-11-2014	Amend(T)	5-1-2014
213-018-0012(T)	2-3-2014	Repeal	3-1-2014	250-020-0385	1-15-2014	Amend	2-1-2014
213-018-0013	2-3-2014	Adopt	3-1-2014	250-026-0005	6-1-2014	Adopt	6-1-2014
213-018-0013(T)	2-3-2014	Repeal	3-1-2014	250-026-0010	6-1-2014	Adopt	6-1-2014
213-018-0036	2-3-2014	Adopt	3-1-2014	250-026-0015	6-1-2014	Adopt	6-1-2014
213-018-0036(T)	2-3-2014	Repeal	3-1-2014	250-026-0020	6-1-2014	Adopt	6-1-2014
213-019-0008	2-3-2014	Amend	3-1-2014	250-026-0025	6-1-2014	Adopt	6-1-2014
213-019-0008(T)	2-3-2014	Repeal	3-1-2014	250-026-0030	6-1-2014	Adopt	6-1-2014
213-019-0010	2-3-2014	Amend	3-1-2014	250-026-0035	6-1-2014	Adopt	6-1-2014
213-019-0012	2-3-2014	Amend	3-1-2014	250-026-0040	6-1-2014	Adopt	6-1-2014
213-019-0015	2-3-2014	Amend	3-1-2014	250-026-0045	6-1-2014	Adopt	6-1-2014
230-140-0030	8-14-2014	Amend(T)	9-1-2014	250-026-0050	6-1-2014	Adopt	6-1-2014
250-001-0000	1-15-2014	Amend	2-1-2014	250-026-0055	6-1-2014	Adopt	6-1-2014
250-001-0005	1-15-2014	Amend	2-1-2014	255-030-0010	11-27-2013	Amend	1-1-2014
250-001-0005	11-1-2014	Amend	12-1-2014	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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
255-080-0008	8-8-2014	Amend	9-1-2014	259-060-0135	10-1-2014	Amend	11-1-2014
255-080-0011	3-27-2014	Amend(T)	5-1-2014	259-060-0300	1-2-2014	Amend	2-1-2014
255-080-0011	8-8-2014	Amend	9-1-2014	259-060-0300	1-28-2014	Amend	3-1-2014
259-001-0015	9-11-2014	Amend	10-1-2014	259-060-0300	3-6-2014	Amend(T)	4-1-2014
259-003-0015	9-11-2014	Amend	10-1-2014	259-060-0300	6-24-2014	Amend	8-1-2014
259-005-0015	9-11-2014	Amend	10-1-2014	259-060-0300	7-30-2014	Amend	9-1-2014
259-008-0005	1-2-2014	Amend	2-1-2014	259-060-0300(T)	6-24-2014	Repeal	8-1-2014
259-008-0005	1-29-2014	Amend	3-1-2014	259-061-0040	5-5-2014	Amend	6-1-2014
259-008-0010	1-2-2014	Amend	2-1-2014	259-061-0200	10-1-2014	Amend	11-1-2014
259-008-0010	6-24-2014	Amend	8-1-2014	259-061-0210	10-1-2014	Repeal	11-1-2014
259-008-0011	6-24-2014	Amend	8-1-2014	259-061-0220	10-1-2014	Repeal	11-1-2014
259-008-0020	1-2-2014	Amend	2-1-2014	259-061-0230	10-1-2014	Repeal	11-1-2014
259-008-0020	1-29-2014	Amend	3-1-2014	259-061-0300	5-5-2014	Adopt	6-1-2014
259-008-0025	1-2-2014	Amend	2-1-2014	259-061-0300	7-30-2014	Amend	9-1-2014
259-008-0025	1-2-2014	Amend	2-1-2014	259-070-0010	8-11-2014	Amend(T)	9-1-2014
259-008-0025	4-10-2014	Amend	5-1-2014	274-015-0010	1-1-2014	Amend	2-1-2014
259-008-0060	1-2-2014	Amend	2-1-2014	274-015-0010(T)	1-1-2014	Repeal	2-1-2014
259-008-0060	6-24-2014	Amend	8-1-2014	291-014-0100	12-13-2013	Amend	1-1-2014
259-008-0060	10-8-2014	Amend(T)	11-1-2014	291-014-0100	1-14-2014	Amend	2-1-2014
259-008-0067	1-29-2014	Amend	3-1-2014	291-014-0110	12-13-2013	Amend	1-1-2014
259-008-0067	7-23-2014	Amend	9-1-2014	291-014-0110	1-14-2014	Amend	2-1-2014
259-008-0069	1-2-2014	Amend	2-1-2014	291-014-0120	12-13-2013	Amend	1-1-2014
259-008-0070	1-2-2014	Amend	2-1-2014	291-014-0120	1-14-2014	Amend	2-1-2014
259-008-0070	1-28-2014	Amend	3-1-2014	291-016-0020	6-6-2014	Amend(T)	7-1-2014
259-008-0070	2-27-2014	Amend(T)	4-1-2014	291-016-0020	7-2-2014	Amend(T)	8-1-2014
259-008-0070	6-24-2014	Amend	8-1-2014	291-016-0120	6-6-2014	Adopt(T)	7-1-2014
259-008-0070	7-30-2014	Amend	9-1-2014	291-016-0120	7-2-2014	Adopt(T)	8-1-2014
259-008-0070	7-31-2014	Amend(T)	9-1-2014	291-041-0018	12-13-2013	Adopt(T)	1-1-2014
259-008-0070	10-22-2014	Amend	12-1-2014	291-041-0018	1-17-2014	Adopt(T)	3-1-2014
259-008-0070(T)	6-24-2014	Repeal	8-1-2014	291-041-0018	3-4-2014	Adopt	4-1-2014
259-008-0070(T)	10-22-2014	Repeal	12-1-2014	291-041-0018(T)	3-4-2014	Repeal	4-1-2014
259-008-0075	1-2-2014	Amend	2-1-2014	291-041-0020	12-13-2013	Amend(T)	1-1-2014
259-008-0075	7-23-2014	Amend	9-1-2014	291-041-0020	1-17-2014	Amend(T)	3-1-2014
259-008-0080	1-2-2014	Amend	2-1-2014	291-041-0020	3-4-2014	Amend	4-1-2014
259-008-0080	1-29-2014	Amend	3-1-2014	291-041-0020(T)	3-4-2014	Repeal	4-1-2014
259-008-0080	7-23-2014	Amend	9-1-2014	291-055-0005	7-1-2014	Amend(T)	8-1-2014
259-008-0090	1-2-2014	Amend	2-1-2014	291-055-0010	7-1-2014	Amend(T)	8-1-2014
259-008-0090	1-29-2014	Amend	3-1-2014	291-055-0014	7-1-2014	Amend(T)	8-1-2014
259-008-0100	1-2-2014	Amend	2-1-2014	291-055-0019	4-22-2014	Amend	6-1-2014
259-009-0005	2-6-2014	Amend	3-1-2014	291-055-0019	7-1-2014	Amend(T)	8-1-2014
259-009-0005	4-3-2014	Amend	5-1-2014	291-055-0020	7-1-2014	Amend(T)	8-1-2014
259-009-0062	2-6-2014	Amend	3-1-2014	291-055-0025	7-1-2014	Amend(T)	8-1-2014
259-009-0062	4-3-2014	Amend	5-1-2014	291-055-0031	7-1-2014	Amend(T)	8-1-2014
259-009-0070	1-28-2014	Amend	3-1-2014	291-055-0040	7-1-2014	Amend(T)	8-1-2014
259-009-0070	7-30-2014	Amend	9-1-2014	291-055-0045	7-1-2014	Amend(T)	8-1-2014
259-009-0070	7-31-2014	Amend(T)	9-1-2014	291-055-0050	7-1-2014	Amend(T)	8-1-2014
259-009-0070	10-22-2014	Amend	12-1-2014	291-073-0100	3-3-2014	Adopt	4-1-2014
259-009-0070(T)	10-22-2014	Repeal	12-1-2014	291-073-0110	3-3-2014	Adopt	4-1-2014
259-013-0000	1-2-2014	Amend	2-1-2014	291-077-0035	12-1-2013	Amend	1-1-2014
259-013-0220	1-2-2014	Amend	2-1-2014	291-077-0035	1-14-2014	Amend	2-1-2014
259-013-0230	1-2-2014	Amend	2-1-2014	291-078-0010	8-29-2014	Amend(T)	10-1-2014
259-020-0010	10-1-2014	Amend	11-1-2014	291-078-0020	8-29-2014	Amend(T)	10-1-2014
259-020-0055	10-1-2014	Amend	11-1-2014	291-078-0026	8-29-2014	Amend(T)	10-1-2014
259-040-0000	10-22-2014	Repeal	12-1-2014	291-078-0031	8-29-2014	Amend(T)	10-1-2014
259-060-0025	10-1-2014	Amend	11-1-2014	291-097-0231	12-13-2013	Adopt(T)	1-1-2014
259-060-0120	6-24-2014	Amend	8-1-2014	291-097-0231	1-17-2014	Adopt(T)	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
291-097-0231	5-5-2014	Adopt	6-1-2014	291-209-0070(T)	11-4-2014	Repeal	12-1-2014
291-097-0231(T)	5-5-2014	Repeal	6-1-2014	291-210-0010	6-25-2014	Adopt(T)	8-1-2014
291-104-0111	2-12-2014	Amend(T)	3-1-2014	291-210-0010	10-13-2014	Adopt	11-1-2014
291-104-0111	5-1-2014	Amend	6-1-2014	291-210-0010(T)	10-13-2014	Repeal	11-1-2014
291-104-0111(T)	5-1-2014	Repeal	6-1-2014	291-210-0020	6-25-2014	Adopt(T)	8-1-2014
291-104-0116	2-12-2014	Amend(T)	3-1-2014	291-210-0020	10-13-2014	Adopt	11-1-2014
291-104-0116	5-1-2014	Amend	6-1-2014	291-210-0020(T)	10-13-2014	Repeal	11-1-2014
291-104-0116(T)	5-1-2014	Repeal	6-1-2014	291-210-0030	6-25-2014	Adopt(T)	8-1-2014
291-104-0125	2-12-2014	Amend(T)	3-1-2014	291-210-0030	10-13-2014	Adopt	11-1-2014
291-104-0125	5-1-2014	Amend	6-1-2014	291-210-0030(T)	10-13-2014	Repeal	11-1-2014
291-104-0125(T)	5-1-2014	Repeal	6-1-2014	309-011-0070	1-28-2014	Repeal	3-1-2014
291-104-0135	2-12-2014	Amend(T)	3-1-2014	309-011-0075	1-28-2014	Repeal	3-1-2014
291-104-0135	5-1-2014	Amend	6-1-2014	309-011-0080	1-28-2014	Repeal	3-1-2014
291-104-0135(T)	5-1-2014	Repeal	6-1-2014	309-011-0085	1-28-2014	Repeal	3-1-2014
291-104-0140	2-12-2014	Amend(T)	3-1-2014	309-011-0090	1-28-2014	Repeal	3-1-2014
291-104-0140	5-1-2014	Amend	6-1-2014	309-011-0095	1-28-2014	Repeal	3-1-2014
291-104-0140(T)	5-1-2014	Repeal	6-1-2014	309-012-0130	12-20-2013	Amend(T)	2-1-2014
291-109-0125	12-13-2013	Suspend	1-1-2014	309-012-0130	6-19-2014	Amend	7-1-2014
291-109-0125	1-17-2014	Suspend	3-1-2014	309-012-0150	12-20-2013	Amend(T)	2-1-2014
291-109-0125	3-3-2014	Repeal	4-1-2014	309-012-0150	6-19-2014	Amend	7-1-2014
291-109-0125(T)	3-3-2014	Repeal	4-1-2014	309-012-0180	12-20-2013	Amend(T)	2-1-2014
291-109-0180	12-13-2013	Amend(T)	1-1-2014	309-012-0180	6-19-2014	Amend	7-1-2014
291-109-0180	1-17-2014	Amend(T)	3-1-2014	309-012-0190	12-20-2013	Amend(T)	2-1-2014
291-109-0180	3-3-2014	Amend	4-1-2014	309-012-0190	6-19-2014	Amend	7-1-2014
291-109-0180(T)	3-3-2014	Repeal	4-1-2014	309-012-0230	12-20-2013	Adopt(T)	2-1-2014
291-109-0200	12-13-2013	Adopt(T)	1-1-2014	309-012-0230	6-19-2014	Adopt	7-1-2014
291-109-0200	1-17-2014	Adopt(T)	3-1-2014	309-016-0600	8-1-2014	Renumber	9-1-2014
291-109-0200	3-3-2014	Adopt	4-1-2014	309-016-0605	8-1-2014	Renumber	9-1-2014
291-109-0200(T)	3-3-2014	Repeal	4-1-2014	309-016-0610	8-1-2014	Renumber	9-1-2014
291-130-0005	7-8-2014	Amend(T)	8-1-2014	309-016-0615	8-1-2014	Renumber	9-1-2014
291-130-0006	7-8-2014	Amend(T)	8-1-2014	309-016-0620	8-1-2014	Renumber	9-1-2014
291-130-0011	7-8-2014	Amend(T)	8-1-2014	309-016-0625	8-1-2014	Renumber	9-1-2014
291-130-0016	7-8-2014	Amend(T)	8-1-2014	309-016-0630	8-1-2014	Renumber	9-1-2014
291-130-0017	7-8-2014	Adopt(T)	8-1-2014	309-016-0635	8-1-2014	Renumber	9-1-2014
291-130-0018	7-8-2014	Adopt(T)	8-1-2014	309-016-0640	8-1-2014	Renumber	9-1-2014
291-130-0020	7-8-2014	Amend(T)	8-1-2014	309-016-0645	8-1-2014	Renumber	9-1-2014
291-209-0010	5-13-2014	Adopt(T)	6-1-2014	309-016-0650	8-1-2014	Renumber	9-1-2014
291-209-0010	11-4-2014	Adopt	12-1-2014	309-016-0660	8-1-2014	Renumber	9-1-2014
291-209-0010(T)	11-4-2014	Repeal	12-1-2014	309-016-0665	8-1-2014	Renumber	9-1-2014
291-209-0020	5-13-2014	Adopt(T)	6-1-2014	309-016-0670	8-1-2014	Renumber	9-1-2014
291-209-0020	11-4-2014	Adopt	12-1-2014	309-016-0675	8-1-2014	Renumber	9-1-2014
291-209-0020(T)	11-4-2014	Repeal	12-1-2014	309-016-0680	8-1-2014	Renumber	9-1-2014
291-209-0030	5-13-2014	Adopt(T)	6-1-2014	309-016-0685	8-1-2014	Renumber	9-1-2014
291-209-0030	11-4-2014	Adopt	12-1-2014	309-016-0690	8-1-2014	Renumber	9-1-2014
291-209-0030(T)	11-4-2014	Repeal	12-1-2014	309-016-0695	8-1-2014	Renumber	9-1-2014
291-209-0040	5-13-2014	Adopt(T)	6-1-2014	309-016-0700	8-1-2014	Renumber	9-1-2014
291-209-0040	11-4-2014	Adopt	12-1-2014	309-016-0705	8-1-2014	Renumber	9-1-2014
291-209-0040(T)	11-4-2014	Repeal	12-1-2014	309-016-0710	8-1-2014	Renumber	9-1-2014
291-209-0050	5-13-2014	Adopt(T)	6-1-2014	309-016-0715	8-1-2014	Renumber	9-1-2014
291-209-0050	11-4-2014	Adopt	12-1-2014	309-016-0720	8-1-2014	Renumber	9-1-2014
291-209-0050(T)	11-4-2014	Repeal	12-1-2014	309-016-0725	8-1-2014	Renumber	9-1-2014
291-209-0060	5-13-2014	Adopt(T)	6-1-2014	309-016-0726	8-1-2014	Renumber	9-1-2014
291-209-0060	11-4-2014	Adopt	12-1-2014	309-016-0727	8-1-2014	Renumber	9-1-2014
291-209-0060(T)	11-4-2014	Repeal	12-1-2014	309-016-0729	8-1-2014	Renumber	9-1-2014
291-209-0070	5-13-2014	Adopt(T)	6-1-2014	309-016-0730	8-1-2014	Renumber	9-1-2014
291-209-0070	11-4-2014	Adopt	12-1-2014	309-016-0735	8-1-2014	Renumber	9-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
309-016-0765	8-1-2014	Renumber	9-1-2014	309-018-0195(T)	2-3-2014	Repeal	3-1-2014
309-016-0770	8-1-2014	Renumber	9-1-2014	309-018-0200	2-3-2014	Adopt	3-1-2014
309-016-0775	8-1-2014	Renumber	9-1-2014	309-018-0200(T)	2-3-2014	Repeal	3-1-2014
309-016-0780	8-1-2014	Renumber	9-1-2014	309-018-0205	2-3-2014	Adopt	3-1-2014
309-016-0801	8-1-2014	Renumber	9-1-2014	309-018-0205(T)	2-3-2014	Repeal	3-1-2014
309-016-0806	8-1-2014	Renumber	9-1-2014	309-018-0210	2-3-2014	Adopt	3-1-2014
309-016-0811	8-1-2014	Renumber	9-1-2014	309-018-0210(T)	2-3-2014	Repeal	3-1-2014
309-016-0816	8-1-2014	Renumber	9-1-2014	309-018-0215	2-3-2014	Adopt	3-1-2014
309-016-0821	8-1-2014	Renumber	9-1-2014	309-018-0215(T)	2-3-2014	Repeal	3-1-2014
309-016-0825	8-1-2014	Renumber	9-1-2014	309-018-0220(T)	2-3-2014	Repeal	3-1-2014
309-016-0830	8-1-2014	Renumber	9-1-2014	309-019-0100	2-3-2014	Adopt	3-1-2014
309-016-0835	8-1-2014	Renumber	9-1-2014	309-019-0100(T)	2-3-2014	Repeal	3-1-2014
309-016-0837	8-1-2014	Renumber	9-1-2014	309-019-0105	2-3-2014	Adopt	3-1-2014
309-016-0840	8-1-2014	Renumber	9-1-2014	309-019-0105(T)	2-3-2014	Repeal	3-1-2014
309-016-0845	8-1-2014	Renumber	9-1-2014	309-019-0110	2-3-2014	Adopt	3-1-2014
309-016-0850	8-1-2014	Renumber	9-1-2014	309-019-0115	2-3-2014	Adopt	3-1-2014
309-016-0855	8-1-2014	Renumber	9-1-2014	309-019-0115(T)	2-3-2014	Repeal	3-1-2014
309-018-0100	2-3-2014	Adopt	3-1-2014	309-019-0120	2-3-2014	Adopt	3-1-2014
309-018-0100(T)	2-3-2014	Repeal	3-1-2014	309-019-0120(T)	2-3-2014	Repeal	3-1-2014
309-018-0105	2-3-2014	Adopt	3-1-2014	309-019-0125	2-3-2014	Adopt	3-1-2014
309-018-0105(T)	2-3-2014	Repeal	3-1-2014	309-019-0125(T)	2-3-2014	Repeal	3-1-2014
309-018-0110	2-3-2014	Adopt	3-1-2014	309-019-0130	2-3-2014	Adopt	3-1-2014
309-018-0110(T)	2-3-2014	Repeal	3-1-2014	309-019-0130(T)	2-3-2014	Repeal	3-1-2014
309-018-0115	2-3-2014	Adopt	3-1-2014	309-019-0135	2-3-2014	Adopt	3-1-2014
309-018-0115(T)	2-3-2014	Repeal	3-1-2014	309-019-0135(T)	2-3-2014	Repeal	3-1-2014
309-018-0120	2-3-2014	Adopt	3-1-2014	309-019-0140	2-3-2014	Adopt	3-1-2014
309-018-0120(T)	2-3-2014	Repeal	3-1-2014	309-019-0140(T)	2-3-2014	Repeal	3-1-2014
309-018-0125	2-3-2014	Adopt	3-1-2014	309-019-0145	2-3-2014	Adopt	3-1-2014
309-018-0125(T)	2-3-2014	Repeal	3-1-2014	309-019-0145(T)	2-3-2014	Repeal	3-1-2014
309-018-0130	2-3-2014	Adopt	3-1-2014	309-019-0150	2-3-2014	Adopt	3-1-2014
309-018-0130(T)	2-3-2014	Repeal	3-1-2014	309-019-0150(T)	2-3-2014	Repeal	3-1-2014
309-018-0135	2-3-2014	Adopt	3-1-2014	309-019-0155	2-3-2014	Adopt	3-1-2014
309-018-0135(T)	2-3-2014	Repeal	3-1-2014	309-019-0155(T)	2-3-2014	Repeal	3-1-2014
309-018-0140	2-3-2014	Adopt	3-1-2014	309-019-0160	2-3-2014	Adopt	3-1-2014
309-018-0140(T)	2-3-2014	Repeal	3-1-2014	309-019-0160(T)	2-3-2014	Repeal	3-1-2014
309-018-0145	2-3-2014	Adopt	3-1-2014	309-019-0165	2-3-2014	Adopt	3-1-2014
309-018-0145(T)	2-3-2014	Repeal	3-1-2014	309-019-0165(T)	2-3-2014	Repeal	3-1-2014
309-018-0150	2-3-2014	Adopt	3-1-2014	309-019-0170	2-3-2014	Adopt	3-1-2014
309-018-0150(T)	2-3-2014	Repeal	3-1-2014	309-019-0170(T)	2-3-2014	Repeal	3-1-2014
309-018-0155	2-3-2014	Adopt	3-1-2014	309-019-0175	2-3-2014	Adopt	3-1-2014
309-018-0155(T)	2-3-2014	Repeal	3-1-2014	309-019-0175(T)	2-3-2014	Repeal	3-1-2014
309-018-0160	2-3-2014	Adopt	3-1-2014	309-019-0180	2-3-2014	Adopt	3-1-2014
309-018-0160(T)	2-3-2014	Repeal	3-1-2014	309-019-0180(T)	2-3-2014	Repeal	3-1-2014
309-018-0165	2-3-2014	Adopt	3-1-2014	309-019-0185	2-3-2014	Adopt	3-1-2014
309-018-0165(T)	2-3-2014	Repeal	3-1-2014	309-019-0185(T)	2-3-2014	Repeal	3-1-2014
309-018-0170	2-3-2014	Adopt	3-1-2014	309-019-0190	2-3-2014	Adopt	3-1-2014
309-018-0170(T)	2-3-2014	Repeal	3-1-2014	309-019-0190(T)	2-3-2014	Repeal	3-1-2014
309-018-0175	2-3-2014	Adopt	3-1-2014	309-019-0195	2-3-2014	Adopt	3-1-2014
309-018-0175(T)	2-3-2014	Repeal	3-1-2014	309-019-0195(T)	2-3-2014	Repeal	3-1-2014
309-018-0180	2-3-2014	Adopt	3-1-2014	309-019-0200	2-3-2014	Adopt	3-1-2014
309-018-0180(T)	2-3-2014	Repeal	3-1-2014	309-019-0200(T)	2-3-2014	Repeal	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
309-019-0205	2-3-2014	Adopt	3-1-2014	309-022-0215(T)	2-3-2014	Repeal	3-1-2014
309-019-0205(T)	2-3-2014	Repeal	3-1-2014	309-022-0220	2-3-2014	Adopt	3-1-2014
309-019-0210	2-3-2014	Adopt	3-1-2014	309-022-0220(T)	2-3-2014	Repeal	3-1-2014
309-019-0210(T)	2-3-2014	Repeal	3-1-2014	309-022-0225	2-3-2014	Adopt	3-1-2014
309-019-0215	2-3-2014	Adopt	3-1-2014	309-022-0225(T)	2-3-2014	Repeal	3-1-2014
309-019-0215(T)	2-3-2014	Repeal	3-1-2014	309-022-0230	2-3-2014	Adopt	3-1-2014
309-019-0220	2-3-2014	Adopt	3-1-2014	309-022-0230(T)	2-3-2014	Repeal	3-1-2014
309-019-0220(T)	2-3-2014	Repeal	3-1-2014	309-032-1500	2-3-2014	Repeal	3-1-2014
309-022-0100	2-3-2014	Adopt	3-1-2014	309-032-1505	2-3-2014	Repeal	3-1-2014
309-022-0100(T)	2-3-2014	Repeal	3-1-2014	309-032-1510	2-3-2014	Repeal	3-1-2014
309-022-0105	2-3-2014	Adopt	3-1-2014	309-032-1515	2-3-2014	Repeal	3-1-2014
309-022-0105(T)	2-3-2014	Repeal	3-1-2014	309-032-1520	2-3-2014	Repeal	3-1-2014
309-022-0110	2-3-2014	Adopt	3-1-2014	309-032-1525	2-3-2014	Repeal	3-1-2014
309-022-0110(T)	2-3-2014	Repeal	3-1-2014	309-032-1530	2-3-2014	Repeal	3-1-2014
309-022-0115	2-3-2014	Adopt	3-1-2014	309-032-1535	2-3-2014	Repeal	3-1-2014
309-022-0115(T)	2-3-2014	Repeal	3-1-2014	309-032-1540	2-3-2014	Repeal	3-1-2014
309-022-0120	2-3-2014	Adopt	3-1-2014	309-032-1545	2-3-2014	Repeal	3-1-2014
309-022-0120(T)	2-3-2014	Repeal	3-1-2014	309-032-1550	2-3-2014	Repeal	3-1-2014
309-022-0125	2-3-2014	Adopt	3-1-2014	309-032-1555	2-3-2014	Repeal	3-1-2014
309-022-0125(T)	2-3-2014	Repeal	3-1-2014	309-032-1560	2-3-2014	Repeal	3-1-2014
309-022-0130	2-3-2014	Adopt	3-1-2014	309-032-1565	2-3-2014	Repeal	3-1-2014
309-022-0130(T)	2-3-2014	Repeal	3-1-2014	309-033-0700	9-29-2014	Amend	11-1-2014
309-022-0135	2-3-2014	Adopt	3-1-2014	309-033-0710	9-29-2014	Amend	11-1-2014
309-022-0135(T)	2-3-2014	Repeal	3-1-2014	309-033-0720	9-29-2014	Amend	11-1-2014
309-022-0140	2-3-2014	Adopt	3-1-2014	309-033-0725	9-29-2014	Adopt	11-1-2014
309-022-0140(T)	2-3-2014	Repeal	3-1-2014	309-033-0727	9-29-2014	Adopt	11-1-2014
309-022-0145	2-3-2014	Adopt	3-1-2014	309-033-0730	9-29-2014	Amend	11-1-2014
309-022-0145(T)	2-3-2014	Repeal	3-1-2014	309-033-0732	9-29-2014	Adopt	11-1-2014
309-022-0150	2-3-2014	Adopt	3-1-2014	309-033-0733	9-29-2014	Adopt	11-1-2014
309-022-0150(T)	2-3-2014	Repeal	3-1-2014	309-033-0735	9-29-2014	Amend	11-1-2014
309-022-0155	2-3-2014	Adopt	3-1-2014	309-033-0740	9-29-2014	Amend	12-1-2014
309-022-0155(T)	2-3-2014	Repeal	3-1-2014	309-034-0400	2-3-2014	Repeal	3-1-2014
309-022-0160	2-3-2014	Adopt	3-1-2014	309-034-0410	2-3-2014	Repeal	3-1-2014
309-022-0160(T)	2-3-2014	Repeal	3-1-2014	309-034-0420	2-3-2014	Repeal	3-1-2014
309-022-0165	2-3-2014	Adopt	3-1-2014	309-034-0430	2-3-2014	Repeal	3-1-2014
309-022-0165(T)	2-3-2014	Repeal	3-1-2014	309-034-0440	2-3-2014	Repeal	3-1-2014
309-022-0170	2-3-2014	Adopt	3-1-2014	309-034-0450	2-3-2014	Repeal	3-1-2014
309-022-0170(T)	2-3-2014	Repeal	3-1-2014	309-034-0460	2-3-2014	Repeal	3-1-2014
309-022-0175	2-3-2014	Adopt	3-1-2014	309-034-0470	2-3-2014	Repeal	3-1-2014
309-022-0175(T)	2-3-2014	Repeal	3-1-2014	309-034-0480	2-3-2014	Repeal	3-1-2014
309-022-0180	2-3-2014	Adopt	3-1-2014	309-034-0490	2-3-2014	Repeal	3-1-2014
309-022-0180(T)	2-3-2014	Repeal	3-1-2014	309-034-0500	2-3-2014	Repeal	3-1-2014
309-022-0185	2-3-2014	Adopt	3-1-2014	309-039-0500	12-20-2013	Amend(T)	2-1-2014
309-022-0185(T)	2-3-2014	Repeal	3-1-2014	309-039-0500	6-19-2014	Amend	8-1-2014
309-022-0190	2-3-2014	Adopt	3-1-2014	309-039-0510	12-20-2013	Amend(T)	2-1-2014
309-022-0190(T)	2-3-2014	Repeal	3-1-2014	309-039-0510	6-19-2014	Amend	8-1-2014
309-022-0192(T)	2-3-2014	Repeal	3-1-2014	309-039-0520	12-20-2013	Amend(T)	2-1-2014
309-022-0195	2-3-2014	Adopt	3-1-2014	309-039-0520	6-19-2014	Amend	8-1-2014
309-022-0195(T)	2-3-2014	Repeal	3-1-2014	309-039-0530	12-20-2013	Amend(T)	2-1-2014
309-022-0200	2-3-2014	Adopt	3-1-2014	309-039-0530	6-19-2014	Amend	8-1-2014
309-022-0200(T)	2-3-2014	Repeal	3-1-2014	309-039-0540	12-20-2013	Amend(T)	2-1-2014
309-022-0205	2-3-2014	Adopt	3-1-2014	309-039-0540	6-19-2014	Amend	8-1-2014
309-022-0205(T)	2-3-2014	Repeal	3-1-2014	309-039-0550	6-19-2014	Repeal	8-1-2014
309-022-0210	2-3-2014	Adopt	3-1-2014	309-039-0560	6-19-2014	Amend	8-1-2014
309-022-0210(T)	2-3-2014	Repeal	3-1-2014	309-039-0570	12-20-2013	Amend(T)	2-1-2014
309-022-0215	2-3-2014	Adopt	3-1-2014	309-039-0570	6-19-2014	Amend	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
309-042-0008	7-1-2014	Repeal	8-1-2014	309-043-0550	7-1-2014	Repeal	8-1-2014
309-042-0009	7-1-2014	Repeal	8-1-2014	309-043-0560	7-1-2014	Repeal	8-1-2014
309-042-0015	7-1-2014	Repeal	8-1-2014	309-043-0570	7-1-2014	Repeal	8-1-2014
309-042-0030	7-1-2014	Repeal	8-1-2014	309-043-0580	7-1-2014	Repeal	8-1-2014
309-042-0035	7-1-2014	Repeal	8-1-2014	309-090-0000	10-29-2014	Amend	12-1-2014
309-042-0050	7-1-2014	Repeal	8-1-2014	309-090-0005	10-29-2014	Amend	12-1-2014
309-042-0060	7-1-2014	Repeal	8-1-2014	309-090-0010	10-29-2014	Amend	12-1-2014
309-042-0065	7-1-2014	Repeal	8-1-2014	309-090-0015	10-29-2014	Amend	12-1-2014
309-042-0070	7-1-2014	Repeal	8-1-2014	309-090-0020	10-29-2014	Amend	12-1-2014
309-042-0075	7-1-2014	Repeal	8-1-2014	309-090-0025	10-29-2014	Amend	12-1-2014
309-042-0080	7-1-2014	Repeal	8-1-2014	309-090-0030	10-29-2014	Amend	12-1-2014
309-042-0100	7-1-2014	Repeal	8-1-2014	309-090-0035	10-29-2014	Amend	12-1-2014
309-042-0110	7-1-2014	Repeal	8-1-2014	309-090-0040	10-29-2014	Amend	12-1-2014
309-042-0120	7-1-2014	Repeal	8-1-2014	309-090-0050	10-29-2014	Amend	12-1-2014
309-042-0130	7-1-2014	Repeal	8-1-2014	309-090-0055	10-29-2014	Adopt	12-1-2014
309-042-0140	7-1-2014	Repeal	8-1-2014	309-090-0060	10-29-2014	Adopt	12-1-2014
309-042-0150	7-1-2014	Repeal	8-1-2014	309-090-0065	10-29-2014	Adopt	12-1-2014
309-042-0160	7-1-2014	Repeal	8-1-2014	309-090-0070	10-29-2014	Adopt	12-1-2014
309-042-0170	7-1-2014	Repeal	8-1-2014	309-100-0000	1-28-2014	Repeal	3-1-2014
309-042-0180	7-1-2014	Repeal	8-1-2014	309-114-0000	4-24-2014	Amend	6-1-2014
309-042-0190	7-1-2014	Repeal	8-1-2014	309-114-0010	4-24-2014	Amend	6-1-2014
309-042-0200	7-1-2014	Repeal	8-1-2014	309-114-0020	4-24-2014	Amend	6-1-2014
309-042-0210	7-1-2014	Repeal	8-1-2014	325-005-0015	3-21-2014	Amend	5-1-2014
309-042-0220	7-1-2014	Repeal	8-1-2014	325-035-0001	7-1-2014	Adopt	7-1-2014
309-043-0230	7-1-2014	Repeal	8-1-2014	325-035-0005	7-1-2014	Adopt	7-1-2014
309-043-0240	7-1-2014	Repeal	8-1-2014	325-035-0010	7-1-2014	Adopt	7-1-2014
309-043-0250	7-1-2014	Repeal	8-1-2014	325-035-0015	7-1-2014	Adopt	7-1-2014
309-043-0260	7-1-2014	Repeal	8-1-2014	325-035-0020	7-1-2014	Adopt	7-1-2014
309-043-0270	7-1-2014	Repeal	8-1-2014	325-035-0025	7-1-2014	Adopt	7-1-2014
309-043-0280	7-1-2014	Repeal	8-1-2014	325-035-0030	7-1-2014	Adopt	7-1-2014
309-043-0290	7-1-2014	Repeal	8-1-2014	325-035-0035	7-1-2014	Adopt	7-1-2014
309-043-0300	7-1-2014	Repeal	8-1-2014	325-035-0040	7-1-2014	Adopt	7-1-2014
309-043-0310	7-1-2014	Repeal	8-1-2014	325-035-0045	7-1-2014	Adopt	7-1-2014
309-043-0320	7-1-2014	Repeal	8-1-2014	330-063-0000	7-1-2014	Amend	8-1-2014
309-043-0330	7-1-2014	Repeal	8-1-2014	330-063-0010	7-1-2014	Amend	8-1-2014
309-043-0340	7-1-2014	Repeal	8-1-2014	330-063-0015	7-1-2014	Adopt	8-1-2014
309-043-0350	7-1-2014	Repeal	8-1-2014	330-063-0020	7-1-2014	Amend	8-1-2014
309-043-0360	7-1-2014	Repeal	8-1-2014	330-063-0025	7-1-2014	Adopt	8-1-2014
309-043-0370	7-1-2014	Repeal	8-1-2014	330-063-0030	7-1-2014	Amend	8-1-2014
309-043-0380	7-1-2014	Repeal	8-1-2014	330-063-0040	7-1-2014	Amend	8-1-2014
309-043-0390	7-1-2014	Repeal	8-1-2014	330-070-0014	1-1-2014	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
330-070-0019	1-1-2014	Repeal	2-1-2014	330-160-0070	2-10-2014	Adopt	3-1-2014
330-070-0020	1-1-2014	Amend	2-1-2014	330-170-0010	1-1-2014	Amend	2-1-2014
330-070-0021	1-1-2014	Amend	2-1-2014	330-170-0020	1-1-2014	Amend	2-1-2014
330-070-0022	1-1-2014	Amend	2-1-2014	330-170-0030	1-1-2014	Amend	2-1-2014
330-070-0025	1-1-2014	Amend	2-1-2014	330-170-0040	1-1-2014	Amend	2-1-2014
330-070-0026	1-1-2014	Amend	2-1-2014	330-170-0050	1-1-2014	Amend	2-1-2014
330-070-0029	1-1-2014	Amend	2-1-2014	330-170-0060	1-1-2014	Amend	2-1-2014
330-070-0064	1-1-2014	Amend	2-1-2014	330-220-0000	1-1-2015	Amend	11-1-2014
330-070-0073	1-1-2014	Amend	2-1-2014	330-220-0010	1-1-2015	Amend	11-1-2014
330-070-0073	5-15-2014	Amend(T)	6-1-2014	330-220-0020	1-1-2015	Amend	11-1-2014
330-090-0133	4-1-2014	Amend	5-1-2014	330-220-0030	1-1-2015	Amend	11-1-2014
330-092-0005	1-1-2014	Amend	2-1-2014	330-220-0050	1-1-2015	Amend	11-1-2014
330-092-0010	1-1-2014	Amend	2-1-2014	330-220-0070	1-1-2015	Amend	11-1-2014
330-092-0015	1-1-2014	Amend	2-1-2014	330-220-0080	1-1-2015	Amend	11-1-2014
330-092-0020	1-1-2014	Amend	2-1-2014	330-220-0090	1-1-2015	Amend	11-1-2014
330-092-0025	1-1-2014	Amend	2-1-2014	330-220-0100	1-1-2015	Amend	11-1-2014
330-092-0030	1-1-2014	Amend	2-1-2014	330-220-0150	1-1-2015	Amend	11-1-2014
330-092-0035	1-1-2014	Amend	2-1-2014	331-010-0055	9-17-2014	Adopt	10-1-2014
330-092-0040	1-1-2014	Amend	2-1-2014	331-010-0060	4-3-2014	Adopt(T)	5-1-2014
330-092-0045	1-1-2014	Amend	2-1-2014	331-010-0060	9-17-2014	Adopt	10-1-2014
330-092-0050	1-1-2014	Amend	2-1-2014	331-010-0060(T)	9-17-2014	Repeal	10-1-2014
330-092-0055	1-1-2014	Amend	2-1-2014	331-010-0070	4-3-2014	Adopt(T)	5-1-2014
330-092-0060	1-1-2014	Repeal	2-1-2014	331-010-0070	9-17-2014	Adopt	10-1-2014
330-092-0065	1-1-2014	Repeal	2-1-2014	331-010-0070(T)	9-17-2014	Repeal	10-1-2014
330-092-0070	1-1-2014	Amend	2-1-2014	331-410-0050	7-1-2014	Amend(T)	8-1-2014
330-110-0010	12-12-2013	Amend	1-1-2014	331-420-0010	10-1-2014	Amend	11-1-2014
330-110-0012	3-7-2014	Adopt	4-1-2014	331-420-0020	7-1-2014	Amend(T)	8-1-2014
330-110-0012	9-30-2014	Amend	11-1-2014	331-420-0020	10-1-2014	Repeal	11-1-2014
330-110-0040	12-12-2013	Amend	1-1-2014	331-440-0000	2-1-2014	Amend	2-1-2014
330-110-0040(T)	12-12-2013	Repeal	1-1-2014	331-710-0050	1-1-2014	Amend	2-1-2014
330-110-0060	12-12-2013	Adopt	1-1-2014	331-710-0060	1-1-2014	Amend	2-1-2014
330-110-0060	1-1-2015	Amend	11-1-2014	331-710-0070	1-1-2014	Amend	2-1-2014
330-135-0010	12-23-2013	Amend	2-1-2014	331-710-0080	1-1-2014	Amend	2-1-2014
330-135-0015	12-23-2013	Amend	2-1-2014	331-710-0090	1-1-2014	Amend	2-1-2014
330-135-0018	12-23-2013	Amend	2-1-2014	331-710-0100	1-1-2014	Amend	2-1-2014
330-135-0020	12-23-2013	Amend	2-1-2014	331-710-0110	1-1-2014	Amend	2-1-2014
330-135-0025	12-23-2013	Amend	2-1-2014	331-720-0010	1-1-2014	Amend	2-1-2014
330-135-0030	12-23-2013	Amend	2-1-2014	331-720-0015	1-1-2014	Amend	2-1-2014
330-135-0035	12-23-2013	Amend	2-1-2014	331-720-0020	1-1-2014	Amend	2-1-2014
330-135-0040	12-23-2013	Amend	2-1-2014	331-810-0055	1-17-2014	Amend(T)	3-1-2014
330-135-0045	12-23-2013	Amend	2-1-2014	331-810-0055	6-1-2014	Amend	7-1-2014
330-135-0047	12-23-2013	Repeal	2-1-2014	331-900-0010	1-1-2014	Amend	2-1-2014
330-135-0048	12-23-2013	Am. & Ren.	2-1-2014	331-900-0015	1-1-2014	Amend	2-1-2014
330-135-0050	12-23-2013	Amend	2-1-2014	331-900-0020	1-1-2014	Amend	2-1-2014
330-135-0055	12-23-2013	Amend	2-1-2014	331-900-0040	1-1-2014	Amend	2-1-2014
330-135-0060	12-23-2013	Adopt	2-1-2014	331-900-0050	1-1-2014	Amend	2-1-2014
330-160-0015	2-10-2014	Amend	3-1-2014	331-900-0077	1-1-2014	Adopt	2-1-2014
330-160-0020	2-10-2014	Amend	3-1-2014	331-900-0085	1-1-2014	Amend	2-1-2014
330-160-0025	2-10-2014	Amend	3-1-2014	331-900-0090	1-1-2014	Amend	2-1-2014
330-160-0030	2-10-2014	Amend	3-1-2014	331-900-0095	1-1-2014	Amend	2-1-2014
330-160-0035	2-10-2014	Adopt	3-1-2014	331-900-0097	1-1-2014	Amend	2-1-2014
330-160-0037	2-10-2014	Adopt	3-1-2014	331-900-0098	1-1-2014	Amend	2-1-2014
330-160-0038	2-10-2014	Adopt	3-1-2014	331-900-0099	1-1-2014	Amend	2-1-2014
330-160-0040	2-10-2014	Amend	3-1-2014	331-900-0115	1-1-2014	Amend	2-1-2014
330-160-0050	2-10-2014	Amend	3-1-2014	331-905-0020	1-1-2014	Amend	2-1-2014
330-160-0060	2-10-2014	Adopt	3-1-2014	331-905-0030	1-1-2014	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
333-008-1010	1-15-2014	Adopt(T)	2-1-2014	333-008-1190	7-11-2014	Adopt	8-1-2014
333-008-1010	7-11-2014	Adopt	8-1-2014	333-008-1190(T)	2-21-2014	Suspend	4-1-2014
333-008-1010(T)	7-11-2014	Repeal	8-1-2014	333-008-1190(T)	7-11-2014	Repeal	8-1-2014
333-008-1020	1-15-2014	Adopt(T)	2-1-2014	333-008-1200	1-15-2014	Adopt(T)	2-1-2014
333-008-1020	7-11-2014	Adopt	8-1-2014	333-008-1200	7-11-2014	Adopt	8-1-2014
333-008-1020(T)	7-11-2014	Repeal	8-1-2014	333-008-1200(T)	7-11-2014	Repeal	8-1-2014
333-008-1030	1-15-2014	Adopt(T)	2-1-2014	333-008-1210	1-15-2014	Adopt(T)	2-1-2014
333-008-1030	7-11-2014	Adopt	8-1-2014	333-008-1210	7-11-2014	Adopt	8-1-2014
333-008-1030(T)	7-11-2014	Repeal	8-1-2014	333-008-1210(T)	7-11-2014	Repeal	8-1-2014
333-008-1040	1-15-2014	Adopt(T)	2-1-2014	333-008-1220	1-15-2014	Adopt(T)	2-1-2014
333-008-1040	7-11-2014	Adopt	8-1-2014	333-008-1220	7-11-2014	Adopt	8-1-2014
333-008-1040(T)	7-11-2014	Repeal	8-1-2014	333-008-1220(T)	7-11-2014	Repeal	8-1-2014
333-008-1050	1-15-2014	Adopt(T)	2-1-2014	333-008-1225	4-1-2014	Adopt(T)	5-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
333-008-1225	9-24-2014	Adopt	11-1-2014	333-010-0245	4-18-2014	Amend(T)	6-1-2014
333-008-1225(T)	9-24-2014	Repeal	11-1-2014	333-010-0245	10-10-2014	Amend	11-1-2014
333-008-1230	1-15-2014	Adopt(T)	2-1-2014	333-010-0245(T)	10-10-2014	Repeal	11-1-2014
333-008-1230	7-11-2014	Adopt	8-1-2014	333-010-0250	4-18-2014	Amend(T)	6-1-2014
333-008-1230(T)	7-11-2014	Repeal	8-1-2014	333-010-0250	10-10-2014	Amend	11-1-2014
333-008-1240	1-15-2014	Adopt(T)	2-1-2014	333-010-0250(T)	10-10-2014	Repeal	11-1-2014
333-008-1240(T)	4-1-2014	Suspend	5-1-2014	333-010-0260	4-18-2014	Amend(T)	6-1-2014
333-008-1245	4-1-2014	Adopt(T)	5-1-2014	333-010-0260	10-10-2014	Amend	11-1-2014
333-008-1245	9-24-2014	Adopt	11-1-2014	333-010-0260(T)	10-10-2014	Repeal	11-1-2014
333-008-1245(T)	9-24-2014	Repeal	11-1-2014	333-010-0265	4-18-2014	Amend(T)	6-1-2014
333-008-1250	1-15-2014	Adopt(T)	2-1-2014	333-010-0265	10-10-2014	Amend	11-1-2014
333-008-1250	7-11-2014	Adopt	8-1-2014	333-010-0265(T)	10-10-2014	Repeal	11-1-2014
333-008-1250(T)	7-11-2014	Repeal	8-1-2014	333-010-0270	4-18-2014	Amend(T)	6-1-2014
333-008-1260	1-15-2014	Adopt(T)	2-1-2014	333-010-0270	10-10-2014	Amend	11-1-2014
333-008-1260	7-11-2014	Adopt	8-1-2014	333-010-0270(T)	10-10-2014	Repeal	11-1-2014
333-008-1260(T)	7-11-2014	Repeal	8-1-2014	333-010-0275	4-18-2014	Amend(T)	6-1-2014
333-008-1270	1-15-2014	Adopt(T)	2-1-2014	333-010-0275	10-10-2014	Amend	11-1-2014
333-008-1270(T)	4-1-2014	Suspend	5-1-2014	333-010-0275(T)	10-10-2014	Repeal	11-1-2014
333-008-1275	4-1-2014	Adopt(T)	5-1-2014	333-010-0280	4-18-2014	Amend(T)	6-1-2014
333-008-1275	9-24-2014	Adopt	11-1-2014	333-010-0280	10-10-2014	Amend	11-1-2014
333-008-1275(T)	9-24-2014	Repeal	11-1-2014	333-010-0280(T)	10-10-2014	Repeal	11-1-2014
333-008-1280	1-15-2014	Adopt(T)	2-1-2014	333-010-0285	4-18-2014	Amend(T)	6-1-2014
333-008-1280	7-11-2014	Adopt	8-1-2014	333-010-0285	10-10-2014	Amend	11-1-2014
333-008-1280(T)	7-11-2014	Repeal	8-1-2014	333-010-0285(T)	10-10-2014	Repeal	11-1-2014
333-008-1290	1-15-2014	Adopt(T)	2-1-2014	333-010-0290	4-18-2014	Amend(T)	6-1-2014
333-008-1290	7-11-2014	Adopt	8-1-2014	333-010-0290	10-10-2014	Amend	11-1-2014
333-008-1290(T)	7-11-2014	Repeal	8-1-2014	333-010-0290(T)	10-10-2014	Repeal	11-1-2014
333-008-1400	4-1-2014	Adopt(T)	5-1-2014	333-011-0006	1-1-2014	Repeal	2-1-2014
333-008-1400	9-24-2014	Adopt	11-1-2014	333-011-0011	1-1-2014	Repeal	2-1-2014
333-008-1400(T)	9-24-2014	Repeal	11-1-2014	333-011-0016	1-1-2014	Repeal	2-1-2014
333-010-0100	10-10-2014	Amend	11-1-2014	333-011-0021	1-1-2014	Repeal	2-1-2014
333-010-0105	4-22-2014	Amend(T)	6-1-2014	333-011-0043	1-1-2014	Repeal	2-1-2014
333-010-0105	10-10-2014	Amend	11-1-2014	333-011-0047	1-1-2014	Am. & Ren.	2-1-2014
333-010-0105(T)	10-10-2014	Repeal	11-1-2014	333-011-0048	1-1-2014	Repeal	2-1-2014
333-010-0115	10-10-2014	Amend	11-1-2014	333-011-0061	1-1-2014	Repeal	2-1-2014
333-010-0150	10-10-2014	Amend	11-1-2014	333-011-0067	1-1-2014	Repeal	2-1-2014
333-010-0155	4-22-2014	Amend(T)	6-1-2014	333-011-0072	1-1-2014	Repeal	2-1-2014
333-010-0155	10-10-2014	Amend	11-1-2014	333-011-0073	1-1-2014	Repeal	2-1-2014
333-010-0155(T)	10-10-2014	Repeal	11-1-2014	333-011-0076	1-1-2014	Am. & Ren.	2-1-2014
333-010-0200	10-10-2014	Amend	11-1-2014	333-011-0096	1-1-2014	Repeal	2-1-2014
333-010-0205	4-18-2014	Amend(T)	6-1-2014	333-011-0101	1-1-2014	Am. & Ren.	2-1-2014
333-010-0205	10-10-2014	Amend	11-1-2014	333-011-0106	1-1-2014	Am. & Ren.	2-1-2014
333-010-0205(T)	10-10-2014	Repeal	11-1-2014	333-011-0110	1-1-2014	Am. & Ren.	2-1-2014
333-010-0210	10-10-2014	Amend	11-1-2014	333-011-0116	1-1-2014	Repeal	2-1-2014
333-010-0215	4-18-2014	Amend(T)	6-1-2014	333-011-0155	1-1-2014	Repeal	2-1-2014
333-010-0215	10-10-2014	Amend	11-1-2014	333-011-0200	1-1-2014	Am. & Ren.	2-1-2014
333-010-0215(T)	10-10-2014	Repeal	11-1-2014	333-011-0205	1-1-2014	Adopt	2-1-2014
333-010-0220	4-18-2014	Amend(T)	6-1-2014	333-011-0210	1-1-2014	Adopt	2-1-2014
333-010-0220	10-10-2014	Amend	11-1-2014	333-011-0215	1-1-2014	Adopt	2-1-2014
333-010-0220(T)	10-10-2014	Repeal	11-1-2014	333-011-0220	1-1-2014	Adopt	2-1-2014
333-010-0225	4-18-2014	Amend(T)	6-1-2014	333-011-0225	1-1-2014	Adopt	2-1-2014
333-010-0225	10-10-2014	Amend	11-1-2014	333-011-0230	1-1-2014	Adopt	2-1-2014
333-010-0225(T)	10-10-2014	Repeal	11-1-2014	333-011-0235	1-1-2014	Adopt	2-1-2014
333-010-0235	4-18-2014	Amend(T)	6-1-2014	333-011-0240	1-1-2014	Adopt	2-1-2014
333-010-0235	10-10-2014	Amend	11-1-2014	333-011-0245	1-1-2014	Adopt	2-1-2014
333-010-0235(T)	10-10-2014	Repeal	11-1-2014	333-011-0250	1-1-2014	Adopt	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
333-011-0255	1-1-2014	Adopt	2-1-2014	333-022-1100	12-1-2014	Adopt	12-1-2014
333-011-0260	1-1-2014	Adopt	2-1-2014	333-022-1110	12-1-2014	Adopt	12-1-2014
333-011-0265	1-1-2014	Adopt	2-1-2014	333-022-1120	12-1-2014	Adopt	12-1-2014
333-011-0270	1-1-2014	Adopt	2-1-2014	333-022-1130	12-1-2014	Adopt	12-1-2014
333-011-0280	1-1-2014	Adopt	2-1-2014	333-022-1140	12-1-2014	Adopt	12-1-2014
333-011-0285	1-1-2014	Adopt	2-1-2014	333-022-1145	12-1-2014	Adopt	12-1-2014
333-011-0300	1-1-2014	Adopt	2-1-2014	333-022-1150	12-1-2014	Adopt	12-1-2014
333-011-0305	1-1-2014	Adopt	2-1-2014	333-022-1160	12-1-2014	Adopt	12-1-2014
333-011-0310	1-1-2014	Adopt	2-1-2014	333-022-1170	12-1-2014	Adopt	12-1-2014
333-011-0320	1-1-2014	Adopt	2-1-2014	333-022-2000	12-1-2014	Adopt	12-1-2014
333-011-0325	1-1-2014	Adopt	2-1-2014	333-022-2010	12-1-2014	Adopt	12-1-2014
333-011-0330	1-1-2014	Adopt	2-1-2014	333-022-2020	12-1-2014	Adopt	12-1-2014
333-014-0040	6-20-2014	Amend(T)	8-1-2014	333-022-2030	12-1-2014	Adopt	12-1-2014
333-014-0042	6-20-2014	Adopt(T)	8-1-2014	333-022-2040	12-1-2014	Adopt	12-1-2014
333-014-0080	6-20-2014	Adopt(T)	8-1-2014	333-022-2050	12-1-2014	Adopt	12-1-2014
333-014-0090	6-20-2014	Adopt(T)	8-1-2014	333-022-2060	12-1-2014	Adopt	12-1-2014
333-014-0100	6-20-2014	Adopt(T)	8-1-2014	333-022-2070	12-1-2014	Adopt	12-1-2014
333-015-0030	10-8-2014	Amend	11-1-2014	333-022-2080	12-1-2014	Adopt	12-1-2014
333-015-0035	10-8-2014	Amend	11-1-2014	333-022-2090	12-1-2014	Adopt	12-1-2014
333-015-0040	10-8-2014	Amend	11-1-2014	333-022-2100	12-1-2014	Adopt	12-1-2014
333-015-0045	10-8-2014	Amend	11-1-2014	333-022-2110	12-1-2014	Adopt	12-1-2014
333-015-0064	10-8-2014	Amend	11-1-2014	333-022-2120	12-1-2014	Adopt	12-1-2014
333-015-0068	10-8-2014	Amend	11-1-2014	333-024-0205	5-1-2014	Amend	5-1-2014
333-015-0070	10-8-2014	Amend	11-1-2014	333-024-0210	5-1-2014	Amend	5-1-2014
333-015-0075	10-8-2014	Amend	11-1-2014	333-024-0215	5-1-2014	Amend	5-1-2014
333-015-0078	10-8-2014	Adopt	11-1-2014	333-024-0220	5-1-2014	Amend	5-1-2014
333-015-0085	10-8-2014	Amend	11-1-2014	333-024-0225	5-1-2014	Amend	5-1-2014
333-017-0000	1-1-2014	Amend	2-1-2014	333-024-0230	5-1-2014	Amend	5-1-2014
333-018-0005	1-1-2014	Amend	2-1-2014	333-024-0231	5-1-2014	Amend	5-1-2014
333-018-0010	1-1-2014	Amend	2-1-2014	333-024-0232	5-1-2014	Amend	5-1-2014
333-018-0015	1-1-2014	Amend	2-1-2014	333-024-0235	5-1-2014	Amend	5-1-2014
333-018-0018	1-1-2014	Amend	2-1-2014	333-024-0240	1-30-2014	Amend	3-1-2014
333-018-0020	1-1-2014	Amend	2-1-2014	333-024-0240	5-1-2014	Amend	5-1-2014
333-018-0035	1-1-2014	Amend	2-1-2014	333-024-0241	1-30-2014	Repeal	3-1-2014
333-018-0100	6-9-2014	Amend	7-1-2014	333-028-0200	1-1-2014	Adopt	2-1-2014
333-018-0110	6-9-2014	Amend	7-1-2014	333-028-0210	1-1-2014	Adopt	2-1-2014
333-018-0115	6-9-2014	Amend	7-1-2014	333-028-0220	1-1-2014	Adopt	2-1-2014
333-018-0120	6-9-2014	Amend	7-1-2014	333-028-0230	1-1-2014	Adopt	2-1-2014
333-018-0125	6-9-2014	Amend	7-1-2014	333-028-0240	1-1-2014	Adopt	2-1-2014
333-018-0127	6-9-2014	Adopt	7-1-2014	333-028-0250	1-1-2014	Adopt	2-1-2014
333-018-0130	6-9-2014	Amend	7-1-2014	333-028-0260	4-1-2014	Adopt	5-1-2014
333-018-0135	6-9-2014	Amend	7-1-2014	333-028-0270	4-1-2014	Adopt	5-1-2014
333-019-0010	1-1-2014	Amend	2-1-2014	333-028-0280	4-1-2014	Adopt	5-1-2014
333-019-0014	1-1-2014	Amend	2-1-2014	333-050-0010	3-1-2014	Amend	3-1-2014
333-019-0031	1-1-2014	Amend	2-1-2014	333-050-0020	3-1-2014	Amend	3-1-2014
333-019-0046	1-1-2014	Repeal	2-1-2014	333-050-0040	3-1-2014	Amend	3-1-2014
333-019-0052	1-1-2014	Adopt	2-1-2014	333-050-0050	3-1-2014	Amend	3-1-2014
333-022-1010	12-1-2014	Adopt	12-1-2014	333-050-0060	3-1-2014	Amend	3-1-2014
333-022-1020	12-1-2014	Adopt	12-1-2014	333-050-0070	3-1-2014	Amend	3-1-2014
333-022-1030	12-1-2014	Adopt	12-1-2014	333-050-0080	3-1-2014	Amend	3-1-2014
333-022-1040	12-1-2014	Adopt	12-1-2014	333-050-0100	3-1-2014	Amend	3-1-2014
333-022-1050	12-1-2014	Adopt	12-1-2014	333-050-0110	3-1-2014	Amend	3-1-2014
333-022-1060	12-1-2014	Adopt	12-1-2014	333-050-0120	3-1-2014	Amend	3-1-2014
333-022-1070	12-1-2014	Adopt	12-1-2014	333-050-0130	3-1-2014	Amend	3-1-2014
333-022-1080	12-1-2014	Adopt	12-1-2014	333-050-0140	3-1-2014	Amend	3-1-2014
333-022-1090	12-1-2014	Adopt	12-1-2014	333-052-0040	1-30-2014	Amend	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
333-060-0075	9-1-2014	Amend	9-1-2014	333-081-0030	2-1-2014	Adopt	3-1-2014
333-060-0105	9-1-2014	Amend	9-1-2014	333-081-0035	2-1-2014	Adopt	3-1-2014
333-060-0128	9-1-2014	Amend	9-1-2014	333-081-0040	2-1-2014	Adopt	3-1-2014
333-060-0145	9-1-2014	Amend	9-1-2014	333-081-0045	2-1-2014	Adopt	3-1-2014
333-060-0165	9-1-2014	Amend	9-1-2014	333-081-0050	2-1-2014	Adopt	3-1-2014
333-060-0170	9-1-2014	Amend	9-1-2014	333-081-0055	2-1-2014	Adopt	3-1-2014
333-060-0205	9-1-2014	Amend	9-1-2014	333-081-0060	2-1-2014	Adopt	3-1-2014
333-060-0505	9-1-2014	Amend	9-1-2014	333-081-0065	2-1-2014	Adopt	3-1-2014
333-060-0700	9-1-2014	Adopt	9-1-2014	333-081-0070	2-1-2014	Adopt	3-1-2014
333-060-0705	9-1-2014	Adopt	9-1-2014	333-081-0075	2-1-2014	Adopt	3-1-2014
333-061-0020	5-8-2014	Amend	6-1-2014	333-081-0080	2-1-2014	Adopt	3-1-2014
333-061-0065	5-8-2014	Amend	6-1-2014	333-081-0085	2-1-2014	Adopt	3-1-2014
333-061-0072	5-8-2014	Amend	6-1-2014	333-081-0090	2-1-2014	Adopt	3-1-2014
333-061-0073	5-8-2014	Amend	6-1-2014	333-100-0020	8-15-2014	Amend	9-1-2014
333-061-0090	5-8-2014	Amend	6-1-2014	333-101-0003	8-15-2014	Amend	9-1-2014
333-061-0205	5-8-2014	Repeal	6-1-2014	333-101-0020	8-15-2014	Amend	9-1-2014
333-061-0210	5-8-2014	Amend	6-1-2014	333-102-0300	8-15-2014	Amend	9-1-2014
333-061-0220	5-8-2014	Amend	6-1-2014	333-103-0003	8-15-2014	Amend	9-1-2014
333-061-0225	5-8-2014	Amend	6-1-2014	333-103-0010	8-15-2014	Amend	9-1-2014
333-061-0228	5-8-2014	Amend	6-1-2014	333-103-0015	8-15-2014	Amend	9-1-2014
333-061-0230	5-8-2014	Amend	6-1-2014	333-103-0030	8-15-2014	Amend	9-1-2014
333-061-0232	5-8-2014	Adopt	6-1-2014	333-103-0035	8-15-2014	Amend	9-1-2014
333-061-0235	5-8-2014	Amend	6-1-2014	333-106-0015	8-15-2014	Amend	9-1-2014
333-061-0245	5-8-2014	Amend	6-1-2014	333-106-0055	8-15-2014	Amend	9-1-2014
333-061-0250	5-8-2014	Amend	6-1-2014	333-106-0325	8-15-2014	Amend	9-1-2014
333-061-0260	5-8-2014	Amend	6-1-2014	333-106-0345	8-15-2014	Adopt	9-1-2014
333-061-0265	5-8-2014	Amend	6-1-2014	333-106-0350	8-15-2014	Amend	9-1-2014
333-061-0270	5-8-2014	Amend	6-1-2014	333-106-0355	8-15-2014	Amend	9-1-2014
333-061-0272	5-8-2014	Amend	6-1-2014	333-106-0360	8-15-2014	Amend	9-1-2014
333-061-0290	5-8-2014	Repeal	6-1-2014	333-106-0361	8-15-2014	Adopt	9-1-2014
333-062-0070	9-1-2014	Amend	9-1-2014	333-106-0362	8-15-2014	Adopt	9-1-2014
333-062-0080	9-1-2014	Amend	9-1-2014	333-106-0363	8-15-2014	Adopt	9-1-2014
333-062-0103	9-1-2014	Amend	9-1-2014	333-106-0364	8-15-2014	Adopt	9-1-2014
333-062-0120	9-1-2014	Amend	9-1-2014	333-106-0365	8-15-2014	Repeal	9-1-2014
333-062-0145	9-1-2014	Amend	9-1-2014	333-106-0366	8-15-2014	Adopt	9-1-2014
333-062-0150	9-1-2014	Amend	9-1-2014	333-106-0367	8-15-2014	Adopt	9-1-2014
333-062-0170	9-1-2014	Amend	9-1-2014	333-106-0368	8-15-2014	Adopt	9-1-2014
333-062-0250	9-1-2014	Adopt	9-1-2014	333-106-0369	8-15-2014	Adopt	9-1-2014
333-062-0255	9-1-2014	Adopt	9-1-2014	333-106-0735	1-1-2014	Adopt	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
333-116-0045	8-15-2014	Amend	9-1-2014	340-011-0525	1-6-2014	Amend	2-1-2014
333-116-0190	8-15-2014	Amend	9-1-2014	340-011-0530	1-6-2014	Amend	2-1-2014
333-116-0660	1-1-2014	Amend	2-1-2014	340-011-0535	1-6-2014	Amend	2-1-2014
333-116-0680	1-1-2014	Amend	2-1-2014	340-011-0540	1-6-2014	Amend	2-1-2014
333-116-0680	8-15-2014	Amend	9-1-2014	340-011-0545	1-6-2014	Amend	2-1-2014
333-116-0683	1-1-2014	Amend	2-1-2014	340-011-0550	1-6-2014	Amend	2-1-2014
333-116-0683	8-15-2014	Amend	9-1-2014	340-011-0555	1-6-2014	Amend	2-1-2014
333-116-0687	1-1-2014	Amend	2-1-2014	340-011-0565	1-6-2014	Amend	2-1-2014
333-116-0687	8-15-2014	Amend	9-1-2014	340-011-0570	1-6-2014	Amend	2-1-2014
333-116-0690	1-1-2014	Amend	2-1-2014	340-011-0573	1-6-2014	Amend	2-1-2014
333-116-0690	8-15-2014	Amend	9-1-2014	340-011-0575	1-6-2014	Amend	2-1-2014
333-116-0700	1-1-2014	Amend	2-1-2014	340-011-0580	1-6-2014	Amend	2-1-2014
333-116-0715	1-1-2014	Amend	2-1-2014	340-011-0585	1-6-2014	Amend	2-1-2014
333-118-0020	8-15-2014	Amend	9-1-2014	340-011-0605	1-6-2014	Repeal	2-1-2014
333-118-0040	1-1-2014	Amend	2-1-2014	340-012-0026	1-6-2014	Amend	2-1-2014
333-118-0190	8-15-2014	Amend	9-1-2014	340-012-0027	1-6-2014	Repeal	2-1-2014
333-119-0010	1-1-2014	Amend	2-1-2014	340-012-0028	1-6-2014	Amend	2-1-2014
333-119-0090	1-1-2014	Amend	2-1-2014	340-012-0030	1-6-2014	Amend	2-1-2014
333-119-0110	1-1-2014	Amend	2-1-2014	340-012-0038	1-6-2014	Amend	2-1-2014
333-120-0710	8-15-2014	Amend	9-1-2014	340-012-0041	1-6-2014	Amend	2-1-2014
333-520-0060	1-1-2014	Amend(T)	2-1-2014	340-012-0045	1-6-2014	Amend	2-1-2014
333-520-0060	6-17-2014	Amend	8-1-2014	340-012-0053	1-6-2014	Amend	2-1-2014
333-520-0060(T)	6-17-2014	Repeal	8-1-2014	340-012-0054	1-6-2014	Amend	2-1-2014
334-010-0005	1-1-2014	Amend	1-1-2014	340-012-0055	1-6-2014	Amend	2-1-2014
334-010-0006	1-1-2014	Adopt	1-1-2014	340-012-0060	1-6-2014	Amend	2-1-2014
334-010-0010	1-1-2014	Amend	1-1-2014	340-012-0065	1-6-2014	Amend	2-1-2014
334-010-0033	1-1-2014	Amend	1-1-2014	340-012-0066	1-6-2014	Amend	2-1-2014
334-010-0050	1-1-2014	Amend	1-1-2014	340-012-0067	1-6-2014	Amend	2-1-2014
334-020-0005	1-1-2014	Amend	1-1-2014	340-012-0068	1-6-2014	Amend	2-1-2014
334-040-0010	1-1-2014	Amend	1-1-2014	340-012-0071	1-6-2014	Amend	2-1-2014
335-005-0026	5-19-2014	Adopt(T)	6-1-2014	340-012-0072	1-6-2014	Amend	2-1-2014
335-060-0007	3-7-2014	Amend	4-1-2014	340-012-0073	1-6-2014	Amend	2-1-2014
337-010-0011	10-20-2014	Amend	12-1-2014	340-012-0074	1-6-2014	Amend	2-1-2014
337-010-0011	10-21-2014	Amend(T)	12-1-2014	340-012-0079	1-6-2014	Amend	2-1-2014
337-010-0045	10-20-2014	Amend	12-1-2014	340-012-0081	1-6-2014	Amend	2-1-2014
337-021-0055	7-1-2014	Adopt	7-1-2014	340-012-0082	1-6-2014	Amend	2-1-2014
339-010-0007	10-9-2014	Adopt	11-1-2014	340-012-0083	1-6-2014	Amend	2-1-2014
339-020-0025	10-9-2014	Adopt	11-1-2014	340-012-0097	1-6-2014	Amend	2-1-2014
340-011-0005	1-6-2014	Amend	2-1-2014	340-012-0130	1-6-2014	Amend	2-1-2014
340-011-0010	1-6-2014	Amend	2-1-2014	340-012-0135	1-6-2014	Amend	2-1-2014
340-011-0024	1-6-2014	Amend	2-1-2014	340-012-0140	1-6-2014	Amend	2-1-2014
340-011-0029	1-6-2014	Amend	2-1-2014	340-012-0145	1-6-2014	Amend	2-1-2014
340-011-0046	1-6-2014	Amend	2-1-2014	340-012-0150	1-6-2014	Amend	2-1-2014
340-011-0053	1-6-2014	Amend	2-1-2014	340-012-0155	1-6-2014	Amend	2-1-2014
340-011-0061	1-6-2014	Amend	2-1-2014	340-012-0160	1-6-2014	Amend	2-1-2014
340-011-0310	1-6-2014	Amend	2-1-2014	340-012-0162	1-6-2014	Amend	2-1-2014
340-011-0330	1-6-2014	Amend	2-1-2014	340-012-0165	1-6-2014	Amend	2-1-2014
340-011-0340	1-6-2014	Amend	2-1-2014	340-012-0170	1-6-2014	Amend	2-1-2014
340-011-0360	1-6-2014	Amend	2-1-2014	340-018-0030	1-2-2014	Amend	2-1-2014
340-011-0370	1-6-2014	Amend	2-1-2014	340-040-0020	12-23-2013	Amend	2-1-2014
340-011-0380	1-6-2014	Amend	2-1-2014	340-040-0080	12-23-2013	Amend	2-1-2014
340-011-0390	1-6-2014	Amend	2-1-2014	340-041-0009	12-23-2013	Amend	2-1-2014
340-011-0500	1-6-2014	Amend	2-1-2014	340-041-0033	4-18-2014	Amend	2-1-2014
340-011-0510	1-6-2014	Amend	2-1-2014	340-045-0075	12-1-2014	Amend	12-1-2014
340-011-0515	1-6-2014	Amend	2-1-2014	340-054-0010	2-3-2014	Amend	3-1-2014
340-011-0520	1-6-2014	Amend	2-1-2014	340-054-0011	2-3-2014	Amend	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
340-054-0071	2-3-2014	Adopt	3-1-2014	340-216-0056	6-26-2014	Amend	8-1-2014
340-054-0072	2-3-2014	Adopt	3-1-2014	340-216-0060	6-26-2014	Amend	8-1-2014
340-071-0100	1-2-2014	Amend	2-1-2014	340-216-0062	6-26-2014	Amend	8-1-2014
340-071-0100	10-15-2014	Amend	11-1-2014	340-216-0064	6-26-2014	Amend	8-1-2014
340-071-0115	1-2-2014	Amend	2-1-2014	340-216-0066	6-26-2014	Amend	8-1-2014
340-071-0120	1-2-2014	Amend	2-1-2014	340-216-0070	6-26-2014	Amend	8-1-2014
340-071-0130	1-2-2014	Amend	2-1-2014	340-216-0090	6-26-2014	Amend	8-1-2014
340-071-0131	1-2-2014	Repeal	2-1-2014	340-216-8010	6-26-2014	Adopt	8-1-2014
340-071-0135	1-2-2014	Amend	2-1-2014	340-216-8010	11-12-2014	Amend(T)	12-1-2014
340-071-0140	1-2-2014	Amend	2-1-2014	340-216-8020	6-26-2014	Adopt	8-1-2014
340-071-0140	10-15-2014	Amend	11-1-2014	340-220-0030	9-4-2014	Amend	10-1-2014
340-071-0140	12-1-2014	Amend	12-1-2014	340-220-0040	9-4-2014	Amend	10-1-2014
340-071-0150	1-2-2014	Amend	2-1-2014	340-220-0050	9-4-2014	Amend	10-1-2014
340-071-0155	1-2-2014	Amend	2-1-2014	340-220-0060	9-4-2014	Amend	10-1-2014
340-071-0160	1-2-2014	Amend	2-1-2014	340-224-0010	11-12-2014	Amend(T)	12-1-2014
340-071-0162	1-2-2014	Amend	2-1-2014	340-253-0040	1-1-2014	Amend(T)	2-1-2014
340-071-0165	1-2-2014	Amend	2-1-2014	340-253-0040	6-26-2014	Amend	8-1-2014
340-071-0170	1-2-2014	Amend	2-1-2014	340-253-0060	1-1-2014	Amend(T)	2-1-2014
340-071-0205	1-2-2014	Amend	2-1-2014	340-253-0060	6-26-2014	Amend	8-1-2014
340-071-0215	1-2-2014	Amend	2-1-2014	340-253-0100	1-1-2014	Amend(T)	2-1-2014
340-071-0220	1-2-2014	Amend	2-1-2014	340-253-0100	6-26-2014	Amend	8-1-2014
340-071-0220	10-15-2014	Amend	11-1-2014	340-253-0250	1-1-2014	Amend(T)	2-1-2014
340-071-0260	1-2-2014	Amend	2-1-2014	340-253-0250	6-26-2014	Amend	8-1-2014
340-071-0265	1-2-2014	Amend	2-1-2014	340-253-0310	1-1-2014	Amend(T)	2-1-2014
340-071-0270	1-2-2014	Repeal	2-1-2014	340-253-0310	6-26-2014	Amend	8-1-2014
340-071-0275	1-2-2014	Amend	2-1-2014	340-253-0320	1-1-2014	Amend(T)	2-1-2014
340-071-0290	1-2-2014	Amend	2-1-2014	340-253-0320	6-26-2014	Amend	8-1-2014
340-071-0295	1-2-2014	Amend	2-1-2014	340-253-0340	1-1-2014	Amend(T)	2-1-2014
340-071-0302	1-2-2014	Amend	2-1-2014	340-253-0340	6-26-2014	Amend	8-1-2014
340-071-0325	1-2-2014	Amend	2-1-2014	340-253-0400	1-1-2014	Amend(T)	2-1-2014
340-071-0335	1-2-2014	Amend	2-1-2014	340-253-0400	6-26-2014	Amend	8-1-2014
340-071-0340	1-2-2014	Amend	2-1-2014	340-253-0500	1-1-2014	Amend(T)	2-1-2014
340-071-0345	1-2-2014	Amend	2-1-2014	340-253-0500	6-26-2014	Amend	8-1-2014
340-071-0360	1-2-2014	Amend	2-1-2014	340-253-0600	1-1-2014	Amend(T)	2-1-2014
340-071-0400	1-2-2014	Amend	2-1-2014	340-253-0600	6-26-2014	Amend	8-1-2014
340-071-0415	1-2-2014	Amend	2-1-2014	340-253-0630	1-1-2014	Amend(T)	2-1-2014
340-071-0420	1-2-2014	Amend	2-1-2014	340-253-0630	6-26-2014	Amend	8-1-2014
340-071-0425	1-2-2014	Amend	2-1-2014	340-253-0650	1-1-2014	Amend(T)	2-1-2014
340-071-0435	1-2-2014	Amend	2-1-2014	340-253-0650	6-26-2014	Amend	8-1-2014
340-071-0445	1-2-2014	Amend	2-1-2014	340-253-3000	1-1-2014	Amend(T)	2-1-2014
340-071-0520	1-2-2014	Amend	2-1-2014	340-253-3000	6-26-2014	Repeal	8-1-2014
340-071-0600	1-2-2014	Amend	2-1-2014	340-253-3010	1-1-2014	Amend(T)	2-1-2014
340-071-0650	1-2-2014	Amend	2-1-2014	340-253-3010	6-26-2014	Amend	8-1-2014
340-200-0020	11-12-2014	Amend(T)	12-1-2014	340-253-3020	1-1-2014	Amend(T)	2-1-2014
340-200-0040	12-19-2013	Amend	2-1-2014	340-253-3020	6-26-2014	Amend	8-1-2014
340-200-0040	1-6-2014	Amend	2-1-2014	340-257-0010	12-19-2013	Amend	2-1-2014
340-200-0040	3-31-2014	Amend	5-1-2014	340-257-0020	12-19-2013	Amend	2-1-2014
340-200-0040	3-31-2014	Amend	5-1-2014	340-257-0030	12-19-2013	Amend	2-1-2014
340-200-0040	3-31-2014	Amend	5-1-2014	340-257-0050	12-19-2013	Amend	2-1-2014
340-200-0040	6-26-2014	Amend	8-1-2014	340-257-0070	12-19-2013	Amend	2-1-2014
340-210-0100	6-26-2014	Amend	8-1-2014	340-257-0080	12-19-2013	Amend	2-1-2014
340-216-0020	6-26-2014	Amend	8-1-2014	340-257-0090	12-19-2013	Amend	2-1-2014
340-216-0025	6-26-2014	Amend	8-1-2014	340-257-0100	12-19-2013	Amend	2-1-2014
340-216-0040	6-26-2014	Amend	8-1-2014	340-257-0110	12-19-2013	Amend	2-1-2014
340-216-0052	6-26-2014	Amend	8-1-2014	340-257-0120	12-19-2013	Amend	2-1-2014
340-216-0054	6-26-2014	Amend	8-1-2014	340-259-0010	3-31-2014	Amend	5-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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	410-050-0861	10-1-2014	Amend(T)	11-1-2014
409-023-0010	1-1-2014	Am. & Ren.	2-1-2014	410-050-0870	3-25-2014	Amend	5-1-2014
409-023-0012	1-1-2014	Am. & Ren.	2-1-2014	410-050-0870(T)	3-25-2014	Repeal	5-1-2014
409-023-0013	1-1-2014	Am. & Ren.	2-1-2014	410-120-0000	12-27-2013	Amend	2-1-2014
409-023-0015	1-1-2014	Am. & Ren.	2-1-2014	410-120-0000	10-1-2014	Amend	11-1-2014
409-023-0020	1-1-2014	Am. & Ren.	2-1-2014	410-120-0000(T)	12-27-2013	Repeal	2-1-2014
409-023-0025	1-1-2014	Am. & Ren.	2-1-2014	410-120-0003	1-1-2014	Adopt	2-1-2014
409-023-0030	1-1-2014	Am. & Ren.	2-1-2014	410-120-0006	2-1-2014	Amend(T)	3-1-2014
409-023-0035	1-1-2014	Am. & Ren.	2-1-2014	410-120-0006	3-31-2014	Amend	5-1-2014
409-045-0000	7-1-2014	Repeal	8-1-2014	410-120-0006	7-1-2014	Amend	8-1-2014
409-045-0025	7-1-2014	Adopt	8-1-2014	410-120-0006	9-23-2014	Amend	11-1-2014
409-045-0030	7-1-2014	Adopt	8-1-2014	410-120-0006(T)	2-1-2014	Suspend	3-1-2014
409-045-0035	7-1-2014	Adopt	8-1-2014	410-120-0006(T)	3-31-2014	Repeal	5-1-2014
409-045-0040	7-1-2014	Adopt	8-1-2014	410-120-0030	12-3-2013	Amend	1-1-2014
409-045-0045	7-1-2014	Adopt	8-1-2014	410-120-0030	1-1-2014	Amend(T)	2-1-2014
409-045-0050	7-1-2014	Adopt	8-1-2014	410-120-0030	4-4-2014	Amend	5-1-2014
409-045-0055	7-1-2014	Adopt	8-1-2014	410-120-0030(T)	4-4-2014	Repeal	5-1-2014
409-045-0060	7-1-2014	Adopt	8-1-2014	410-120-0045	12-27-2013	Amend	2-1-2014
409-045-0065	7-1-2014	Adopt	8-1-2014	410-120-0045(T)	12-27-2013	Repeal	2-1-2014
409-045-0070	7-1-2014	Adopt	8-1-2014	410-120-1140	7-3-2014	Amend	8-1-2014
409-045-0075	7-1-2014	Adopt	8-1-2014	410-120-1160	12-27-2013	Amend	2-1-2014
409-045-0105	1-1-2014	Adopt(T)	2-1-2014	410-120-1160	10-1-2014	Amend	11-1-2014
409-045-0105(T)	7-1-2014	Repeal	8-1-2014	410-120-1160(T)	12-27-2013	Repeal	2-1-2014
409-045-0110	1-1-2014	Adopt(T)	2-1-2014	410-120-1200	12-27-2013	Amend	2-1-2014
409-045-0110(T)	7-1-2014	Repeal	8-1-2014	410-120-1200	10-1-2014	Amend	11-1-2014
409-045-0115	1-1-2014	Adopt(T)	2-1-2014	410-120-1200(T)	12-27-2013	Repeal	2-1-2014
409-045-0115	7-1-2014	Amend	8-1-2014	410-120-1210	12-27-2013	Amend	2-1-2014
409-045-0120	1-1-2014	Adopt(T)	2-1-2014	410-120-1210	1-1-2014	Amend(T)	2-1-2014
409-045-0120	7-1-2014	Amend	8-1-2014	410-120-1210	4-4-2014	Amend	5-1-2014
409-045-0125	1-1-2014	Adopt(T)	2-1-2014	410-120-1210(T)	12-27-2013	Repeal	2-1-2014
409-045-0125	7-1-2014	Amend	8-1-2014	410-120-1210(T)	4-4-2014	Repeal	5-1-2014
409-045-0130	1-1-2014	Adopt(T)	2-1-2014	410-120-1230	1-1-2014	Amend(T)	2-1-2014
409-045-0130	7-1-2014	Amend	8-1-2014	410-120-1230	4-4-2014	Amend	5-1-2014
409-045-0135	1-1-2014	Adopt(T)	2-1-2014	410-120-1230	10-1-2014	Amend	11-1-2014
409-045-0135	7-1-2014	Amend	8-1-2014	410-120-1230(T)	4-4-2014	Repeal	5-1-2014
409-110-0000	2-24-2014	Repeal	4-1-2014	410-120-1260	10-1-2014	Amend	11-1-2014
409-110-0005	2-24-2014	Repeal	4-1-2014	410-120-1340	12-30-2013	Amend(T)	2-1-2014
409-110-0010	2-24-2014	Repeal	4-1-2014	410-120-1340	4-4-2014	Amend	5-1-2014
409-110-0015	2-24-2014	Repeal	4-1-2014	410-120-1340(T)	4-4-2014	Repeal	5-1-2014
409-110-0020	2-24-2014	Repeal	4-1-2014	410-120-1855	12-27-2013	Amend	2-1-2014
410-050-0100	4-1-2014	Repeal	5-1-2014	410-120-1855(T)	12-27-2013	Repeal	2-1-2014
410-050-0110	4-1-2014	Repeal	5-1-2014	410-121-0030	1-1-2014	Amend(T)	2-1-2014
410-050-0120	4-1-2014	Repeal	5-1-2014	410-121-0030	1-10-2014	Amend(T)	2-1-2014
410-050-0130	4-1-2014	Repeal	5-1-2014	410-121-0030	3-21-2014	Amend(T)	5-1-2014
410-050-0140	4-1-2014	Repeal	5-1-2014	410-121-0030	5-2-2014	Amend(T)	6-1-2014
410-050-0150	4-1-2014	Repeal	5-1-2014	410-121-0030	6-30-2014	Amend	8-1-2014
410-050-0160	4-1-2014	Repeal	5-1-2014	410-121-0030	7-15-2014	Amend(T)	8-1-2014
410-050-0170	4-1-2014	Repeal	5-1-2014	410-121-0030	9-16-2014	Amend(T)	11-1-2014
410-050-0180	4-1-2014	Repeal	5-1-2014	410-121-0030	10-29-2014	Amend(T)	12-1-2014
410-050-0190	4-1-2014	Repeal	5-1-2014	410-121-0030(T)	1-10-2014	Suspend	2-1-2014
410-050-0200	4-1-2014	Repeal	5-1-2014	410-121-0030(T)	6-30-2014	Repeal	8-1-2014
410-050-0210	4-1-2014	Repeal	5-1-2014	410-121-0040	1-1-2014	Amend(T)	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
410-121-0040	3-21-2014	Amend(T)	5-1-2014	410-129-0065	4-2-2014	Amend	5-1-2014
410-121-0040	5-2-2014	Amend(T)	6-1-2014	410-129-0070	4-2-2014	Amend	5-1-2014
410-121-0040	6-30-2014	Amend	8-1-2014	410-129-0195	1-1-2014	Suspend	2-1-2014
410-121-0040	7-15-2014	Amend(T)	8-1-2014	410-129-0195	4-4-2014	Repeal	5-1-2014
410-121-0040	8-13-2014	Amend(T)	9-1-2014	410-130-0015	1-1-2014	Adopt	2-1-2014
410-121-0040	10-14-2014	Amend(T)	11-1-2014	410-130-0163	1-1-2014	Suspend	2-1-2014
410-121-0040(T)	6-30-2014	Repeal	8-1-2014	410-130-0163	4-4-2014	Repeal	5-1-2014
410-121-0111	1-28-2014	Amend	3-1-2014	410-130-0200	7-8-2014	Amend	8-1-2014
410-121-0149	8-27-2014	Repeal	10-1-2014	410-130-0200	10-1-2014	Amend(T)	11-1-2014
410-121-3000	12-1-2014	Am. & Ren.	12-1-2014	410-130-0220	10-1-2014	Amend(T)	11-1-2014
410-121-4005	11-19-2013	Amend	1-1-2014	410-130-0240	1-1-2014	Amend(T)	2-1-2014
410-121-4010	11-19-2013	Amend	1-1-2014	410-130-0240	4-4-2014	Amend	5-1-2014
410-121-4020	11-19-2013	Amend	1-1-2014	410-130-0240(T)	4-4-2014	Repeal	5-1-2014
410-122-0055	1-1-2014	Suspend	2-1-2014	410-130-0255	3-13-2014	Amend	4-1-2014
410-122-0055	4-4-2014	Repeal	5-1-2014	410-131-0080	11-4-2014	Amend	12-1-2014
410-122-0186	2-1-2014	Amend(T)	2-1-2014	410-131-0120	1-1-2014	Amend(T)	2-1-2014
410-122-0186	7-11-2014	Amend	8-1-2014	410-131-0120	4-4-2014	Amend	5-1-2014
410-122-0186(T)	7-11-2014	Repeal	8-1-2014	410-131-0120(T)	4-4-2014	Repeal	5-1-2014
410-122-0260	10-7-2014	Amend	11-1-2014	410-132-0055	1-1-2014	Suspend	2-1-2014
410-122-0640	10-7-2014	Amend	11-1-2014	410-132-0055	4-4-2014	Repeal	5-1-2014
410-123-1060	1-1-2014	Amend(T)	2-1-2014	410-136-3000	1-1-2014	Amend(T)	2-1-2014
410-123-1060	6-27-2014	Amend	8-1-2014	410-136-3000	5-20-2014	Amend	7-1-2014
410-123-1060(T)	6-27-2014	Repeal	8-1-2014	410-136-3000(T)	5-20-2014	Repeal	7-1-2014
410-123-1200	1-1-2014	Amend(T)	2-1-2014	410-136-3010	7-1-2014	Adopt	8-1-2014
410-123-1200	4-1-2014	Amend(T)	5-1-2014	410-136-3020	1-1-2014	Amend(T)	2-1-2014
410-123-1200	6-27-2014	Amend	8-1-2014	410-136-3020	5-20-2014	Amend	7-1-2014
410-123-1200(T)	4-1-2014	Suspend	5-1-2014	410-136-3020(T)	5-20-2014	Repeal	7-1-2014
410-123-1200(T)	6-27-2014	Repeal	8-1-2014	410-136-3060	1-1-2014	Amend(T)	2-1-2014
410-123-1260	12-23-2013	Amend	1-1-2014	410-136-3060	5-20-2014	Amend	7-1-2014
410-123-1260	1-1-2014	Amend(T)	2-1-2014	410-136-3060(T)	5-20-2014	Repeal	7-1-2014
410-123-1260	2-28-2014	Amend(T)	4-1-2014	410-136-3140	1-1-2014	Amend(T)	2-1-2014
410-123-1260	4-1-2014	Amend(T)	5-1-2014	410-136-3140	5-20-2014	Amend	7-1-2014
410-123-1260	6-27-2014	Amend	8-1-2014	410-136-3140(T)	5-20-2014	Repeal	7-1-2014
410-123-1260	10-1-2014	Amend	11-1-2014	410-136-3220	1-1-2014	Amend(T)	2-1-2014
410-123-1260(T)	4-1-2014	Suspend	5-1-2014	410-136-3220	5-20-2014	Amend	7-1-2014
410-123-1260(T)	6-27-2014	Repeal	8-1-2014	410-136-3220(T)	5-20-2014	Repeal	7-1-2014
410-123-1540	1-1-2014	Amend(T)	2-1-2014	410-136-3240	1-1-2014	Amend(T)	2-1-2014
410-123-1540	6-27-2014	Amend	8-1-2014	410-136-3240	5-20-2014	Amend	7-1-2014
410-123-1540(T)	6-27-2014	Repeal	8-1-2014	410-136-3240(T)	5-20-2014	Repeal	7-1-2014
410-123-1670	1-1-2014	Suspend	2-1-2014	410-136-3260	3-11-2014	Amend	4-1-2014
410-123-1670	4-4-2014	Repeal	5-1-2014	410-136-3260(T)	3-11-2014	Repeal	4-1-2014
410-125-0020	1-1-2014	Amend(T)	2-1-2014	410-138-0000	1-1-2014	Amend(T)	2-1-2014
410-125-0020	4-4-2014	Amend	5-1-2014	410-138-0000	4-4-2014	Amend	5-1-2014
410-125-0020(T)	4-4-2014	Repeal	5-1-2014	410-138-0007	1-1-2014	Amend(T)	2-1-2014
410-125-0047	1-1-2014	Suspend	2-1-2014	410-138-0007	4-4-2014	Amend	5-1-2014
410-125-0047	4-4-2014	Repeal	5-1-2014	410-138-0007(T)	4-4-2014	Repeal	5-1-2014
410-125-0080	1-1-2014	Amend(T)	2-1-2014	410-138-0009	1-1-2014	Amend(T)	2-1-2014
410-125-0080	4-4-2014	Amend	5-1-2014	410-138-0009	4-4-2014	Amend	5-1-2014
410-125-0080(T)	4-4-2014	Repeal	5-1-2014	410-138-0009(T)	4-4-2014	Repeal	5-1-2014
410-125-0085	1-1-2014	Amend(T)	2-1-2014	410-140-0020	5-8-2014	Amend	6-1-2014
410-125-0085	4-4-2014	Amend	5-1-2014	410-140-0040	5-8-2014	Amend	6-1-2014
410-125-0085(T)	4-4-2014	Repeal	5-1-2014	410-140-0050	5-8-2014	Amend	6-1-2014
410-125-0162	10-7-2014	Adopt	11-1-2014	410-140-0060	5-8-2014	Repeal	6-1-2014
410-127-0050	1-1-2014	Suspend	2-1-2014	410-140-0110	5-8-2014	Repeal	6-1-2014
410-127-0055	4-4-2014	Repeal	5-1-2014	410-140-0120	5-8-2014	Amend	6-1-2014
410-129-0020	4-2-2014	Amend	5-1-2014	410-140-0140	5-8-2014	Amend	6-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
410-140-0160	5-8-2014	Amend	6-1-2014	410-141-3420	11-29-2013	Amend	1-1-2014
410-140-0180	5-8-2014	Repeal	6-1-2014	410-141-3420	7-1-2014	Amend(T)	8-1-2014
410-140-0200	5-8-2014	Amend	6-1-2014	410-141-3420	12-28-2014	Amend(T)	12-1-2014
410-140-0210	5-8-2014	Repeal	6-1-2014	410-141-3435	7-1-2014	Adopt	8-1-2014
410-140-0220	5-8-2014	Repeal	6-1-2014	410-141-3440	7-1-2014	Adopt	8-1-2014
410-140-0240	5-8-2014	Repeal	6-1-2014	410-141-3445	7-1-2014	Adopt	8-1-2014
410-140-0260	5-8-2014	Amend	6-1-2014	410-141-3450	7-1-2014	Adopt	8-1-2014
410-140-0280	5-8-2014	Amend	6-1-2014	410-141-3455	7-1-2014	Adopt	8-1-2014
410-140-0300	5-8-2014	Amend	6-1-2014	410-141-3460	7-1-2014	Adopt	8-1-2014
410-140-0320	5-8-2014	Repeal	6-1-2014	410-141-3465	7-1-2014	Adopt	8-1-2014
410-140-0380	5-8-2014	Repeal	6-1-2014	410-141-3470	7-1-2014	Adopt	8-1-2014
410-140-0400	5-8-2014	Amend	6-1-2014	410-141-3475	7-1-2014	Adopt	8-1-2014
410-141-0000	8-1-2014	Amend	8-1-2014	410-141-3480	7-1-2014	Adopt	8-1-2014
410-141-0050	8-1-2014	Amend	8-1-2014	410-141-3485	7-1-2014	Adopt	8-1-2014
410-141-0065	1-31-2014	Adopt	3-1-2014	410-142-0040	1-1-2014	Amend(T)	2-1-2014
410-141-0080	2-1-2014	Amend(T)	3-1-2014	410-142-0040	4-4-2014	Amend	5-1-2014
410-141-0080	6-1-2014	Amend	7-1-2014	410-142-0040(T)	4-4-2014	Repeal	5-1-2014
410-141-0080(T)	6-1-2014	Repeal	7-1-2014	410-146-0022	1-1-2014	Suspend	2-1-2014
410-141-0120	8-1-2014	Amend	8-1-2014	410-146-0022	4-4-2014	Repeal	5-1-2014
410-141-0180	8-1-2014	Amend	8-1-2014	410-146-0380	1-1-2014	Suspend	2-1-2014
410-141-0263	7-1-2014	Amend	7-1-2014	410-146-0380	4-4-2014	Repeal	5-1-2014
410-141-0270	8-1-2014	Amend	8-1-2014	410-147-0125	1-1-2014	Suspend	2-1-2014
410-141-0410	8-1-2014	Amend	8-1-2014	410-147-0125	4-4-2014	Repeal	5-1-2014
410-141-0420	7-1-2014	Amend(T)	8-1-2014	410-148-0090	1-1-2014	Suspend	2-1-2014
410-141-0420	8-1-2014	Amend	8-1-2014	410-148-0090	4-4-2014	Repeal	5-1-2014
410-141-0420	12-28-2014	Amend(T)	12-1-2014	410-180-0300	12-3-2013	Adopt	1-1-2014
410-141-0480	8-1-2014	Amend	8-1-2014	410-180-0300(T)	12-3-2013	Repeal	1-1-2014
410-141-0520	1-31-2014	Amend	3-1-2014	410-180-0305	12-3-2013	Adopt	1-1-2014
410-141-0520	4-1-2014	Amend(T)	5-1-2014	410-180-0305(T)	12-3-2013	Repeal	1-1-2014
410-141-0520	7-1-2014	Amend	7-1-2014	410-180-0310	12-3-2013	Adopt	1-1-2014
410-141-0520	10-17-2014	Amend(T)	12-1-2014	410-180-0310(T)	12-3-2013	Repeal	1-1-2014
410-141-0520(T)	7-1-2014	Repeal	7-1-2014	410-180-0312	12-3-2013	Adopt	1-1-2014
410-141-0740	8-1-2014	Amend	8-1-2014	410-180-0315	12-3-2013	Adopt	1-1-2014
410-141-0860	1-1-2014	Amend(T)	2-1-2014	410-180-0315(T)	12-3-2013	Repeal	1-1-2014
410-141-0860	4-4-2014	Amend	5-1-2014	410-180-0320	12-3-2013	Adopt	1-1-2014
410-141-0860(T)	4-4-2014	Repeal	5-1-2014	410-180-0320(T)	12-3-2013	Repeal	1-1-2014
410-141-3010	8-1-2014	Amend	8-1-2014	410-180-0325	1-15-2014	Adopt	2-1-2014
410-141-3015	8-1-2014	Amend	8-1-2014	410-180-0325(T)	1-15-2014	Repeal	2-1-2014
410-141-3050	8-1-2014	Amend	8-1-2014	410-180-0326	1-15-2014	Adopt	2-1-2014
410-141-3060	11-29-2013	Amend	1-1-2014	410-180-0327	12-3-2013	Adopt	1-1-2014
410-141-3060	7-1-2014	Amend(T)	8-1-2014	410-180-0327(T)	12-3-2013	Repeal	1-1-2014
410-141-3065	1-31-2014	Adopt	3-1-2014	410-180-0340	12-3-2013	Adopt	1-1-2014
410-141-3070	4-1-2014	Amend(T)	5-1-2014	410-180-0340(T)	12-3-2013	Repeal	1-1-2014
410-141-3070	7-1-2014	Amend	7-1-2014	410-180-0345	12-3-2013	Adopt	1-1-2014
410-141-3070(T)	7-1-2014	Repeal	7-1-2014	410-180-0345(T)	12-3-2013	Repeal	1-1-2014
410-141-3080	11-29-2013	Amend	1-1-2014	410-180-0350	12-3-2013	Adopt	1-1-2014
410-141-3080	2-1-2014	Amend(T)	3-1-2014	410-180-0350(T)	12-3-2013	Repeal	1-1-2014
410-141-3080	6-1-2014	Amend	7-1-2014	410-180-0355	12-3-2013	Adopt	1-1-2014
410-141-3080(T)	6-1-2014	Repeal	7-1-2014	410-180-0355(T)	12-3-2013	Repeal	1-1-2014
410-141-3120	8-1-2014	Amend	8-1-2014	410-180-0360	12-3-2013	Adopt	1-1-2014
410-141-3145	8-1-2014	Amend	8-1-2014	410-180-0370	12-3-2013	Adopt	1-1-2014
410-141-3200	8-1-2014	Amend	8-1-2014	410-180-0370(T)	12-3-2013	Repeal	1-1-2014
410-141-3220	11-29-2013	Amend	1-1-2014	410-180-0375	12-3-2013	Adopt	1-1-2014
410-141-3260	7-1-2014	Amend	7-1-2014	410-180-0375(T)	12-3-2013	Repeal	1-1-2014
410-141-3268	1-1-2014	Amend(T)	2-1-2014	410-180-0380	12-3-2013	Adopt	1-1-2014
410-141-3270	8-1-2014	Amend	8-1-2014	410-180-0380(T)	12-3-2013	Repeal	1-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
410-200-0010	1-15-2014	Adopt(T)	2-1-2014	410-200-0140	3-28-2014	Adopt	5-1-2014
410-200-0010	3-28-2014	Adopt	5-1-2014	410-200-0140	11-15-2014	Amend(T)	12-1-2014
410-200-0010	11-15-2014	Amend(T)	12-1-2014	410-200-0140(T)	1-15-2014	Suspend	2-1-2014
410-200-0010(T)	1-15-2014	Suspend	2-1-2014	410-200-0140(T)	3-28-2014	Repeal	5-1-2014
410-200-0010(T)	3-28-2014	Repeal	5-1-2014	410-200-0145	1-15-2014	Adopt(T)	2-1-2014
410-200-0015	1-15-2014	Adopt(T)	2-1-2014	410-200-0145	3-28-2014	Adopt	5-1-2014
410-200-0015	3-28-2014	Adopt	5-1-2014	410-200-0145	8-15-2014	Amend(T)	9-1-2014
410-200-0015	11-15-2014	Amend(T)	12-1-2014	410-200-0145	11-15-2014	Amend(T)	12-1-2014
410-200-0015(T)	1-15-2014	Suspend	2-1-2014	410-200-0145(T)	1-15-2014	Suspend	2-1-2014
410-200-0015(T)	3-28-2014	Repeal	5-1-2014	410-200-0145(T)	3-28-2014	Repeal	5-1-2014
410-200-0100	1-15-2014	Adopt(T)	2-1-2014	410-200-0146	1-15-2014	Adopt(T)	2-1-2014
410-200-0100	3-28-2014	Adopt	5-1-2014	410-200-0146	3-28-2014	Adopt	5-1-2014
410-200-0100	11-15-2014	Amend(T)	12-1-2014	410-200-0146	8-15-2014	Amend(T)	9-1-2014
410-200-0100(T)	1-15-2014	Suspend	2-1-2014	410-200-0146	11-15-2014	Amend(T)	12-1-2014
410-200-0100(T)	3-28-2014	Repeal	5-1-2014	410-200-0146(T)	1-15-2014	Suspend	2-1-2014
410-200-0105	1-15-2014	Adopt(T)	2-1-2014	410-200-0146(T)	3-28-2014	Repeal	5-1-2014
410-200-0105	3-28-2014	Adopt	5-1-2014	410-200-0200	1-15-2014	Adopt(T)	2-1-2014
410-200-0105	11-15-2014	Amend(T)	12-1-2014	410-200-0200	3-28-2014	Adopt	5-1-2014
410-200-0105(T)	1-15-2014	Suspend	2-1-2014	410-200-0200	11-15-2014	Amend(T)	12-1-2014
410-200-0105(T)	3-28-2014	Repeal	5-1-2014	410-200-0200(T)	1-15-2014	Suspend	2-1-2014
410-200-0110	1-15-2014	Adopt(T)	2-1-2014	410-200-0200(T)	3-28-2014	Repeal	5-1-2014
410-200-0110	3-28-2014	Adopt	5-1-2014	410-200-0205	1-15-2014	Adopt(T)	2-1-2014
410-200-0110	11-15-2014	Amend(T)	12-1-2014	410-200-0205	3-28-2014	Adopt	5-1-2014
410-200-0110(T)	1-15-2014	Suspend	2-1-2014	410-200-0205	11-15-2014	Amend(T)	12-1-2014
410-200-0110(T)	3-28-2014	Repeal	5-1-2014	410-200-0205(T)	1-15-2014	Suspend	2-1-2014
410-200-0111	1-15-2014	Adopt(T)	2-1-2014	410-200-0205(T)	3-28-2014	Repeal	5-1-2014
410-200-0111	3-28-2014	Adopt	5-1-2014	410-200-0210	1-15-2014	Adopt(T)	2-1-2014
410-200-0111	11-15-2014	Amend(T)	12-1-2014	410-200-0210	3-28-2014	Adopt	5-1-2014
410-200-0111(T)	1-15-2014	Suspend	2-1-2014	410-200-0210	11-15-2014	Amend(T)	12-1-2014
410-200-0111(T)	3-28-2014	Repeal	5-1-2014	410-200-0210(T)	1-15-2014	Suspend	2-1-2014
410-200-0115	1-15-2014	Adopt(T)	2-1-2014	410-200-0210(T)	3-28-2014	Repeal	5-1-2014
410-200-0115	3-28-2014	Adopt	5-1-2014	410-200-0215	1-15-2014	Adopt(T)	2-1-2014
410-200-0115	11-15-2014	Amend(T)	12-1-2014	410-200-0215	3-28-2014	Adopt	5-1-2014
410-200-0115(T)	1-15-2014	Suspend	2-1-2014	410-200-0215	11-15-2014	Amend(T)	12-1-2014
410-200-0115(T)	3-28-2014	Repeal	5-1-2014	410-200-0215(T)	1-15-2014	Suspend	2-1-2014
410-200-0120	1-15-2014	Adopt(T)	2-1-2014	410-200-0215(T)	3-28-2014	Repeal	5-1-2014
410-200-0120	3-28-2014	Adopt	5-1-2014	410-200-0220	1-15-2014	Adopt(T)	2-1-2014
410-200-0120	11-15-2014	Amend(T)	12-1-2014	410-200-0220	3-28-2014	Adopt	5-1-2014
410-200-0120(T)	1-15-2014	Suspend	2-1-2014	410-200-0220	11-15-2014	Amend(T)	12-1-2014
410-200-0120(T)	3-28-2014	Repeal	5-1-2014	410-200-0220(T)	1-15-2014	Suspend	2-1-2014
410-200-0125	1-15-2014	Adopt(T)	2-1-2014	410-200-0220(T)	3-28-2014	Repeal	5-1-2014
410-200-0125	3-28-2014	Adopt	5-1-2014	410-200-0225	1-15-2014	Adopt(T)	2-1-2014
410-200-0125	11-15-2014	Amend(T)	12-1-2014	410-200-0225	3-28-2014	Adopt	5-1-2014
410-200-0125(T)	1-15-2014	Suspend	2-1-2014	410-200-0225	11-15-2014	Amend(T)	12-1-2014
410-200-0125(T)	3-28-2014	Repeal	5-1-2014	410-200-0225(T)	1-15-2014	Suspend	2-1-2014
410-200-0130	1-15-2014	Adopt(T)	2-1-2014	410-200-0225(T)	3-28-2014	Repeal	5-1-2014
410-200-0130	3-28-2014	Adopt	5-1-2014	410-200-0230	1-15-2014	Adopt(T)	2-1-2014
410-200-0130	11-15-2014	Amend(T)	12-1-2014	410-200-0230	3-28-2014	Adopt	5-1-2014
410-200-0130(T)	1-15-2014	Suspend	2-1-2014	410-200-0230	11-15-2014	Amend(T)	12-1-2014
410-200-0130(T)	3-28-2014	Repeal	5-1-2014	410-200-0230(T)	1-15-2014	Suspend	2-1-2014
410-200-0135	1-15-2014	Adopt(T)	2-1-2014	410-200-0230(T)	3-28-2014	Repeal	5-1-2014
410-200-0135	3-28-2014	Adopt	5-1-2014	410-200-0235	1-15-2014	Adopt(T)	2-1-2014
410-200-0135	11-15-2014	Amend(T)	12-1-2014	410-200-0235	3-28-2014	Adopt	5-1-2014
410-200-0135(T)	1-15-2014	Suspend	2-1-2014	410-200-0235	11-15-2014	Amend(T)	12-1-2014
410-200-0135(T)	3-28-2014	Repeal	5-1-2014	410-200-0235(T)	1-15-2014	Suspend	2-1-2014
410-200-0140	1-15-2014	Adopt(T)	2-1-2014	410-200-0235(T)	3-28-2014	Repeal	5-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
410-200-0240	1-15-2014	Adopt(T)	2-1-2014	410-200-0435	3-28-2014	Adopt	5-1-2014
410-200-0240	3-28-2014	Adopt	5-1-2014	410-200-0435	11-15-2014	Amend(T)	12-1-2014
410-200-0240	11-15-2014	Amend(T)	12-1-2014	410-200-0435(T)	1-15-2014	Suspend	2-1-2014
410-200-0240(T)	1-15-2014	Suspend	2-1-2014	410-200-0435(T)	3-28-2014	Repeal	5-1-2014
410-200-0240(T)	3-28-2014	Repeal	5-1-2014	410-200-0440	1-15-2014	Adopt(T)	2-1-2014
410-200-0305	1-15-2014	Adopt(T)	2-1-2014	410-200-0440	3-28-2014	Adopt	5-1-2014
410-200-0305	3-28-2014	Adopt	5-1-2014	410-200-0440	11-15-2014	Amend(T)	12-1-2014
410-200-0305	11-15-2014	Amend(T)	12-1-2014	410-200-0440(T)	1-15-2014	Suspend	2-1-2014
410-200-0305(T)	1-15-2014	Suspend	2-1-2014	410-200-0440(T)	3-28-2014	Repeal	5-1-2014
410-200-0305(T)	3-28-2014	Repeal	5-1-2014	410-200-0500	1-15-2014	Adopt(T)	2-1-2014
410-200-0310	1-15-2014	Adopt(T)	2-1-2014	410-200-0500	3-28-2014	Adopt	5-1-2014
410-200-0310	3-28-2014	Adopt	5-1-2014	410-200-0500	11-15-2014	Amend(T)	12-1-2014
410-200-0310	11-15-2014	Amend(T)	12-1-2014	410-200-0500(T)	1-15-2014	Suspend	2-1-2014
410-200-0310(T)	1-15-2014	Suspend	2-1-2014	410-200-0500(T)	3-28-2014	Repeal	5-1-2014
410-200-0310(T)	3-28-2014	Repeal	5-1-2014	410-200-0505	1-15-2014	Adopt(T)	2-1-2014
410-200-0315	1-15-2014	Adopt(T)	2-1-2014	410-200-0505	3-28-2014	Adopt	5-1-2014
410-200-0315	3-28-2014	Adopt	5-1-2014	410-200-0505	11-15-2014	Amend(T)	12-1-2014
410-200-0315	4-14-2014	Amend(T)	5-1-2014	410-200-0505(T)	1-15-2014	Suspend	2-1-2014
410-200-0315	9-23-2014	Amend	11-1-2014	410-200-0505(T)	3-28-2014	Repeal	5-1-2014
410-200-0315	11-15-2014	Amend(T)	12-1-2014	410-200-0510	1-15-2014	Adopt(T)	2-1-2014
410-200-0315(T)	1-15-2014	Suspend	2-1-2014	410-200-0510	3-28-2014	Adopt	5-1-2014
410-200-0315(T)	3-28-2014	Repeal	5-1-2014	410-200-0510	11-15-2014	Amend(T)	12-1-2014
410-200-0315(T)	9-23-2014	Repeal	11-1-2014	410-200-0510(T)	1-15-2014	Suspend	2-1-2014
410-200-0400	1-15-2014	Adopt(T)	2-1-2014	410-200-0510(T)	3-28-2014	Repeal	5-1-2014
410-200-0400	3-28-2014	Adopt	5-1-2014	410-200-0515(T)	1-15-2014	Suspend	2-1-2014
410-200-0400	11-15-2014	Amend(T)	12-1-2014	410-200-0515(T)	3-28-2014	Repeal	5-1-2014
410-200-0400(T)	1-15-2014	Suspend	2-1-2014	411-001-0100	1-1-2014	Amend	2-1-2014
410-200-0400(T)	3-28-2014	Repeal	5-1-2014	411-001-0110	1-1-2014	Amend	2-1-2014
410-200-0405	1-15-2014	Adopt(T)	2-1-2014	411-001-0118	1-1-2014	Amend	2-1-2014
410-200-0405	3-28-2014	Adopt	5-1-2014	411-001-0120	1-1-2014	Amend	2-1-2014
410-200-0405	11-15-2014	Amend(T)	12-1-2014	411-001-0120	5-9-2014	Amend(T)	6-1-2014
410-200-0405(T)	1-15-2014	Suspend	2-1-2014	411-001-0120	9-1-2014	Amend	10-1-2014
410-200-0405(T)	3-28-2014	Repeal	5-1-2014	411-001-0120(T)	9-1-2014	Repeal	10-1-2014
410-200-0406(T)	1-15-2014	Suspend	2-1-2014	411-001-0510	12-15-2013	Amend	1-1-2014
410-200-0406(T)	3-28-2014	Repeal	5-1-2014	411-001-0510	6-4-2014	Amend	7-1-2014
410-200-0410	1-15-2014	Adopt(T)	2-1-2014	411-001-0510(T)	12-15-2013	Repeal	1-1-2014
410-200-0410	3-28-2014	Adopt	5-1-2014	411-015-0005	12-15-2013	Amend	1-1-2014
410-200-0410	11-15-2014	Amend(T)	12-1-2014	411-015-0005	4-21-2014	Amend(T)	6-1-2014
410-200-0410(T)	1-15-2014	Suspend	2-1-2014	411-015-0005	10-1-2014	Amend	11-1-2014
410-200-0410(T)	3-28-2014	Repeal	5-1-2014	411-015-0005(T)	12-15-2013	Repeal	1-1-2014
410-200-0415	1-15-2014	Adopt(T)	2-1-2014	411-015-0005(T)	10-1-2014	Repeal	11-1-2014
410-200-0415	3-28-2014	Adopt	5-1-2014	411-015-0006	4-21-2014	Amend(T)	6-1-2014
410-200-0415	11-15-2014	Amend(T)	12-1-2014	411-015-0006	10-1-2014	Amend	11-1-2014
410-200-0415(T)	1-15-2014	Suspend	2-1-2014	411-015-0006(T)	10-1-2014	Repeal	11-1-2014
410-200-0415(T)	3-28-2014	Repeal	5-1-2014	411-015-0008	12-15-2013	Amend	1-1-2014
410-200-0420	1-15-2014	Adopt(T)	2-1-2014	411-015-0008	10-1-2014	Amend	11-1-2014
410-200-0420	3-28-2014	Adopt	5-1-2014	411-015-0008(T)	12-15-2013	Repeal	1-1-2014
410-200-0420	11-15-2014	Amend(T)	12-1-2014	411-015-0015	12-15-2013	Amend	1-1-2014
410-200-0420(T)	1-15-2014	Suspend	2-1-2014	411-015-0015	4-21-2014	Amend(T)	6-1-2014
410-200-0420(T)	3-28-2014	Repeal	5-1-2014	411-015-0015	10-1-2014	Amend	11-1-2014
410-200-0425	1-15-2014	Adopt(T)	2-1-2014	411-015-0015(T)	12-15-2013	Repeal	1-1-2014
410-200-0425	3-28-2014	Adopt	5-1-2014	411-015-0015(T)	10-1-2014	Repeal	11-1-2014
410-200-0425	11-15-2014	Amend(T)	12-1-2014	411-015-0100	12-15-2013	Amend	1-1-2014
410-200-0425(T)	1-15-2014	Suspend	2-1-2014	411-015-0100	4-21-2014	Amend(T)	6-1-2014
410-200-0425(T)	3-28-2014	Repeal	5-1-2014	411-015-0100	10-1-2014	Amend	11-1-2014
410-200-0435	1-15-2014	Adopt(T)	2-1-2014	411-015-0100(T)	12-15-2013	Repeal	1-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
411-015-0100(T)	10-1-2014	Repeal	11-1-2014	411-034-0010(T)	12-15-2013	Repeal	1-1-2014
411-027-0005	3-20-2014	Amend(T)	5-1-2014	411-034-0010(T)	5-1-2014	Suspend	6-1-2014
411-027-0005	9-2-2014	Amend	10-1-2014	411-034-0010(T)	10-1-2014	Repeal	11-1-2014
411-027-0005(T)	9-2-2014	Repeal	10-1-2014	411-034-0020	12-15-2013	Amend	1-1-2014
411-027-0020	3-20-2014	Amend(T)	5-1-2014	411-034-0020(T)	12-15-2013	Repeal	1-1-2014
411-027-0020	9-2-2014	Amend	10-1-2014	411-034-0030	12-15-2013	Amend	1-1-2014
411-027-0020(T)	9-2-2014	Repeal	10-1-2014	411-034-0030	4-21-2014	Amend(T)	6-1-2014
411-027-0025	3-20-2014	Amend(T)	5-1-2014	411-034-0030	10-1-2014	Amend	11-1-2014
411-027-0025	9-2-2014	Amend	10-1-2014	411-034-0030(T)	12-15-2013	Repeal	1-1-2014
411-027-0025(T)	9-2-2014	Repeal	10-1-2014	411-034-0030(T)	10-1-2014	Repeal	11-1-2014
411-027-0050	9-2-2014	Amend	10-1-2014	411-034-0035	12-15-2013	Amend	1-1-2014
411-027-0075	9-2-2014	Amend	10-1-2014	411-034-0035(T)	12-15-2013	Repeal	1-1-2014
411-027-0150	9-2-2014	Amend	10-1-2014	411-034-0040	12-15-2013	Amend	1-1-2014
411-028-0000	12-15-2013	Adopt	1-1-2014	411-034-0040(T)	12-15-2013	Repeal	1-1-2014
411-028-0000(T)	12-15-2013	Repeal	1-1-2014	411-034-0050	12-15-2013	Amend	1-1-2014
411-028-0010	12-15-2013	Adopt	1-1-2014	411-034-0050(T)	12-15-2013	Repeal	1-1-2014
411-028-0010	4-21-2014	Amend(T)	6-1-2014	411-034-0055	12-15-2013	Amend	1-1-2014
411-028-0010	10-1-2014	Amend	11-1-2014	411-034-0055(T)	12-15-2013	Repeal	1-1-2014
411-028-0010(T)	12-15-2013	Repeal	1-1-2014	411-034-0070	12-15-2013	Amend	1-1-2014
411-028-0010(T)	10-1-2014	Repeal	11-1-2014	411-034-0070(T)	12-15-2013	Repeal	1-1-2014
411-028-0020	12-15-2013	Adopt	1-1-2014	411-034-0090	12-15-2013	Amend	1-1-2014
411-028-0020	4-21-2014	Amend(T)	6-1-2014	411-034-0090(T)	12-15-2013	Repeal	1-1-2014
411-028-0020	10-1-2014	Amend	11-1-2014	411-035-0000	6-4-2014	Adopt	7-1-2014
411-028-0020(T)	12-15-2013	Repeal	1-1-2014	411-035-0010	6-4-2014	Adopt	7-1-2014
411-028-0020(T)	10-1-2014	Repeal	11-1-2014	411-035-0010	11-10-2014	Amend(T)	12-1-2014
411-028-0030	12-15-2013	Adopt	1-1-2014	411-035-0015	6-4-2014	Adopt	7-1-2014
411-028-0030	4-21-2014	Amend(T)	6-1-2014	411-035-0020	6-4-2014	Adopt	7-1-2014
411-028-0030(T)	12-15-2013	Repeal	1-1-2014	411-035-0025	6-4-2014	Adopt	7-1-2014
411-028-0030(T)	10-1-2014	Repeal	11-1-2014	411-035-0030	6-4-2014	Adopt	7-1-2014
411-028-0040	12-15-2013	Adopt	1-1-2014	411-035-0035	6-4-2014	Adopt	7-1-2014
411-028-0040(T)	12-15-2013	Repeal	1-1-2014	411-035-0040	6-4-2014	Adopt	7-1-2014
411-028-0050	12-15-2013	Adopt	1-1-2014	411-035-0045	6-4-2014	Adopt	7-1-2014
411-028-0050(T)	12-15-2013	Repeal	1-1-2014	411-035-0050	6-4-2014	Adopt	7-1-2014
411-030-0020	4-21-2014	Amend(T)	6-1-2014	411-035-0055	6-4-2014	Adopt	7-1-2014
411-030-0020	10-1-2014	Amend	11-1-2014	411-035-0060	6-4-2014	Adopt	7-1-2014
411-030-0020(T)	10-1-2014	Repeal	11-1-2014	411-035-0065	6-4-2014	Adopt	7-1-2014
411-030-0040	4-21-2014	Amend(T)	6-1-2014	411-035-0070	6-4-2014	Adopt	7-1-2014
411-030-0040	10-1-2014	Amend	11-1-2014	411-035-0075	6-4-2014	Adopt	7-1-2014
411-030-0040(T)	10-1-2014	Repeal	11-1-2014	411-035-0080	6-4-2014	Adopt	7-1-2014
411-030-0070	12-15-2013	Amend	1-1-2014	411-035-0085	6-4-2014	Adopt	7-1-2014
411-030-0070	5-1-2014	Amend	6-1-2014	411-035-0090	6-4-2014	Adopt	7-1-2014
411-030-0070(T)	12-15-2013	Repeal	1-1-2014	411-035-0095	6-4-2014	Adopt	7-1-2014
411-030-0100	12-15-2013	Amend	1-1-2014	411-040-0000	12-15-2013	Amend	1-1-2014
411-030-0100(T)	12-15-2013	Repeal	1-1-2014	411-040-0000	6-4-2014	Amend	7-1-2014
411-031-0020	12-15-2013	Amend	1-1-2014	411-040-0000(T)	12-15-2013	Repeal	1-1-2014
411-031-0020(T)	12-15-2013	Repeal	1-1-2014	411-040-0010	6-4-2014	Adopt	7-1-2014
411-031-0040	12-15-2013	Amend	1-1-2014	411-040-0020	6-4-2014	Adopt	7-1-2014
411-031-0040(T)	12-15-2013	Repeal	1-1-2014	411-040-0030	6-4-2014	Adopt	7-1-2014
411-031-0050	12-15-2013	Amend	1-1-2014	411-040-0035	6-4-2014	Adopt	7-1-2014
411-032-0050	7-1-2014	Adopt(T)	8-1-2014	411-040-0036	6-4-2014	Adopt	7-1-2014
411-034-0000	12-15-2013	Amend	1-1-2014	411-040-0037	6-4-2014	Adopt	7-1-2014
411-034-0000(T)	12-15-2013	Repeal	1-1-2014	411-040-0040	6-4-2014	Adopt	7-1-2014
411-034-0010	12-15-2013	Amend	1-1-2014	411-040-0050	6-4-2014	Adopt	7-1-2014
411-034-0010	4-21-2014	Amend(T)	6-1-2014	411-040-0060	6-4-2014	Adopt	7-1-2014
411-034-0010	5-1-2014	Amend(T)	6-1-2014	411-045-0010	12-15-2013	Amend	1-1-2014
411-034-0010	10-1-2014	Amend	11-1-2014	411-045-0010(T)	12-15-2013	Repeal	1-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
411-045-0050	12-15-2013	Amend	1-1-2014	411-069-0080	4-1-2014	Amend	5-1-2014
411-045-0050(T)	12-15-2013	Repeal	1-1-2014	411-069-0080(T)	4-1-2014	Repeal	5-1-2014
411-046-0100	6-23-2014	Adopt	8-1-2014	411-069-0090	4-1-2014	Amend	5-1-2014
411-046-0110	6-23-2014	Adopt	8-1-2014	411-069-0090(T)	4-1-2014	Repeal	5-1-2014
411-046-0120	6-23-2014	Adopt	8-1-2014	411-069-0100	4-1-2014	Amend	5-1-2014
411-046-0130	6-23-2014	Adopt	8-1-2014	411-069-0100(T)	4-1-2014	Repeal	5-1-2014
411-046-0140	6-23-2014	Adopt	8-1-2014	411-069-0110	4-1-2014	Amend	5-1-2014
411-046-0150	6-23-2014	Adopt	8-1-2014	411-069-0110(T)	4-1-2014	Repeal	5-1-2014
411-046-0160	6-23-2014	Adopt	8-1-2014	411-069-0120	4-1-2014	Amend	5-1-2014
411-046-0170	6-23-2014	Adopt	8-1-2014	411-069-0120(T)	4-1-2014	Repeal	5-1-2014
411-046-0180	6-23-2014	Adopt	8-1-2014	411-069-0130	4-1-2014	Amend	5-1-2014
411-046-0190	6-23-2014	Adopt	8-1-2014	411-069-0130(T)	4-1-2014	Repeal	5-1-2014
411-046-0200	6-23-2014	Adopt	8-1-2014	411-069-0140	4-1-2014	Amend	5-1-2014
411-046-0210	6-23-2014	Adopt	8-1-2014	411-069-0140(T)	4-1-2014	Repeal	5-1-2014
411-046-0220	6-23-2014	Adopt	8-1-2014	411-069-0150	4-1-2014	Amend	5-1-2014
411-048-0150	12-15-2013	Amend	1-1-2014	411-069-0150(T)	4-1-2014	Repeal	5-1-2014
411-048-0150(T)	12-15-2013	Repeal	1-1-2014	411-069-0160	4-1-2014	Amend	5-1-2014
411-048-0160	12-15-2013	Amend	1-1-2014	411-069-0160(T)	4-1-2014	Repeal	5-1-2014
411-048-0160	5-1-2014	Amend(T)	6-1-2014	411-069-0170	4-1-2014	Amend	5-1-2014
411-048-0160	10-1-2014	Amend	11-1-2014	411-069-0170(T)	4-1-2014	Repeal	5-1-2014
411-048-0160(T)	12-15-2013	Repeal	1-1-2014	411-070-0005	4-1-2014	Amend	4-1-2014
411-048-0160(T)	10-1-2014	Repeal	11-1-2014	411-070-0005(T)	4-1-2014	Repeal	4-1-2014
411-048-0170	12-15-2013	Amend	1-1-2014	411-070-0033	12-15-2013	Amend	1-1-2014
411-048-0170	5-1-2014	Amend(T)	6-1-2014	411-070-0033(T)	12-15-2013	Repeal	1-1-2014
411-048-0170	10-1-2014	Amend	11-1-2014	411-070-0300	4-1-2014	Amend	4-1-2014
411-048-0170(T)	12-15-2013	Repeal	1-1-2014	411-070-0300(T)	4-1-2014	Repeal	4-1-2014
411-048-0170(T)	10-1-2014	Repeal	11-1-2014	411-070-0437	4-1-2014	Adopt	4-1-2014
411-050-0602	4-1-2014	Amend	5-1-2014	411-070-0437(T)	4-1-2014	Repeal	4-1-2014
411-050-0610	4-1-2014	Amend	5-1-2014	411-070-0442	4-1-2014	Amend	4-1-2014
411-050-0625	4-1-2014	Amend	5-1-2014	411-070-0442	7-1-2014	Amend	8-1-2014
411-050-0630	4-1-2014	Amend	5-1-2014	411-070-0442(T)	4-1-2014	Repeal	4-1-2014
411-050-0640	4-1-2014	Amend	5-1-2014	411-070-0452	12-28-2013	Amend	2-1-2014
411-050-0640(T)	4-1-2014	Repeal	5-1-2014	411-070-0452	7-1-2014	Amend	8-1-2014
411-050-0642	4-1-2014	Amend	5-1-2014	411-070-0452(T)	12-28-2013	Repeal	2-1-2014
411-050-0645	4-1-2014	Amend	5-1-2014	411-085-0005	4-1-2014	Amend	5-1-2014
411-050-0650	4-1-2014	Amend	5-1-2014	411-085-0025	4-1-2014	Amend	5-1-2014
411-050-0660	4-1-2014	Amend	5-1-2014	411-085-0025(T)	4-1-2014	Repeal	5-1-2014
411-050-0685	4-1-2014	Amend	5-1-2014	411-085-0210	4-1-2014	Amend	5-1-2014
411-065-0000	12-15-2013	Amend	1-1-2014	411-085-0210(T)	4-1-2014	Repeal	5-1-2014
411-065-0000(T)	12-15-2013	Repeal	1-1-2014	411-086-0100	3-31-2014	Amend	5-1-2014
411-069-0000	4-1-2014	Amend	5-1-2014	411-086-0100(T)	3-31-2014	Repeal	5-1-2014
411-069-0000(T)	4-1-2014	Repeal	5-1-2014	411-088-0020	4-1-2014	Amend	5-1-2014
411-069-0010	4-1-2014	Amend	5-1-2014	411-088-0070	4-1-2014	Amend	5-1-2014
411-069-0010(T)	4-1-2014	Repeal	5-1-2014	411-088-0070(T)	4-1-2014	Repeal	5-1-2014
411-069-0020	4-1-2014	Amend	5-1-2014	411-088-0080	4-1-2014	Amend	5-1-2014
411-069-0020(T)	4-1-2014	Repeal	5-1-2014	411-089-0030	4-1-2014	Amend	5-1-2014
411-069-0030	4-1-2014	Amend	5-1-2014	411-200-0010	2-1-2014	Amend	3-1-2014
411-069-0030(T)	4-1-2014	Repeal	5-1-2014	411-200-0020	2-1-2014	Amend	3-1-2014
411-069-0040	4-1-2014	Amend	5-1-2014	411-200-0030	2-1-2014	Amend	3-1-2014
411-069-0040(T)	4-1-2014	Repeal	5-1-2014	411-200-0035	2-1-2014	Amend	3-1-2014
411-069-0050	4-1-2014	Amend	5-1-2014	411-200-0040	2-1-2014	Amend	3-1-2014
411-069-0050(T)	4-1-2014	Repeal	5-1-2014	411-300-0100	12-28-2013	Amend	2-1-2014
411-069-0060	4-1-2014	Amend	5-1-2014	411-300-0110	12-28-2013	Amend	2-1-2014
411-069-0060(T)	4-1-2014	Repeal	5-1-2014	411-300-0110	8-20-2014	Amend(T)	10-1-2014
411-069-0070	4-1-2014	Amend	5-1-2014	411-300-0110(T)	12-28-2013	Repeal	2-1-2014
411-069-0070(T)	4-1-2014	Repeal	5-1-2014	411-300-0120	12-28-2013	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
411-300-0140	12-28-2013	Amend	2-1-2014	411-318-0000	7-1-2014	Adopt(T)	8-1-2014
411-300-0140	8-20-2014	Suspend	10-1-2014	411-318-0005	7-1-2014	Adopt(T)	8-1-2014
411-300-0140(T)	12-28-2013	Repeal	2-1-2014	411-318-0010	7-1-2014	Adopt(T)	8-1-2014
411-300-0150	12-28-2013	Amend	2-1-2014	411-318-0015	7-1-2014	Adopt(T)	8-1-2014
411-300-0150	8-20-2014	Amend(T)	10-1-2014	411-318-0020	7-1-2014	Adopt(T)	8-1-2014
411-300-0150(T)	12-28-2013	Repeal	2-1-2014	411-318-0025	7-1-2014	Adopt(T)	8-1-2014
411-300-0155	12-28-2013	Amend	2-1-2014	411-318-0030	7-1-2014	Adopt(T)	8-1-2014
411-300-0155	8-20-2014	Suspend	10-1-2014	411-320-0010	12-28-2013	Amend	2-1-2014
411-300-0165	8-20-2014	Adopt(T)	10-1-2014	411-320-0020	12-28-2013	Amend	2-1-2014
411-300-0170	12-28-2013	Amend	2-1-2014	411-320-0020	7-1-2014	Amend(T)	8-1-2014
411-300-0170	8-20-2014	Amend(T)	10-1-2014	411-320-0020(T)	12-28-2013	Repeal	2-1-2014
411-300-0190	12-28-2013	Amend	2-1-2014	411-320-0030	12-28-2013	Amend	2-1-2014
411-300-0190	8-20-2014	Amend(T)	10-1-2014	411-320-0030(T)	12-28-2013	Repeal	2-1-2014
411-300-0200	12-28-2013	Amend	2-1-2014	411-320-0040	12-28-2013	Amend	2-1-2014
411-300-0200	8-20-2014	Amend(T)	10-1-2014	411-320-0040	7-1-2014	Amend(T)	8-1-2014
411-300-0205	12-28-2013	Amend	2-1-2014	411-320-0040(T)	12-28-2013	Repeal	2-1-2014
411-300-0205	8-20-2014	Amend(T)	10-1-2014	411-320-0045	12-28-2013	Amend	2-1-2014
411-300-0210	12-28-2013	Amend	2-1-2014	411-320-0050	12-28-2013	Amend	2-1-2014
411-300-0210	8-20-2014	Suspend	10-1-2014	411-320-0060	12-28-2013	Amend	2-1-2014
411-300-0220	12-28-2013	Amend	2-1-2014	411-320-0060	7-1-2014	Amend(T)	8-1-2014
411-300-0220	8-20-2014	Amend(T)	10-1-2014	411-320-0060(T)	12-28-2013	Repeal	2-1-2014
411-308-0010	12-28-2013	Amend	2-1-2014	411-320-0070	12-28-2013	Amend	2-1-2014
411-308-0010(T)	12-28-2013	Repeal	2-1-2014	411-320-0070(T)	12-28-2013	Repeal	2-1-2014
411-308-0020	12-28-2013	Amend	2-1-2014	411-320-0080	12-28-2013	Amend	2-1-2014
411-308-0020	7-1-2014	Amend(T)	8-1-2014	411-320-0080	7-1-2014	Amend(T)	8-1-2014
411-308-0020(T)	12-28-2013	Repeal	2-1-2014	411-320-0090	12-28-2013	Amend	2-1-2014
411-308-0030	12-28-2013	Amend	2-1-2014	411-320-0090	7-1-2014	Amend(T)	8-1-2014
411-308-0030	7-1-2014	Amend(T)	8-1-2014	411-320-0090(T)	12-28-2013	Repeal	2-1-2014
411-308-0030(T)	12-28-2013	Repeal	2-1-2014	411-320-0100	12-28-2013	Amend	2-1-2014
411-308-0040	12-28-2013	Amend	2-1-2014	411-320-0100	7-1-2014	Amend(T)	8-1-2014
411-308-0050	12-28-2013	Amend	2-1-2014	411-320-0100(T)	12-28-2013	Repeal	2-1-2014
411-308-0050	7-1-2014	Amend(T)	8-1-2014	411-320-0110	12-28-2013	Amend	2-1-2014
411-308-0050(T)	12-28-2013	Repeal	2-1-2014	411-320-0110	7-1-2014	Amend(T)	8-1-2014
411-308-0060	12-28-2013	Amend	2-1-2014	411-320-0110(T)	12-28-2013	Repeal	2-1-2014
411-308-0060	7-1-2014	Amend(T)	8-1-2014	411-320-0120	12-28-2013	Amend	2-1-2014
411-308-0060(T)	12-28-2013	Repeal	2-1-2014	411-320-0120	7-1-2014	Amend(T)	8-1-2014
411-308-0070	12-28-2013	Amend	2-1-2014	411-320-0120(T)	12-28-2013	Repeal	2-1-2014
411-308-0070	7-1-2014	Amend(T)	8-1-2014	411-320-0130	12-28-2013	Amend	2-1-2014
411-308-0070(T)	12-28-2013	Repeal	2-1-2014	411-320-0130	7-1-2014	Amend(T)	8-1-2014
411-308-0080	12-28-2013	Amend	2-1-2014	411-320-0130(T)	12-28-2013	Repeal	2-1-2014
411-308-0080	7-1-2014	Amend(T)	8-1-2014	411-320-0140	12-28-2013	Amend	2-1-2014
411-308-0080(T)	12-28-2013	Repeal	2-1-2014	411-320-0150	12-28-2013	Amend	2-1-2014
411-308-0090	12-28-2013	Amend	2-1-2014	411-320-0160	12-28-2013	Amend	2-1-2014
411-308-0100	12-28-2013	Amend	2-1-2014	411-320-0170	12-28-2013	Amend	2-1-2014
411-308-0100	7-1-2014	Amend(T)	8-1-2014	411-320-0170	7-1-2014	Amend(T)	8-1-2014
411-308-0100(T)	12-28-2013	Repeal	2-1-2014	411-320-0175	12-28-2013	Amend	2-1-2014
411-308-0110	12-28-2013	Amend	2-1-2014	411-320-0175	7-1-2014	Amend(T)	8-1-2014
411-308-0120	12-28-2013	Amend	2-1-2014	411-320-0180	12-28-2013	Amend	2-1-2014
411-308-0120	7-1-2014	Amend(T)	8-1-2014	411-320-0190	12-28-2013	Amend	2-1-2014
411-308-0120(T)	12-28-2013	Repeal	2-1-2014	411-320-0200	12-28-2013	Amend	2-1-2014
411-308-0130	12-28-2013	Amend	2-1-2014	411-323-0010	7-1-2014	Amend(T)	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
411-323-0070	7-1-2014	Amend(T)	8-1-2014	411-325-0460	7-1-2014	Amend(T)	8-1-2014
411-325-0010	12-28-2013	Amend	2-1-2014	411-325-0470	12-28-2013	Amend	2-1-2014
411-325-0020	12-28-2013	Amend	2-1-2014	411-325-0480	12-28-2013	Amend	2-1-2014
411-325-0020	7-1-2014	Amend(T)	8-1-2014	411-328-0550	12-28-2013	Amend	2-1-2014
411-325-0020(T)	12-28-2013	Repeal	2-1-2014	411-328-0560	12-28-2013	Amend	2-1-2014
411-325-0030	12-28-2013	Amend	2-1-2014	411-328-0560	7-1-2014	Amend(T)	8-1-2014
411-325-0040	12-28-2013	Amend	2-1-2014	411-328-0560(T)	12-28-2013	Repeal	2-1-2014
411-325-0050	12-28-2013	Amend	2-1-2014	411-328-0570	12-28-2013	Amend	2-1-2014
411-325-0060	12-28-2013	Amend	2-1-2014	411-328-0620	12-28-2013	Amend	2-1-2014
411-325-0060	7-1-2014	Amend(T)	8-1-2014	411-328-0630	12-28-2013	Amend	2-1-2014
411-325-0070	12-28-2013	Amend	2-1-2014	411-328-0640	12-28-2013	Amend	2-1-2014
411-325-0090	12-28-2013	Amend	2-1-2014	411-328-0650	12-28-2013	Amend	2-1-2014
411-325-0110	12-28-2013	Amend	2-1-2014	411-328-0660	12-28-2013	Amend	2-1-2014
411-325-0110	7-1-2014	Amend(T)	8-1-2014	411-328-0680	12-28-2013	Amend	2-1-2014
411-325-0120	12-28-2013	Amend	2-1-2014	411-328-0690	12-28-2013	Amend	2-1-2014
411-325-0120	7-1-2014	Amend(T)	8-1-2014	411-328-0700	12-28-2013	Amend	2-1-2014
411-325-0130	12-28-2013	Amend	2-1-2014	411-328-0700	7-1-2014	Amend(T)	8-1-2014
411-325-0140	12-28-2013	Amend	2-1-2014	411-328-0710	12-28-2013	Amend	2-1-2014
411-325-0150	12-28-2013	Amend	2-1-2014	411-328-0715	12-28-2013	Amend	2-1-2014
411-325-0170	12-28-2013	Amend	2-1-2014	411-328-0720	12-28-2013	Amend	2-1-2014
411-325-0180	12-28-2013	Amend	2-1-2014	411-328-0720	7-1-2014	Amend(T)	8-1-2014
411-325-0185	12-28-2013	Amend	2-1-2014	411-328-0740	12-28-2013	Amend	2-1-2014
411-325-0190	12-28-2013	Amend	2-1-2014	411-328-0740	7-1-2014	Suspend	8-1-2014
411-325-0200	12-28-2013	Amend	2-1-2014	411-328-0750	12-28-2013	Amend	2-1-2014
411-325-0220	12-28-2013	Amend	2-1-2014	411-328-0750	7-1-2014	Amend(T)	8-1-2014
411-325-0230	12-28-2013	Amend	2-1-2014	411-328-0760	12-28-2013	Amend	2-1-2014
411-325-0240	12-28-2013	Amend	2-1-2014	411-328-0760	7-1-2014	Amend(T)	8-1-2014
411-325-0250	12-28-2013	Amend	2-1-2014	411-328-0770	12-28-2013	Amend	2-1-2014
411-325-0260	12-28-2013	Amend	2-1-2014	411-328-0770	7-1-2014	Amend(T)	8-1-2014
411-325-0270	12-28-2013	Amend	2-1-2014	411-328-0780	12-28-2013	Amend	2-1-2014
411-325-0280	12-28-2013	Amend	2-1-2014	411-328-0790	12-28-2013	Amend	2-1-2014
411-325-0290	12-28-2013	Amend	2-1-2014	411-328-0790	7-1-2014	Amend(T)	8-1-2014
411-325-0300	12-28-2013	Amend	2-1-2014	411-328-0790(T)	12-28-2013	Repeal	2-1-2014
411-325-0300	7-1-2014	Amend(T)	8-1-2014	411-328-0800	12-28-2013	Amend	2-1-2014
411-325-0320	12-28-2013	Amend	2-1-2014	411-328-0800	7-1-2014	Suspend	8-1-2014
411-325-0320	7-1-2014	Suspend	8-1-2014	411-328-0800(T)	12-28-2013	Repeal	2-1-2014
411-325-0330	12-28-2013	Amend	2-1-2014	411-330-0010	12-28-2013	Amend	2-1-2014
411-325-0330	7-1-2014	Suspend	8-1-2014	411-330-0020	12-28-2013	Amend	2-1-2014
411-325-0340	12-28-2013	Amend	2-1-2014	411-330-0020	7-1-2014	Amend(T)	8-1-2014
411-325-0350	12-28-2013	Amend	2-1-2014	411-330-0020(T)	12-28-2013	Repeal	2-1-2014
411-325-0360	12-28-2013	Amend	2-1-2014	411-330-0030	12-28-2013	Amend	2-1-2014
411-325-0370	12-28-2013	Amend	2-1-2014	411-330-0030	7-1-2014	Amend(T)	8-1-2014
411-325-0380	12-28-2013	Amend	2-1-2014	411-330-0030(T)	12-28-2013	Repeal	2-1-2014
411-325-0390	12-28-2013	Amend	2-1-2014	411-330-0040	12-28-2013	Amend	2-1-2014
411-325-0390	7-1-2014	Amend(T)	8-1-2014	411-330-0040	7-1-2014	Amend(T)	8-1-2014
411-325-0390(T)	12-28-2013	Repeal	2-1-2014	411-330-0040(T)	12-28-2013	Repeal	2-1-2014
411-325-0400	12-28-2013	Amend	2-1-2014	411-330-0050	12-28-2013	Amend	2-1-2014
411-325-0400	7-1-2014	Suspend	8-1-2014	411-330-0050	7-1-2014	Amend(T)	8-1-2014
411-325-0400(T)	12-28-2013	Repeal	2-1-2014	411-330-0050(T)	12-28-2013	Repeal	2-1-2014
411-325-0410	12-28-2013	Amend	2-1-2014	411-330-0060	12-28-2013	Amend	2-1-2014
411-325-0420	12-28-2013	Amend	2-1-2014	411-330-0060	7-1-2014	Amend(T)	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
411-330-0080	12-28-2013	Amend	2-1-2014	411-335-0270	1-1-2014	Suspend	2-1-2014
411-330-0080	7-1-2014	Amend(T)	8-1-2014	411-335-0270	4-1-2014	Repeal	5-1-2014
411-330-0080(T)	12-28-2013	Repeal	2-1-2014	411-335-0280	1-1-2014	Suspend	2-1-2014
411-330-0090	12-28-2013	Amend	2-1-2014	411-335-0280	4-1-2014	Repeal	5-1-2014
411-330-0090	7-1-2014	Amend(T)	8-1-2014	411-335-0290	1-1-2014	Suspend	2-1-2014
411-330-0090(T)	12-28-2013	Repeal	2-1-2014	411-335-0290	4-1-2014	Repeal	5-1-2014
411-330-0100	12-28-2013	Amend	2-1-2014	411-335-0310	1-1-2014	Suspend	2-1-2014
411-330-0100	7-1-2014	Amend(T)	8-1-2014	411-335-0310	4-1-2014	Repeal	5-1-2014
411-330-0110	12-28-2013	Amend	2-1-2014	411-335-0320	1-1-2014	Suspend	2-1-2014
411-330-0110	7-1-2014	Amend(T)	8-1-2014	411-335-0320	4-1-2014	Repeal	5-1-2014
411-330-0110(T)	12-28-2013	Repeal	2-1-2014	411-335-0330	1-1-2014	Suspend	2-1-2014
411-330-0120	12-28-2013	Amend	2-1-2014	411-335-0330	4-1-2014	Repeal	5-1-2014
411-330-0130	12-28-2013	Amend	2-1-2014	411-335-0340	1-1-2014	Suspend	2-1-2014
411-330-0130	7-1-2014	Amend(T)	8-1-2014	411-335-0340	4-1-2014	Repeal	5-1-2014
411-330-0140	12-28-2013	Amend	2-1-2014	411-335-0350	1-1-2014	Suspend	2-1-2014
411-330-0150	12-28-2013	Amend	2-1-2014	411-335-0350	4-1-2014	Repeal	5-1-2014
411-330-0160	12-28-2013	Amend	2-1-2014	411-335-0360	1-1-2014	Suspend	2-1-2014
411-330-0170	12-28-2013	Amend	2-1-2014	411-335-0360	4-1-2014	Repeal	5-1-2014
411-335-0010	1-1-2014	Suspend	2-1-2014	411-340-0010	12-28-2013	Amend	2-1-2014
411-335-0010	4-1-2014	Repeal	5-1-2014	411-340-0020	12-28-2013	Amend	2-1-2014
411-335-0020	1-1-2014	Suspend	2-1-2014	411-340-0020	7-1-2014	Amend(T)	8-1-2014
411-335-0020	4-1-2014	Repeal	5-1-2014	411-340-0020(T)	12-28-2013	Repeal	2-1-2014
411-335-0030	1-1-2014	Suspend	2-1-2014	411-340-0030	12-28-2013	Amend	2-1-2014
411-335-0030	4-1-2014	Repeal	5-1-2014	411-340-0040	12-28-2013	Amend	2-1-2014
411-335-0040	1-1-2014	Suspend	2-1-2014	411-340-0050	12-28-2013	Amend	2-1-2014
411-335-0040	4-1-2014	Repeal	5-1-2014	411-340-0060	12-28-2013	Amend	2-1-2014
411-335-0060	1-1-2014	Suspend	2-1-2014	411-340-0060	7-1-2014	Amend(T)	8-1-2014
411-335-0060	4-1-2014	Repeal	5-1-2014	411-340-0070	12-28-2013	Amend	2-1-2014
411-335-0120	1-1-2014	Suspend	2-1-2014	411-340-0080	12-28-2013	Amend	2-1-2014
411-335-0120	4-1-2014	Repeal	5-1-2014	411-340-0090	12-28-2013	Amend	2-1-2014
411-335-0130	1-1-2014	Suspend	2-1-2014	411-340-0100	12-28-2013	Amend	2-1-2014
411-335-0130	4-1-2014	Repeal	5-1-2014	411-340-0100	7-1-2014	Amend(T)	8-1-2014
411-335-0150	1-1-2014	Suspend	2-1-2014	411-340-0100(T)	12-28-2013	Repeal	2-1-2014
411-335-0150	4-1-2014	Repeal	5-1-2014	411-340-0110	12-28-2013	Amend	2-1-2014
411-335-0160	1-1-2014	Suspend	2-1-2014	411-340-0110	7-1-2014	Amend(T)	8-1-2014
411-335-0160	4-1-2014	Repeal	5-1-2014	411-340-0110(T)	12-28-2013	Repeal	2-1-2014
411-335-0170	1-1-2014	Suspend	2-1-2014	411-340-0120	12-28-2013	Amend	2-1-2014
411-335-0170	4-1-2014	Repeal	5-1-2014	411-340-0120	7-1-2014	Amend(T)	8-1-2014
411-335-0180	1-1-2014	Suspend	2-1-2014	411-340-0120(T)	12-28-2013	Repeal	2-1-2014
411-335-0180	4-1-2014	Repeal	5-1-2014	411-340-0125	12-28-2013	Amend	2-1-2014
411-335-0190	1-1-2014	Suspend	2-1-2014	411-340-0125(T)	12-28-2013	Repeal	2-1-2014
411-335-0190	4-1-2014	Repeal	5-1-2014	411-340-0130	12-28-2013	Amend	2-1-2014
411-335-0200	1-1-2014	Suspend	2-1-2014	411-340-0130	7-1-2014	Amend(T)	8-1-2014
411-335-0200	4-1-2014	Repeal	5-1-2014	411-340-0130(T)	12-28-2013	Repeal	2-1-2014
411-335-0210	1-1-2014	Suspend	2-1-2014	411-340-0135	7-1-2014	Adopt(T)	8-1-2014
411-335-0210	4-1-2014	Repeal	5-1-2014	411-340-0140	12-28-2013	Amend	2-1-2014
411-335-0220	1-1-2014	Suspend	2-1-2014	411-340-0150	12-28-2013	Amend	2-1-2014
411-335-0220	4-1-2014	Repeal	5-1-2014	411-340-0150	7-1-2014	Amend(T)	8-1-2014
411-335-0230	1-1-2014	Suspend	2-1-2014	411-340-0150(T)	12-28-2013	Repeal	2-1-2014
411-335-0230	4-1-2014	Repeal	5-1-2014	411-340-0160	12-28-2013	Amend	2-1-2014
411-335-0240	1-1-2014	Suspend	2-1-2014	411-340-0160	7-1-2014	Amend(T)	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
411-341-1320	7-1-2014	Repeal	8-1-2014	411-346-0160	12-28-2013	Amend	2-1-2014
411-341-1330	7-1-2014	Repeal	8-1-2014	411-346-0165	12-28-2013	Amend	2-1-2014
411-341-1340	7-1-2014	Repeal	8-1-2014	411-346-0170	12-28-2013	Amend	2-1-2014
411-341-1350	7-1-2014	Repeal	8-1-2014	411-346-0180	12-28-2013	Amend	2-1-2014
411-341-1360	7-1-2014	Repeal	8-1-2014	411-346-0180	7-1-2014	Amend(T)	8-1-2014
411-341-1370	7-1-2014	Repeal	8-1-2014	411-346-0180(T)	12-28-2013	Repeal	2-1-2014
411-345-0010	12-28-2013	Amend	2-1-2014	411-346-0190	12-28-2013	Amend	2-1-2014
411-345-0010	7-1-2014	Amend(T)	8-1-2014	411-346-0190	7-1-2014	Amend(T)	8-1-2014
411-345-0020	12-28-2013	Amend	2-1-2014	411-346-0200	12-28-2013	Amend	2-1-2014
411-345-0020	7-1-2014	Amend(T)	8-1-2014	411-346-0210	12-28-2013	Amend	2-1-2014
411-345-0020(T)	12-28-2013	Repeal	2-1-2014	411-346-0220	12-28-2013	Amend	2-1-2014
411-345-0025	7-1-2014	Amend(T)	8-1-2014	411-346-0230	12-28-2013	Amend	2-1-2014
411-345-0027	7-1-2014	Adopt(T)	8-1-2014	411-350-0010	12-28-2013	Amend	2-1-2014
411-345-0030	7-1-2014	Amend(T)	8-1-2014	411-350-0020	12-28-2013	Amend	2-1-2014
411-345-0050	7-1-2014	Amend(T)	8-1-2014	411-350-0020	8-20-2014	Amend(T)	10-1-2014
411-345-0085	7-1-2014	Adopt(T)	8-1-2014	411-350-0020(T)	12-28-2013	Repeal	2-1-2014
411-345-0090	7-1-2014	Amend(T)	8-1-2014	411-350-0030	12-28-2013	Amend	2-1-2014
411-345-0095	12-28-2013	Amend	2-1-2014	411-350-0030	8-20-2014	Amend(T)	10-1-2014
411-345-0095	7-1-2014	Amend(T)	8-1-2014	411-350-0030(T)	12-28-2013	Repeal	2-1-2014
411-345-0100	7-1-2014	Suspend	8-1-2014	411-350-0040	12-28-2013	Amend	2-1-2014
411-345-0110	12-28-2013	Amend	2-1-2014	411-350-0040	8-20-2014	Amend(T)	10-1-2014
411-345-0110	7-1-2014	Amend(T)	8-1-2014	411-350-0040(T)	12-28-2013	Repeal	2-1-2014
411-345-0130	12-28-2013	Amend	2-1-2014	411-350-0050	12-28-2013	Amend	2-1-2014
411-345-0130	7-1-2014	Amend(T)	8-1-2014	411-350-0050	8-20-2014	Amend(T)	10-1-2014
411-345-0140	12-28-2013	Amend	2-1-2014	411-350-0050(T)	12-28-2013	Repeal	2-1-2014
411-345-0140	7-1-2014	Amend(T)	8-1-2014	411-350-0075	8-20-2014	Adopt(T)	10-1-2014
411-345-0140(T)	12-28-2013	Repeal	2-1-2014	411-350-0080	12-28-2013	Amend	2-1-2014
411-345-0160	12-28-2013	Amend	2-1-2014	411-350-0080	8-20-2014	Amend(T)	10-1-2014
411-345-0160	7-1-2014	Amend(T)	8-1-2014	411-350-0100	12-28-2013	Amend	2-1-2014
411-345-0170	12-28-2013	Amend	2-1-2014	411-350-0100	8-20-2014	Amend(T)	10-1-2014
411-345-0170	7-1-2014	Amend(T)	8-1-2014	411-350-0110	12-28-2013	Amend	2-1-2014
411-345-0180	12-28-2013	Amend	2-1-2014	411-350-0110	8-20-2014	Amend(T)	10-1-2014
411-345-0180	7-1-2014	Amend(T)	8-1-2014	411-350-0115	12-28-2013	Amend	2-1-2014
411-345-0190	12-28-2013	Amend	2-1-2014	411-350-0115	8-20-2014	Amend(T)	10-1-2014
411-345-0190	7-1-2014	Amend(T)	8-1-2014	411-350-0118	12-28-2013	Amend	2-1-2014
411-345-0200	12-28-2013	Amend	2-1-2014	411-350-0118	8-20-2014	Suspend	10-1-2014
411-345-0200	7-1-2014	Amend(T)	8-1-2014	411-350-0120	12-28-2013	Amend	2-1-2014
411-345-0230	12-28-2013	Amend	2-1-2014	411-350-0120	8-20-2014	Amend(T)	10-1-2014
411-345-0230	7-1-2014	Amend(T)	8-1-2014	411-355-0000	12-28-2013	Amend	2-1-2014
411-345-0240	12-28-2013	Amend	2-1-2014	411-355-0010	12-28-2013	Amend	2-1-2014
411-345-0240	7-1-2014	Amend(T)	8-1-2014	411-355-0010(T)	12-28-2013	Repeal	2-1-2014
411-345-0250	12-28-2013	Amend	2-1-2014	411-355-0020	12-28-2013	Amend	2-1-2014
411-345-0250	7-1-2014	Amend(T)	8-1-2014	411-355-0020(T)	12-28-2013	Repeal	2-1-2014
411-345-0260	12-28-2013	Amend	2-1-2014	411-355-0030	12-28-2013	Amend	2-1-2014
411-345-0260	7-1-2014	Amend(T)	8-1-2014	411-355-0030(T)	12-28-2013	Repeal	2-1-2014
411-345-0270	12-28-2013	Amend	2-1-2014	411-355-0040	12-28-2013	Amend	2-1-2014
411-345-0270	7-1-2014	Amend(T)	8-1-2014	411-355-0040(T)	12-28-2013	Repeal	2-1-2014
411-346-0100	12-28-2013	Amend	2-1-2014	411-355-0050	12-28-2013	Amend	2-1-2014
411-346-0110	12-28-2013	Amend	2-1-2014	411-355-0060	12-28-2013	Amend	2-1-2014
411-346-0110	7-1-2014	Amend(T)	8-1-2014	411-355-0070	12-28-2013	Amend	2-1-2014
411-346-0110(T)	12-28-2013	Repeal	2-1-2014	411-355-0080	12-28-2013	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
411-360-0140	7-1-2014	Amend(T)	8-1-2014	413-015-0420	5-27-2014	Amend	7-1-2014
411-360-0170	7-1-2014	Amend(T)	8-1-2014	413-015-0420	7-1-2014	Amend(T)	8-1-2014
411-360-0190	7-1-2014	Amend(T)	8-1-2014	413-015-0422	5-27-2014	Adopt	7-1-2014
411-360-0250	7-1-2014	Amend(T)	8-1-2014	413-015-0425	5-27-2014	Amend	7-1-2014
411-360-0275	7-1-2014	Amend(T)	8-1-2014	413-015-0428	5-27-2014	Adopt	7-1-2014
411-375-0000	7-1-2014	Adopt(T)	8-1-2014	413-015-0430	5-27-2014	Repeal	7-1-2014
411-375-0010	7-1-2014	Adopt(T)	8-1-2014	413-015-0432	5-27-2014	Adopt	7-1-2014
411-375-0020	7-1-2014	Adopt(T)	8-1-2014	413-015-0432	7-1-2014	Amend(T)	8-1-2014
411-375-0030	7-1-2014	Adopt(T)	8-1-2014	413-015-0435	5-27-2014	Amend	7-1-2014
411-375-0040	7-1-2014	Adopt(T)	8-1-2014	413-015-0437	5-27-2014	Adopt	7-1-2014
411-375-0050	7-1-2014	Adopt(T)	8-1-2014	413-015-0440	5-27-2014	Amend	7-1-2014
411-375-0060	7-1-2014	Adopt(T)	8-1-2014	413-015-0445	5-27-2014	Amend	7-1-2014
411-375-0070	7-1-2014	Adopt(T)	8-1-2014	413-015-0450	5-27-2014	Amend	7-1-2014
411-375-0080	7-1-2014	Adopt(T)	8-1-2014	413-015-0455	5-27-2014	Amend	7-1-2014
413-010-0000	1-1-2014	Amend	2-1-2014	413-015-0470	5-27-2014	Amend	7-1-2014
413-010-0010	1-1-2014	Amend	2-1-2014	413-015-0475	5-27-2014	Amend	7-1-2014
413-010-0030	1-1-2014	Amend	2-1-2014	413-015-0520	5-27-2014	Amend	7-1-2014
413-010-0035	1-1-2014	Amend	2-1-2014	413-015-0525	5-27-2014	Amend	7-1-2014
413-010-0045	1-1-2014	Amend	2-1-2014	413-015-0535	5-27-2014	Amend	7-1-2014
413-010-0055	1-1-2014	Amend	2-1-2014	413-015-0540	7-1-2014	Amend(T)	8-1-2014
413-010-0065	1-1-2014	Amend	2-1-2014	413-015-0550	5-27-2014	Amend	7-1-2014
413-010-0068	1-1-2014	Amend	2-1-2014	413-015-0560	5-27-2014	Amend	7-1-2014
413-010-0075	1-1-2014	Amend	2-1-2014	413-015-0565	5-27-2014	Amend	7-1-2014
413-010-0170	1-1-2014	Amend	2-1-2014	413-015-1105	7-1-2014	Amend(T)	8-1-2014
413-010-0175	1-1-2014	Amend	2-1-2014	413-015-1110	5-27-2014	Amend	7-1-2014
413-010-0180	1-1-2014	Amend	2-1-2014	413-015-1125	5-27-2014	Amend	7-1-2014
413-010-0185	1-1-2014	Adopt	2-1-2014	413-015-1210	5-27-2014	Amend	7-1-2014
413-010-0300	1-1-2014	Amend	2-1-2014	413-015-1220	5-27-2014	Amend	7-1-2014
413-010-0310	1-1-2014	Amend	2-1-2014	413-015-1230	5-27-2014	Amend	7-1-2014
413-010-0310	6-3-2014	Amend	7-1-2014	413-015-9000	5-27-2014	Adopt	7-1-2014
413-010-0310	8-4-2014	Amend(T)	9-1-2014	413-015-9010	5-27-2014	Adopt	7-1-2014
413-010-0320	1-1-2014	Amend	2-1-2014	413-015-9020	5-27-2014	Adopt	7-1-2014
413-010-0330	1-1-2014	Amend	2-1-2014	413-015-9030	5-27-2014	Adopt	7-1-2014
413-010-0340	1-1-2014	Amend	2-1-2014	413-015-9040	5-27-2014	Adopt	7-1-2014
413-015-0100	5-27-2014	Amend	7-1-2014	413-015-9040	7-1-2014	Amend(T)	8-1-2014
413-015-0105	5-27-2014	Amend	7-1-2014	413-040-0370	4-1-2014	Repeal	5-1-2014
413-015-0110	5-27-2014	Repeal	7-1-2014	413-040-0380	4-1-2014	Repeal	5-1-2014
413-015-0115	5-27-2014	Amend	7-1-2014	413-040-0390	4-1-2014	Repeal	5-1-2014
413-015-0115	7-1-2014	Amend(T)	8-1-2014	413-070-0063	6-3-2014	Amend	7-1-2014
413-015-0125	5-27-2014	Amend	7-1-2014	413-070-0063	8-4-2014	Amend(T)	9-1-2014
413-015-0205	5-27-2014	Amend	7-1-2014	413-070-0505	6-3-2014	Amend	7-1-2014
413-015-0210	5-27-2014	Amend	7-1-2014	413-070-0505	8-4-2014	Amend(T)	9-1-2014
413-015-0211	5-27-2014	Amend	7-1-2014	413-070-0620	6-3-2014	Amend	7-1-2014
413-015-0212	5-27-2014	Amend	7-1-2014	413-070-0620	8-4-2014	Amend(T)	9-1-2014
413-015-0213	5-27-2014	Amend	7-1-2014	413-070-0655	6-3-2014	Amend	7-1-2014
413-015-0215	5-27-2014	Amend	7-1-2014	413-070-0655	8-4-2014	Amend(T)	9-1-2014
413-015-0220	5-27-2014	Amend	7-1-2014	413-070-0800	1-1-2014	Amend	2-1-2014
413-015-0225	5-27-2014	Amend	7-1-2014	413-070-0810	1-1-2014	Amend	2-1-2014
413-015-0400	5-27-2014	Amend	7-1-2014	413-070-0830	1-1-2014	Amend	2-1-2014
413-015-0403	5-27-2014	Amend	7-1-2014	413-070-0840	1-1-2014	Amend	2-1-2014
413-015-0404	5-27-2014	Adopt	7-1-2014	413-070-0855	1-1-2014	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
413-070-0905	6-3-2014	Amend	7-1-2014	413-100-0490	6-12-2014	Repeal	7-1-2014
413-070-0905	8-4-2014	Amend(T)	9-1-2014	413-100-0500	1-1-2014	Suspend	2-1-2014
413-070-0909	2-1-2014	Amend	3-1-2014	413-100-0500	6-12-2014	Repeal	7-1-2014
413-070-0917	2-1-2014	Amend	3-1-2014	413-100-0510	1-1-2014	Suspend	2-1-2014
413-070-0919	2-1-2014	Amend	3-1-2014	413-100-0510	6-12-2014	Repeal	7-1-2014
413-070-0925	2-1-2014	Amend	3-1-2014	413-100-0520	1-1-2014	Suspend	2-1-2014
413-070-0934	2-1-2014	Amend	3-1-2014	413-100-0520	6-12-2014	Repeal	7-1-2014
413-070-0939	2-1-2014	Amend	3-1-2014	413-100-0530	1-1-2014	Amend(T)	2-1-2014
413-070-0949	2-1-2014	Amend	3-1-2014	413-100-0530	6-12-2014	Amend	7-1-2014
413-070-0959	2-1-2014	Amend	3-1-2014	413-100-0530(T)	6-12-2014	Repeal	7-1-2014
413-070-0964	2-1-2014	Amend	3-1-2014	413-100-0540	1-1-2014	Suspend	2-1-2014
413-070-0969	2-1-2014	Amend	3-1-2014	413-100-0540	6-12-2014	Repeal	7-1-2014
413-070-0974	2-1-2014	Amend	3-1-2014	413-100-0550	1-1-2014	Suspend	2-1-2014
413-080-0050	5-27-2014	Amend	7-1-2014	413-100-0550	6-12-2014	Repeal	7-1-2014
413-080-0052	5-27-2014	Amend	7-1-2014	413-100-0560	1-1-2014	Suspend	2-1-2014
413-080-0054	5-27-2014	Amend	7-1-2014	413-100-0560	6-12-2014	Repeal	7-1-2014
413-080-0055	5-27-2014	Amend	7-1-2014	413-100-0580	12-31-2013	Renumber	2-1-2014
413-080-0059	5-27-2014	Amend	7-1-2014	413-100-0590	12-31-2013	Renumber	2-1-2014
413-100-0400	1-1-2014	Amend(T)	2-1-2014	413-100-0600	1-1-2014	Suspend	2-1-2014
413-100-0400	6-12-2014	Amend	7-1-2014	413-100-0600	6-12-2014	Repeal	7-1-2014
413-100-0400(T)	6-12-2014	Repeal	7-1-2014	413-100-0610	1-1-2014	Suspend	2-1-2014
413-100-0410	1-1-2014	Amend(T)	2-1-2014	413-100-0610	6-12-2014	Repeal	7-1-2014
413-100-0410	6-12-2014	Amend	7-1-2014	413-120-0010	6-3-2014	Amend	7-1-2014
413-100-0410(T)	6-12-2014	Repeal	7-1-2014	413-120-0010	8-4-2014	Amend(T)	9-1-2014
413-100-0420	1-1-2014	Amend(T)	2-1-2014	413-120-0195	6-3-2014	Amend	7-1-2014
413-100-0420	6-12-2014	Amend	7-1-2014	413-120-0195	8-4-2014	Amend(T)	9-1-2014
413-100-0420(T)	6-12-2014	Repeal	7-1-2014	413-120-0510	6-3-2014	Amend	7-1-2014
413-100-0430	1-1-2014	Amend(T)	2-1-2014	413-120-0510	8-4-2014	Amend(T)	9-1-2014
413-100-0430	6-12-2014	Amend	7-1-2014	413-120-0710	6-3-2014	Amend	7-1-2014
413-100-0430(T)	6-12-2014	Repeal	7-1-2014	413-120-0710	8-4-2014	Amend(T)	9-1-2014
413-100-0432	6-12-2014	Adopt	7-1-2014	413-120-0900	5-1-2014	Amend	6-1-2014
413-100-0435	1-1-2014	Adopt(T)	2-1-2014	413-120-0905	5-1-2014	Amend	6-1-2014
413-100-0435	6-12-2014	Adopt	7-1-2014	413-120-0910	5-1-2014	Amend	6-1-2014
413-100-0435(T)	6-12-2014	Repeal	7-1-2014	413-120-0920	5-1-2014	Amend	6-1-2014
413-100-0440	1-1-2014	Suspend	2-1-2014	413-120-0925	5-1-2014	Amend	6-1-2014
413-100-0440	6-12-2014	Repeal	7-1-2014	413-120-0930	5-1-2014	Amend	6-1-2014
413-100-0445	1-1-2014	Amend(T)	2-1-2014	413-120-0940	5-1-2014	Amend	6-1-2014
413-100-0445	6-12-2014	Amend	7-1-2014	413-120-0945	5-1-2014	Amend	6-1-2014
413-100-0445(T)	6-12-2014	Repeal	7-1-2014	413-120-0950	5-1-2014	Amend	6-1-2014
413-100-0450	1-1-2014	Suspend	2-1-2014	413-120-0960	5-1-2014	Amend	6-1-2014
413-100-0450	6-12-2014	Repeal	7-1-2014	413-120-0970	5-1-2014	Amend	6-1-2014
413-100-0451	6-12-2014	Adopt	7-1-2014	413-130-0000	2-1-2014	Amend	3-1-2014
413-100-0455	1-1-2014	Amend(T)	2-1-2014	413-130-0010	2-1-2014	Amend	3-1-2014
413-100-0455	6-12-2014	Amend	7-1-2014	413-130-0015	2-1-2014	Amend	3-1-2014
413-100-0455(T)	6-12-2014	Repeal	7-1-2014	413-130-0020	2-1-2014	Amend	3-1-2014
413-100-0457	2-4-2014	Adopt(T)	3-1-2014	413-130-0040	2-1-2014	Amend	3-1-2014
413-100-0457	6-12-2014	Adopt	7-1-2014	413-130-0050	2-1-2014	Amend	3-1-2014
413-100-0457(T)	6-12-2014	Repeal	7-1-2014	413-130-0055	2-1-2014	Amend	3-1-2014
413-100-0460	1-1-2014	Amend(T)	2-1-2014	413-130-0070	2-1-2014	Amend	3-1-2014
413-100-0460	6-12-2014	Amend	7-1-2014	413-130-0075	2-1-2014	Amend	3-1-2014
413-100-0460(T)	6-12-2014	Repeal	7-1-2014	413-130-0077	2-1-2014	Amend	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
413-140-0000	1-1-2014	Amend	2-1-2014	413-330-0100	4-1-2014	Repeal	5-1-2014
413-140-0010	1-1-2014	Amend	2-1-2014	413-330-0200	4-1-2014	Repeal	5-1-2014
413-140-0026	1-1-2014	Amend	2-1-2014	413-330-0210	4-1-2014	Repeal	5-1-2014
413-140-0030	1-1-2014	Amend	2-1-2014	413-330-0220	4-1-2014	Repeal	5-1-2014
413-140-0031	1-1-2014	Adopt	2-1-2014	413-330-0230	4-1-2014	Repeal	5-1-2014
413-140-0032	1-1-2014	Adopt	2-1-2014	413-330-0240	4-1-2014	Repeal	5-1-2014
413-140-0033	1-1-2014	Adopt	2-1-2014	413-330-0250	4-1-2014	Repeal	5-1-2014
413-140-0035	1-1-2014	Amend	2-1-2014	413-330-0260	4-1-2014	Repeal	5-1-2014
413-140-0040	1-1-2014	Amend	2-1-2014	413-330-0270	4-1-2014	Repeal	5-1-2014
413-140-0045	1-1-2014	Repeal	2-1-2014	413-330-0280	4-1-2014	Repeal	5-1-2014
413-140-0047	1-1-2014	Adopt	2-1-2014	413-330-0290	4-1-2014	Repeal	5-1-2014
413-140-0055	1-1-2014	Repeal	2-1-2014	413-330-0300	4-1-2014	Repeal	5-1-2014
413-140-0065	1-1-2014	Amend	2-1-2014	413-330-0310	4-1-2014	Repeal	5-1-2014
413-140-0080	1-1-2014	Repeal	2-1-2014	413-330-0320	4-1-2014	Repeal	5-1-2014
413-140-0110	1-1-2014	Amend	2-1-2014	413-330-0330	4-1-2014	Repeal	5-1-2014
413-140-0120	1-1-2014	Repeal	2-1-2014	413-330-0340	4-1-2014	Repeal	5-1-2014
413-200-0409	5-27-2014	Amend	7-1-2014	413-330-0350	4-1-2014	Repeal	5-1-2014
413-200-0414	7-1-2014	Amend(T)	8-1-2014	413-330-0360	4-1-2014	Repeal	5-1-2014
413-215-0918	2-1-2014	Amend	3-1-2014	413-330-0500	4-1-2014	Repeal	5-1-2014
413-310-0000	4-1-2014	Repeal	5-1-2014	413-330-0510	4-1-2014	Repeal	5-1-2014
413-310-0010	4-1-2014	Repeal	5-1-2014	413-330-0520	4-1-2014	Repeal	5-1-2014
413-310-0020	4-1-2014	Repeal	5-1-2014	413-330-0530	4-1-2014	Repeal	5-1-2014
413-310-0030	4-1-2014	Repeal	5-1-2014	413-330-0540	4-1-2014	Repeal	5-1-2014
413-310-0040	4-1-2014	Repeal	5-1-2014	413-330-0600	4-1-2014	Repeal	5-1-2014
413-310-0050	4-1-2014	Repeal	5-1-2014	413-330-0610	4-1-2014	Repeal	5-1-2014
413-310-0060	4-1-2014	Repeal	5-1-2014	413-330-0700	4-1-2014	Repeal	5-1-2014
413-310-0070	4-1-2014	Repeal	5-1-2014	413-330-0800	4-1-2014	Repeal	5-1-2014
413-310-0080	4-1-2014	Repeal	5-1-2014	413-330-0810	4-1-2014	Repeal	5-1-2014
413-310-0090	4-1-2014	Repeal	5-1-2014	413-330-0820	4-1-2014	Repeal	5-1-2014
413-310-0095	4-1-2014	Repeal	5-1-2014	413-330-0830	4-1-2014	Repeal	5-1-2014
413-310-0100	4-1-2014	Repeal	5-1-2014	413-350-0000	8-1-2014	Repeal	9-1-2014
413-310-0110	4-1-2014	Repeal	5-1-2014	413-350-0010	8-1-2014	Repeal	9-1-2014
413-310-0120	4-1-2014	Repeal	5-1-2014	413-350-0020	8-1-2014	Repeal	9-1-2014
413-310-0130	4-1-2014	Repeal	5-1-2014	413-350-0030	8-1-2014	Repeal	9-1-2014
413-330-0000	1-1-2014	Suspend	2-1-2014	413-350-0040	8-1-2014	Repeal	9-1-2014
413-330-0000	4-1-2014	Repeal	5-1-2014	413-350-0050	8-1-2014	Repeal	9-1-2014
413-330-0010	1-1-2014	Suspend	2-1-2014	413-350-0060	8-1-2014	Repeal	9-1-2014
413-330-0010	4-1-2014	Repeal	5-1-2014	413-350-0070	8-1-2014	Repeal	9-1-2014
413-330-0020	1-1-2014	Suspend	2-1-2014	413-350-0080	8-1-2014	Repeal	9-1-2014
413-330-0020	4-1-2014	Repeal	5-1-2014	413-350-0090	8-1-2014	Repeal	9-1-2014
413-330-0030	1-1-2014	Suspend	2-1-2014	414-002-0005	1-15-2014	Adopt	2-1-2014
413-330-0030	4-1-2014	Repeal	5-1-2014	414-002-0010	1-15-2014	Adopt	2-1-2014
413-330-0040	1-1-2014	Suspend	2-1-2014	414-061-0050	8-7-2014	Amend(T)	9-1-2014
413-330-0040	4-1-2014	Repeal	5-1-2014	414-205-0010	8-7-2014	Amend(T)	9-1-2014
413-330-0050	1-1-2014	Suspend	2-1-2014	414-205-0035	8-7-2014	Amend(T)	9-1-2014
413-330-0050	4-1-2014	Repeal	5-1-2014	414-205-0040	8-7-2014	Amend(T)	9-1-2014
413-330-0060	1-1-2014	Suspend	2-1-2014	414-205-0100	8-7-2014	Amend(T)	9-1-2014
413-330-0060	4-1-2014	Repeal	5-1-2014	414-300-0005	8-7-2014	Amend(T)	9-1-2014
413-330-0080	1-1-2014	Suspend	2-1-2014	414-300-0015	8-7-2014	Amend(T)	9-1-2014
413-330-0080	4-1-2014	Repeal	5-1-2014	414-300-0070	8-7-2014	Amend(T)	9-1-2014
413-330-0085	4-1-2014	Repeal	5-1-2014	414-350-0010	8-7-2014	Amend(T)	9-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
414-350-0030	8-7-2014	Amend(T)	9-1-2014	416-140-0040	11-4-2014	Repeal	12-1-2014
414-350-0090	8-7-2014	Amend(T)	9-1-2014	416-415-0010	11-4-2014	Adopt	12-1-2014
414-800-0005	1-15-2014	Adopt(T)	2-1-2014	416-415-0020	11-4-2014	Adopt	12-1-2014
414-800-0005	7-7-2014	Adopt	8-1-2014	416-415-0030	11-4-2014	Adopt	12-1-2014
414-800-0010	1-15-2014	Adopt(T)	2-1-2014	416-415-0040	11-4-2014	Adopt	12-1-2014
414-800-0010	7-7-2014	Adopt	8-1-2014	416-415-0050	11-4-2014	Adopt	12-1-2014
414-800-0015	1-15-2014	Adopt(T)	2-1-2014	416-415-0060	11-4-2014	Adopt	12-1-2014
414-800-0015	7-7-2014	Adopt	8-1-2014	416-415-0070	11-4-2014	Adopt	12-1-2014
414-800-0020	1-15-2014	Adopt(T)	2-1-2014	416-415-0080	11-4-2014	Adopt	12-1-2014
414-800-0020	7-7-2014	Adopt	8-1-2014	416-415-0090	11-4-2014	Adopt	12-1-2014
414-800-0025	1-15-2014	Adopt(T)	2-1-2014	416-530-0000	1-15-2014	Amend	2-1-2014
414-800-0025	7-7-2014	Adopt	8-1-2014	416-530-0010	1-15-2014	Amend	2-1-2014
414-800-0030	1-15-2014	Adopt(T)	2-1-2014	416-530-0020	1-15-2014	Amend	2-1-2014
414-800-0030	7-7-2014	Adopt	8-1-2014	416-530-0030	1-15-2014	Amend	2-1-2014
414-800-0105	1-15-2014	Adopt(T)	2-1-2014	416-530-0035	1-15-2014	Amend	2-1-2014
414-800-0105	7-7-2014	Adopt	8-1-2014	416-530-0040	1-15-2014	Amend	2-1-2014
414-800-0110	1-15-2014	Adopt(T)	2-1-2014	416-530-0050	1-15-2014	Amend	2-1-2014
414-800-0110	7-7-2014	Adopt	8-1-2014	416-530-0060	1-15-2014	Amend	2-1-2014
414-800-0115	1-15-2014	Adopt(T)	2-1-2014	416-530-0070	1-15-2014	Amend	2-1-2014
414-800-0115	7-7-2014	Adopt	8-1-2014	416-530-0080	1-15-2014	Amend	2-1-2014
414-800-0120	1-15-2014	Adopt(T)	2-1-2014	416-530-0090	1-15-2014	Amend	2-1-2014
414-800-0120	7-7-2014	Adopt	8-1-2014	416-530-0100	1-15-2014	Amend	2-1-2014
414-800-0125	1-15-2014	Adopt(T)	2-1-2014	416-530-0110	1-15-2014	Amend	2-1-2014
414-800-0125	7-7-2014	Adopt	8-1-2014	416-530-0125	1-15-2014	Amend	2-1-2014
414-800-0130	1-15-2014	Adopt(T)	2-1-2014	416-530-0130	1-15-2014	Amend	2-1-2014
414-800-0130	7-7-2014	Adopt	8-1-2014	416-530-0140	1-15-2014	Amend	2-1-2014
414-900-0005	1-15-2014	Adopt	2-1-2014	416-530-0150	1-15-2014	Amend	2-1-2014
414-900-0010	1-15-2014	Adopt	2-1-2014	416-530-0160	1-15-2014	Amend	2-1-2014
414-900-0015	1-15-2014	Adopt	2-1-2014	416-530-0170	1-15-2014	Amend	2-1-2014
414-900-0020	1-15-2014	Adopt	2-1-2014	416-530-0200	1-15-2014	Amend	2-1-2014
415-012-0000	1-28-2014	Amend(T)	3-1-2014	416-610-0000	11-4-2014	Repeal	12-1-2014
415-012-0000	6-19-2014	Amend	7-1-2014	416-610-0010	11-4-2014	Repeal	12-1-2014
415-012-0057	12-20-2013	Adopt(T)	2-1-2014	416-610-0020	11-4-2014	Repeal	12-1-2014
415-012-0057	6-19-2014	Adopt	7-1-2014	416-610-0030	11-4-2014	Repeal	12-1-2014
415-012-0058	12-20-2013	Adopt(T)	2-1-2014	416-610-0040	11-4-2014	Repeal	12-1-2014
415-012-0058	6-19-2014	Adopt	7-1-2014	416-610-0050	11-4-2014	Repeal	12-1-2014
415-065-0005	4-24-2014	Amend	6-1-2014	416-610-0060	11-4-2014	Repeal	12-1-2014
415-065-0010	4-24-2014	Amend	6-1-2014	416-610-0070	11-4-2014	Repeal	12-1-2014
415-065-0015	4-24-2014	Repeal	6-1-2014	416-610-0080	11-4-2014	Repeal	12-1-2014
415-065-0025	4-24-2014	Repeal	6-1-2014	416-610-0090	11-4-2014	Repeal	12-1-2014
415-065-0030	4-24-2014	Amend	6-1-2014	416-610-0100	11-4-2014	Repeal	12-1-2014
415-065-0035	4-24-2014	Amend	6-1-2014	416-610-0110	11-4-2014	Repeal	12-1-2014
415-065-0040	4-24-2014	Amend	6-1-2014	416-610-0120	11-4-2014	Repeal	12-1-2014
415-065-0045	4-24-2014	Amend	6-1-2014	416-610-0130	11-4-2014	Repeal	12-1-2014
415-065-0050	4-24-2014	Amend	6-1-2014	416-610-0140	11-4-2014	Repeal	12-1-2014
415-065-0055	4-24-2014	Amend	6-1-2014	416-610-0150	11-4-2014	Repeal	12-1-2014
415-065-0060	4-24-2014	Amend	6-1-2014	416-610-0160	11-4-2014	Repeal	12-1-2014
415-065-0065	4-24-2014	Repeal	6-1-2014	416-610-0170	11-4-2014	Repeal	12-1-2014
415-065-0070	4-24-2014	Amend	6-1-2014	416-610-0180	11-4-2014	Repeal	12-1-2014
415-065-0075	4-24-2014	Amend	6-1-2014	416-610-0190	11-4-2014	Repeal	12-1-2014
415-065-0080	4-24-2014	Adopt	6-1-2014	416-610-0200	11-4-2014	Repeal	12-1-2014
416-001-0005	9-12-2014	Amend	10-1-2014	436-001-0030	3-28-2014	Amend	4-1-2014
416-140-0000	11-4-2014	Repeal	12-1-2014	436-008-0001	1-1-2015	Adopt	8-1-2014
416-140-0010	11-4-2014	Repeal	12-1-2014	436-008-0004	1-1-2015	Adopt	8-1-2014
416-140-0020	11-4-2014	Repeal	12-1-2014	436-008-0005	1-1-2015	Adopt	8-1-2014
416-140-0030	11-4-2014	Repeal	12-1-2014	436-008-0010	1-1-2015	Adopt	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
436-008-0015	1-1-2015	Adopt	8-1-2014	436-009-0215	4-1-2014	Repeal	4-1-2014
436-008-0020	1-1-2015	Adopt	8-1-2014	436-009-0220	4-1-2014	Repeal	4-1-2014
436-008-0025	1-1-2015	Adopt	8-1-2014	436-009-0225	4-1-2014	Repeal	4-1-2014
436-008-0030	1-1-2015	Adopt	8-1-2014	436-009-0230	4-1-2014	Repeal	4-1-2014
436-008-0040	1-1-2015	Adopt	8-1-2014	436-009-0235	4-1-2014	Repeal	4-1-2014
436-009-0001	4-1-2014	Amend	4-1-2014	436-009-0240	4-1-2014	Repeal	4-1-2014
436-009-0002	4-1-2014	Repeal	4-1-2014	436-009-0245	4-1-2014	Repeal	4-1-2014
436-009-0003	4-1-2014	Repeal	4-1-2014	436-009-0255	4-1-2014	Repeal	4-1-2014
436-009-0004	4-1-2014	Amend	4-1-2014	436-009-0260	4-1-2014	Repeal	4-1-2014
436-009-0005	4-1-2014	Amend	4-1-2014	436-009-0265	4-1-2014	Repeal	4-1-2014
436-009-0006	4-1-2014	Repeal	4-1-2014	436-009-0270	4-1-2014	Repeal	4-1-2014
436-009-0008	4-1-2014	Amend	4-1-2014	436-009-0275	4-1-2014	Repeal	4-1-2014
436-009-0010	4-1-2014	Amend	4-1-2014	436-009-0285	4-1-2014	Repeal	4-1-2014
436-009-0010	4-15-2014	Amend(T)	5-1-2014	436-009-0290	4-1-2014	Repeal	4-1-2014
436-009-0010	7-1-2014	Amend	7-1-2014	436-009-0998	4-1-2014	Amend	4-1-2014
436-009-0010(T)	7-1-2014	Repeal	7-1-2014	436-010-0005	4-1-2014	Amend	4-1-2014
436-009-0015	4-1-2014	Repeal	4-1-2014	436-010-0230	4-1-2014	Amend	4-1-2014
436-009-0018	4-1-2014	Amend	4-1-2014	436-010-0240	4-1-2014	Amend	4-1-2014
436-009-0020	4-1-2014	Amend	4-1-2014	436-010-0270	4-1-2014	Amend	4-1-2014
436-009-0020	4-15-2014	Amend(T)	5-1-2014	436-010-0280	4-1-2014	Amend	4-1-2014
436-009-0020	7-1-2014	Amend	7-1-2014	436-010-0290	4-1-2014	Amend	4-1-2014
436-009-0020(T)	7-1-2014	Repeal	7-1-2014	436-010-0330	4-1-2014	Amend	4-1-2014
436-009-0023	4-1-2014	Adopt	4-1-2014	436-050-0003	9-15-2014	Amend	9-1-2014
436-009-0025	4-1-2014	Amend	4-1-2014	436-050-0165	9-15-2014	Amend	9-1-2014
436-009-0030	4-1-2014	Amend	4-1-2014	436-050-0170	9-15-2014	Amend	9-1-2014
436-009-0035	4-1-2014	Amend	4-1-2014	436-050-0175	9-15-2014	Amend	9-1-2014
436-009-0035	1-1-2015	Amend	12-1-2014	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
436-009-0140	4-1-2014	Repeal	4-1-2014	436-160-0004(T)	10-1-2014	Repeal	8-1-2014
436-009-0145	4-1-2014	Repeal	4-1-2014	436-160-0005	7-1-2014	Amend(T)	7-1-2014
436-009-0155	4-1-2014	Repeal	4-1-2014	436-160-0005(T)	10-1-2014	Suspend	8-1-2014
436-009-0160	4-1-2014	Repeal	4-1-2014	436-160-0011	7-1-2014	Adopt(T)	7-1-2014
436-009-0165	4-1-2014	Repeal	4-1-2014	436-160-0011(T)	10-1-2014	Suspend	8-1-2014
436-009-0170	4-1-2014	Repeal	4-1-2014	436-160-0012	7-1-2014	Adopt(T)	7-1-2014
436-009-0175	4-1-2014	Repeal	4-1-2014	436-160-0012(T)	10-1-2014	Suspend	8-1-2014
436-009-0177	4-1-2014	Repeal	4-1-2014	436-160-0013	7-1-2014	Adopt(T)	7-1-2014
436-009-0180	4-1-2014	Repeal	4-1-2014	436-160-0013(T)	10-1-2014	Suspend	8-1-2014
436-009-0185	4-1-2014	Repeal	4-1-2014	436-160-0014	7-1-2014	Adopt(T)	7-1-2014
436-009-0200	4-1-2014	Repeal	4-1-2014	436-160-0014(T)	10-1-2014	Suspend	8-1-2014
436-009-0205	4-1-2014	Repeal	4-1-2014	436-160-0015	7-1-2014	Adopt(T)	7-1-2014
436-009-0206	4-1-2014	Repeal	4-1-2014	436-160-0015(T)	10-1-2014	Suspend	8-1-2014
436-009-0207	4-1-2014	Repeal	4-1-2014	436-160-0016	7-1-2014	Adopt(T)	7-1-2014
436-009-0210	4-1-2014	Repeal	4-1-2014	436-160-0016(T)	10-1-2014	Suspend	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
436-160-0017	7-1-2014	Adopt(T)	7-1-2014	437-002-0100	5-1-2015	Amend	12-1-2014
436-160-0017(T)	10-1-2014	Suspend	8-1-2014	437-002-0140	12-12-2013	Amend	1-1-2014
436-160-0018	7-1-2014	Adopt(T)	7-1-2014	437-002-0146	1-1-2015	Amend	12-1-2014
436-160-0018(T)	10-1-2014	Suspend	8-1-2014	437-002-0240	5-14-2014	Amend	6-1-2014
436-160-0019	7-1-2014	Adopt(T)	7-1-2014	437-002-0280	5-1-2015	Amend	12-1-2014
436-160-0019(T)	10-1-2014	Suspend	8-1-2014	437-002-0290	5-1-2015	Repeal	12-1-2014
436-160-0040	7-1-2014	Amend(T)	7-1-2014	437-002-0291	5-1-2015	Repeal	12-1-2014
436-160-0040(T)	10-1-2014	Suspend	8-1-2014	437-002-0292	5-1-2015	Repeal	12-1-2014
436-160-0060	7-1-2014	Amend(T)	7-1-2014	437-002-0293	5-1-2015	Repeal	12-1-2014
436-160-0060(T)	10-1-2014	Suspend	8-1-2014	437-002-0294	5-1-2015	Repeal	12-1-2014
436-160-0405	7-1-2014	Amend(T)	7-1-2014	437-002-0295	5-1-2015	Repeal	12-1-2014
436-160-0405(T)	10-1-2014	Suspend	8-1-2014	437-002-0296	5-1-2015	Repeal	12-1-2014
436-160-0410	7-1-2014	Amend	3-1-2014	437-002-0312	12-12-2013	Amend	1-1-2014
436-160-0410	7-1-2014	Amend(T)	7-1-2014	437-002-2101	5-1-2015	Adopt	12-1-2014
436-160-0410	10-1-2014	Amend	8-1-2014	437-002-2102	5-1-2015	Amend	12-1-2014
436-160-0410(T)	10-1-2014	Repeal	8-1-2014	437-002-2253	5-1-2015	Adopt	12-1-2014
436-160-0415	7-1-2014	Amend(T)	7-1-2014	437-003-0001	12-12-2013	Amend	1-1-2014
436-160-0415	10-1-2014	Amend	8-1-2014	437-003-0001	11-9-2014	Amend	12-1-2014
436-160-0415(T)	10-1-2014	Repeal	8-1-2014	437-003-0001	5-1-2015	Amend	12-1-2014
436-160-0420	7-1-2014	Amend(T)	7-1-2014	437-004-0100	8-8-2014	Amend	9-1-2014
436-160-0420	10-1-2014	Amend	8-1-2014	437-004-0150	8-8-2014	Amend	9-1-2014
436-160-0420(T)	10-1-2014	Repeal	8-1-2014	437-004-0720	8-8-2014	Amend	9-1-2014
436-160-0430	7-1-2014	Amend(T)	7-1-2014	437-004-0725	8-8-2014	Amend	9-1-2014
436-160-0430(T)	10-1-2014	Suspend	8-1-2014	437-004-0950	8-8-2014	Amend	9-1-2014
436-160-0440	7-1-2014	Amend(T)	7-1-2014	437-004-1430	8-8-2014	Amend	9-1-2014
436-160-0440(T)	10-1-2014	Suspend	8-1-2014	437-004-1440	8-8-2014	Amend	9-1-2014
436-160-0445	7-1-2014	Amend(T)	7-1-2014	437-004-1450	8-8-2014	Amend	9-1-2014
436-160-0445(T)	10-1-2014	Suspend	8-1-2014	437-004-1460	8-8-2014	Amend	9-1-2014
436-162-0001	4-1-2015	Amend	12-1-2014	437-004-1470	8-8-2014	Amend	9-1-2014
436-162-0002	4-1-2015	Repeal	12-1-2014	437-004-1680	8-8-2014	Amend	9-1-2014
436-162-0003	4-1-2015	Repeal	12-1-2014	437-004-9800	8-8-2014	Amend	9-1-2014
436-162-0004	4-1-2015	Amend	12-1-2014	437-004-9850	8-8-2014	Amend	9-1-2014
436-162-0005	4-1-2015	Amend	12-1-2014	437-005-0002	10-17-2014	Amend	12-1-2014
436-162-0006	4-1-2015	Repeal	12-1-2014	437-007-0780	5-29-2014	Amend	7-1-2014
436-162-0010	4-1-2015	Repeal	12-1-2014	438-005-0035	4-1-2014	Amend	1-1-2014
436-162-0020	4-1-2015	Repeal	12-1-2014	438-005-0046	4-1-2014	Amend	1-1-2014
436-162-0035	4-1-2015	Adopt	12-1-2014	438-005-0046	9-1-2014	Amend	8-1-2014
436-162-0040	4-1-2015	Amend	12-1-2014	438-006-0020	4-1-2014	Amend	1-1-2014
436-162-0050	4-1-2015	Repeal	12-1-2014	438-006-0031	4-1-2014	Amend	1-1-2014
436-162-0060	4-1-2015	Am. & Ren.	12-1-2014	438-006-0036	4-1-2014	Amend	1-1-2014
436-162-0070	4-1-2015	Repeal	12-1-2014	438-006-0045	4-1-2014	Amend	1-1-2014
436-162-0090	4-1-2015	Repeal	12-1-2014	438-006-0062	4-1-2014	Amend	1-1-2014
436-162-0300	4-1-2015	Repeal	12-1-2014	438-006-0075	4-1-2014	Amend	1-1-2014
436-162-0310	4-1-2015	Amend	12-1-2014	438-006-0105	4-1-2014	Repeal	1-1-2014
436-162-0320	4-1-2015	Am. & Ren.	12-1-2014	438-007-0005	4-1-2014	Amend	1-1-2014
436-162-0330	4-1-2015	Repeal	12-1-2014	438-007-0018	4-1-2014	Amend	1-1-2014
436-162-0340	4-1-2015	Amend	12-1-2014	438-007-0020	4-1-2014	Amend	1-1-2014
436-162-0350	4-1-2015	Repeal	12-1-2014	438-009-0020	4-1-2014	Amend	1-1-2014
436-162-0355	4-1-2015	Repeal	12-1-2014	438-011-0055	4-1-2014	Adopt	1-1-2014
436-162-0360	4-1-2015	Repeal	12-1-2014	440-045-0020	1-1-2015	Amend	11-1-2014
436-162-0370	4-1-2015	Amend	12-1-2014	440-045-0025	1-1-2015	Amend	11-1-2014
436-162-0380	4-1-2015	Adopt	12-1-2014	441-025-0120	10-6-2014	Adopt	11-1-2014
436-162-0400	4-1-2015	Adopt	12-1-2014	441-025-0121	10-6-2014	Adopt	11-1-2014
436-162-0440	4-1-2015	Adopt	12-1-2014	441-025-0122	10-6-2014	Adopt	11-1-2014
437-002-0005	12-12-2013	Amend	1-1-2014	441-025-0123	10-6-2014	Adopt	11-1-2014
437-002-0080	12-12-2013	Amend	1-1-2014	441-025-0124	10-6-2014	Adopt	11-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
441-025-0125	10-6-2014	Adopt	11-1-2014	442-005-0090	2-1-2014	Repeal	3-1-2014
441-025-0126	10-6-2014	Adopt	11-1-2014	442-005-0100	2-1-2014	Repeal	3-1-2014
441-505-2000	2-12-2014	Adopt	3-1-2014	442-005-0110	2-1-2014	Repeal	3-1-2014
441-730-0010	1-1-2014	Amend(T)	2-1-2014	442-005-0120	2-1-2014	Repeal	3-1-2014
441-730-0010	8-25-2014	Amend	10-1-2014	442-005-0130	2-1-2014	Repeal	3-1-2014
441-730-0025	1-1-2014	Amend(T)	2-1-2014	442-005-0140	2-1-2014	Repeal	3-1-2014
441-730-0025	8-27-2014	Amend	10-1-2014	442-005-0150	2-1-2014	Repeal	3-1-2014
441-730-0030	1-1-2014	Amend(T)	2-1-2014	442-005-0160	2-1-2014	Repeal	3-1-2014
441-730-0030	8-25-2014	Amend	10-1-2014	442-005-0170	2-1-2014	Repeal	3-1-2014
441-740-0015	11-6-2014	Suspend	12-1-2014	442-005-0180	2-1-2014	Repeal	3-1-2014
441-745-0340	10-17-2014	Amend	12-1-2014	442-005-0190	2-1-2014	Repeal	3-1-2014
441-850-0005	1-1-2015	Amend	11-1-2014	442-005-0200	2-1-2014	Repeal	3-1-2014
441-850-0035	1-1-2015	Amend	11-1-2014	442-005-0210	2-1-2014	Repeal	3-1-2014
441-860-0020	1-1-2015	Amend	11-1-2014	442-005-0220	2-1-2014	Repeal	3-1-2014
441-860-0040	1-1-2015	Amend	11-1-2014	442-005-0230	2-1-2014	Repeal	3-1-2014
441-860-0045	1-1-2015	Amend	11-1-2014	442-005-0235	2-1-2014	Repeal	3-1-2014
441-860-0050	1-1-2015	Amend	11-1-2014	442-005-0240	2-1-2014	Repeal	3-1-2014
441-860-0070	1-1-2015	Amend	11-1-2014	442-005-0250	2-1-2014	Repeal	3-1-2014
441-860-0130	1-1-2015	Amend	11-1-2014	442-005-0260	2-1-2014	Repeal	3-1-2014
441-865-0020	1-1-2015	Amend	11-1-2014	442-005-0270	2-1-2014	Repeal	3-1-2014
441-865-0025	1-1-2015	Amend	11-1-2014	442-005-0275	2-1-2014	Repeal	3-1-2014
441-865-0030	1-1-2015	Amend	11-1-2014	442-005-0280	2-1-2014	Repeal	3-1-2014
441-870-0080	1-1-2015	Amend	11-1-2014	442-005-0290	2-1-2014	Repeal	3-1-2014
441-875-0030	1-1-2015	Amend	11-1-2014	442-005-0300	2-1-2014	Repeal	3-1-2014
441-875-0040	1-1-2015	Amend	11-1-2014	442-005-0310	2-1-2014	Repeal	3-1-2014
441-875-0075	1-1-2015	Adopt	11-1-2014	442-005-0320	2-1-2014	Repeal	3-1-2014
441-880-0200	1-1-2015	Amend	11-1-2014	442-005-0330	2-1-2014	Repeal	3-1-2014
441-880-0210	1-1-2015	Amend	11-1-2014	442-005-0340	2-1-2014	Repeal	3-1-2014
441-880-0215	1-1-2015	Amend	11-1-2014	442-006-0000	1-2-2014	Repeal	2-1-2014
441-880-0300	1-1-2015	Amend	11-1-2014	442-006-0010	1-2-2014	Repeal	2-1-2014
441-880-0310	1-1-2015	Amend	11-1-2014	442-006-0020	1-2-2014	Repeal	2-1-2014
441-880-0315	1-1-2015	Amend	11-1-2014	442-006-0030	1-2-2014	Repeal	2-1-2014
441-910-0096	4-8-2014	Adopt	5-1-2014	442-006-0040	1-2-2014	Repeal	2-1-2014
442-001-0000	1-2-2014	Repeal	2-1-2014	442-010-0010	2-1-2014	Repeal	3-1-2014
442-001-0005	1-2-2014	Repeal	2-1-2014	442-010-0020	2-1-2014	Repeal	3-1-2014
442-001-0050	1-2-2014	Repeal	2-1-2014	442-010-0030	2-1-2014	Repeal	3-1-2014
442-001-0060	1-2-2014	Repeal	2-1-2014	442-010-0040	2-1-2014	Repeal	3-1-2014
442-001-0070	1-2-2014	Repeal	2-1-2014	442-010-0050	2-1-2014	Repeal	3-1-2014
442-001-0080	1-2-2014	Repeal	2-1-2014	442-010-0055	2-1-2014	Repeal	3-1-2014
442-001-0090	1-2-2014	Repeal	2-1-2014	442-010-0060	2-1-2014	Repeal	3-1-2014
442-001-0100	1-2-2014	Repeal	2-1-2014	442-010-0070	2-1-2014	Repeal	3-1-2014
442-001-0110	1-2-2014	Repeal	2-1-2014	442-010-0075	2-1-2014	Repeal	3-1-2014
442-001-0120	1-2-2014	Repeal	2-1-2014	442-010-0080	2-1-2014	Repeal	3-1-2014
442-001-0130	1-2-2014	Repeal	2-1-2014	442-010-0085	2-1-2014	Repeal	3-1-2014
442-001-0140	1-2-2014	Repeal	2-1-2014	442-010-0090	2-1-2014	Repeal	3-1-2014
442-001-0150	1-2-2014	Repeal	2-1-2014	442-010-0100	2-1-2014	Repeal	3-1-2014
442-001-0160	1-2-2014	Repeal	2-1-2014	442-010-0120	2-1-2014	Repeal	3-1-2014
442-005-0000	2-1-2014	Repeal	3-1-2014	442-010-0130	2-1-2014	Repeal	3-1-2014
442-005-0010	2-1-2014	Repeal	3-1-2014	442-010-0140	2-1-2014	Repeal	3-1-2014
442-005-0020	2-1-2014	Repeal	3-1-2014	442-010-0150	2-1-2014	Repeal	3-1-2014
442-005-0030	2-1-2014	Repeal	3-1-2014	442-010-0160	2-1-2014	Repeal	3-1-2014
442-005-0040	2-1-2014	Repeal	3-1-2014	442-010-0170	2-1-2014	Repeal	3-1-2014
442-005-0050	2-1-2014	Repeal	3-1-2014	442-010-0180	2-1-2014	Repeal	3-1-2014
442-005-0060	2-1-2014	Repeal	3-1-2014	442-010-0190	2-1-2014	Repeal	3-1-2014
442-005-0070	2-1-2014	Repeal	3-1-2014	442-010-0210	2-1-2014	Repeal	3-1-2014
442-005-0080	2-1-2014	Repeal	3-1-2014	442-010-0215	2-1-2014	Repeal	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
442-010-0220	2-1-2014	Repeal	3-1-2014	459-050-0025	7-25-2014	Amend	9-1-2014
442-010-0230	2-1-2014	Repeal	3-1-2014	459-050-0037	7-25-2014	Amend	9-1-2014
442-010-0240	2-1-2014	Repeal	3-1-2014	459-050-0075	7-25-2014	Amend	9-1-2014
442-010-0260	2-1-2014	Repeal	3-1-2014	459-050-0077	7-25-2014	Amend	9-1-2014
442-010-0270	2-1-2014	Repeal	3-1-2014	459-070-0001	9-29-2014	Amend	11-1-2014
443-003-0005	1-1-2014	Adopt(T)	2-1-2014	459-070-0100	1-31-2014	Amend	3-1-2014
443-003-0010	1-1-2014	Adopt(T)	2-1-2014	459-070-0110	9-29-2014	Amend	11-1-2014
443-003-0015	1-1-2014	Adopt(T)	2-1-2014	459-075-0010	9-29-2014	Amend	11-1-2014
443-003-0015	2-26-2014	Adopt(T)	4-1-2014	459-076-0010	7-25-2014	Amend	9-1-2014
443-003-0020	1-1-2014	Adopt(T)	2-1-2014	459-080-0250	7-25-2014	Amend	9-1-2014
443-003-0020	2-26-2014	Adopt(T)	4-1-2014	459-080-0500	1-31-2014	Amend	3-1-2014
443-003-0025	1-1-2014	Adopt(T)	2-1-2014	461-001-0000	1-1-2014	Amend	2-1-2014
443-003-0025	2-26-2014	Adopt(T)	4-1-2014	461-001-0000	1-1-2014	Amend(T)	2-1-2014
443-003-0030	1-1-2014	Adopt(T)	2-1-2014	461-001-0000	4-1-2014	Amend	5-1-2014
443-003-0035	1-1-2014	Adopt(T)	2-1-2014	461-001-0000	6-26-2014	Amend(T)	8-1-2014
443-003-0035	2-26-2014	Adopt(T)	4-1-2014	461-001-0000	7-1-2014	Amend	8-1-2014
443-003-0040	1-1-2014	Adopt(T)	2-1-2014	461-001-0000	7-1-2014	Amend(T)	8-1-2014
443-003-0045	1-1-2014	Adopt(T)	2-1-2014	461-001-0000	10-1-2014	Amend	11-1-2014
443-003-0050	1-1-2014	Adopt(T)	2-1-2014	461-001-0000(T)	1-1-2014	Repeal	2-1-2014
443-003-0055	1-1-2014	Adopt(T)	2-1-2014	461-001-0000(T)	4-1-2014	Repeal	5-1-2014
443-003-0060	1-1-2014	Adopt(T)	2-1-2014	461-001-0000(T)	7-1-2014	Repeal	8-1-2014
443-003-0065	1-1-2014	Adopt(T)	2-1-2014	461-001-0000(T)	10-1-2014	Repeal	11-1-2014
443-003-0070	1-1-2014	Adopt(T)	2-1-2014	461-001-0030	1-1-2014	Amend	2-1-2014
443-003-0070	2-26-2014	Adopt(T)	4-1-2014	461-025-0301	7-1-2014	Amend	8-1-2014
443-003-0075	1-1-2014	Adopt(T)	2-1-2014	461-025-0310	4-1-2014	Amend	5-1-2014
443-003-0080	1-1-2014	Adopt(T)	2-1-2014	461-025-0315	1-1-2014	Amend	2-1-2014
443-003-0085	1-1-2014	Adopt(T)	2-1-2014	461-025-0316	4-1-2014	Amend	5-1-2014
443-003-0090	1-1-2014	Adopt(T)	2-1-2014	461-025-0375	1-1-2014	Amend	2-1-2014
443-003-0095	1-1-2014	Adopt(T)	2-1-2014	461-101-0010	1-1-2014	Amend	2-1-2014
443-003-0100	1-1-2014	Adopt(T)	2-1-2014	461-101-0010	6-26-2014	Amend(T)	8-1-2014
443-003-0105	1-1-2014	Adopt(T)	2-1-2014	461-101-0010	7-1-2014	Amend	8-1-2014
443-003-0110	1-1-2014	Adopt(T)	2-1-2014	461-101-0010	7-1-2014	Amend(T)	8-1-2014
443-003-0115	1-1-2014	Adopt(T)	2-1-2014	461-101-0010	10-1-2014	Amend	11-1-2014
443-003-0120	1-1-2014	Adopt(T)	2-1-2014	461-101-0010(T)	1-1-2014	Repeal	2-1-2014
443-003-0125	1-1-2014	Adopt(T)	2-1-2014	461-101-0010(T)	7-1-2014	Repeal	8-1-2014
459-001-0005	3-31-2014	Amend	5-1-2014	461-101-0010(T)	10-1-2014	Repeal	11-1-2014
459-001-0030	1-31-2014	Amend	3-1-2014	461-105-0100	1-1-2014	Amend	2-1-2014
459-005-0001	9-29-2014	Amend	11-1-2014	461-105-0130	1-1-2014	Amend	2-1-2014
459-005-0220	3-31-2014	Amend	5-1-2014	461-110-0210	1-1-2014	Amend	2-1-2014
459-005-0510	3-31-2014	Adopt	5-1-2014	461-110-0210	7-1-2014	Amend	8-1-2014
459-005-0520	3-31-2014	Adopt	5-1-2014	461-110-0210(T)	1-1-2014	Repeal	2-1-2014
459-005-0525	1-31-2014	Amend	3-1-2014	461-110-0330	1-1-2014	Amend	2-1-2014
459-005-0545	1-31-2014	Amend	3-1-2014	461-110-0330(T)	1-1-2014	Repeal	2-1-2014
459-005-0610	11-22-2013	Amend	1-1-2014	461-110-0340	1-1-2014	Amend	2-1-2014
459-007-0009	7-25-2014	Adopt	9-1-2014	461-110-0340	7-1-2014	Repeal	8-1-2014
459-010-0003	9-29-2014	Amend	11-1-2014	461-110-0340(T)	1-1-2014	Repeal	2-1-2014
459-010-0010	9-29-2014	Amend	11-1-2014	461-110-0350	1-8-2014	Amend(T)	2-1-2014
459-010-0035	9-29-2014	Amend	11-1-2014	461-110-0350	7-1-2014	Amend	8-1-2014
459-015-0010	7-25-2014	Amend	9-1-2014	461-110-0350(T)	7-1-2014	Repeal	8-1-2014
459-015-0055	7-25-2014	Amend	9-1-2014	461-110-0370	10-1-2014	Amend	11-1-2014
459-017-0060	1-31-2014	Amend	3-1-2014	461-110-0400(T)	1-1-2014	Repeal	2-1-2014
459-035-0001	3-31-2014	Amend	5-1-2014	461-110-0410	7-1-2014	Amend	8-1-2014
459-035-0050	3-31-2014	Amend	5-1-2014	461-110-0530	1-1-2014	Amend	2-1-2014
459-040-0060	11-22-2013	Amend	1-1-2014	461-110-0530	7-1-2014	Amend	8-1-2014
459-040-0070	11-22-2013	Amend	1-1-2014	461-110-0530(T)	1-1-2014	Repeal	2-1-2014
459-045-0010	11-22-2013	Amend	1-1-2014	461-110-0630	1-1-2014	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
461-110-0630(T)	1-1-2014	Repeal	2-1-2014	461-125-0370	10-1-2014	Amend(T)	11-1-2014
461-115-0016	1-1-2014	Amend(T)	2-1-2014	461-125-0370(T)	9-1-2014	Suspend	10-1-2014
461-115-0016	7-1-2014	Amend	8-1-2014	461-125-0370(T)	10-1-2014	Suspend	11-1-2014
461-115-0016	10-1-2014	Amend(T)	11-1-2014	461-130-0328	1-1-2014	Amend	2-1-2014
461-115-0030	1-1-2014	Amend	2-1-2014	461-130-0328(T)	1-1-2014	Repeal	2-1-2014
461-115-0030	7-1-2014	Amend	8-1-2014	461-135-0010	1-1-2014	Amend	2-1-2014
461-115-0030(T)	1-1-2014	Repeal	2-1-2014	461-135-0010	7-1-2014	Amend	8-1-2014
461-115-0050	1-1-2014	Amend	2-1-2014	461-135-0010(T)	1-1-2014	Repeal	2-1-2014
461-115-0050	7-1-2014	Amend	8-1-2014	461-135-0070	1-1-2014	Amend	2-1-2014
461-115-0050	10-29-2014	Amend(T)	12-1-2014	461-135-0070(T)	1-1-2014	Repeal	2-1-2014
461-115-0050(T)	1-1-2014	Repeal	2-1-2014	461-135-0075	10-1-2014	Amend	11-1-2014
461-115-0071	1-1-2014	Amend	2-1-2014	461-135-0080	1-1-2014	Amend	2-1-2014
461-115-0071	7-16-2014	Amend(T)	9-1-2014	461-135-0080(T)	1-1-2014	Repeal	2-1-2014
461-115-0071(T)	1-1-2014	Repeal	2-1-2014	461-135-0095	1-1-2014	Repeal	2-1-2014
461-115-0150	1-1-2014	Amend	2-1-2014	461-135-0096	1-1-2014	Repeal	2-1-2014
461-115-0230	7-1-2014	Amend	8-1-2014	461-135-0150	7-1-2014	Repeal	8-1-2014
461-115-0430	1-1-2014	Amend	2-1-2014	461-135-0170	1-1-2014	Repeal	2-1-2014
461-115-0430	7-1-2014	Amend	8-1-2014	461-135-0405	4-10-2014	Amend(T)	5-1-2014
461-115-0430(T)	1-1-2014	Repeal	2-1-2014	461-135-0405	10-1-2014	Amend	11-1-2014
461-115-0530	1-1-2014	Repeal	2-1-2014	461-135-0407	5-1-2014	Amend(T)	6-1-2014
461-115-0705	1-1-2014	Repeal	2-1-2014	461-135-0407	10-1-2014	Amend	11-1-2014
461-120-0010	7-1-2014	Amend	8-1-2014	461-135-0407(T)	10-1-2014	Repeal	11-1-2014
461-120-0030	1-1-2014	Amend	2-1-2014	461-135-0505	1-1-2014	Amend	2-1-2014
461-120-0030	7-1-2014	Amend	8-1-2014	461-135-0505	1-1-2014	Amend(T)	2-1-2014
461-120-0030(T)	1-1-2014	Repeal	2-1-2014	461-135-0505	4-1-2014	Amend	5-1-2014
461-120-0050	1-1-2014	Amend	2-1-2014	461-135-0505(T)	4-1-2014	Repeal	5-1-2014
461-120-0050	7-1-2014	Amend	8-1-2014	461-135-0750	4-1-2014	Amend	5-1-2014
461-120-0050(T)	1-1-2014	Repeal	2-1-2014	461-135-0780	1-1-2014	Amend	2-1-2014
461-120-0125	1-1-2014	Amend	2-1-2014	461-135-0832	1-1-2014	Amend	2-1-2014
461-120-0125	7-1-2014	Amend	8-1-2014	461-135-0832	7-1-2014	Amend	8-1-2014
461-120-0125(T)	1-1-2014	Repeal	2-1-2014	461-135-0835	1-1-2014	Amend	2-1-2014
461-120-0210	1-1-2014	Amend	2-1-2014	461-135-0835	7-1-2014	Amend	8-1-2014
461-120-0210	7-1-2014	Amend	8-1-2014	461-135-0841	1-1-2014	Amend	2-1-2014
461-120-0210(T)	1-1-2014	Repeal	2-1-2014	461-135-0845	1-1-2014	Amend	2-1-2014
461-120-0310	1-1-2014	Amend	2-1-2014	461-135-0875	1-1-2014	Amend	2-1-2014
461-120-0310(T)	1-1-2014	Repeal	2-1-2014	461-135-0875	7-1-2014	Amend	8-1-2014
461-120-0315	1-1-2014	Amend	2-1-2014	461-135-0875(T)	1-1-2014	Repeal	2-1-2014
461-120-0315	7-1-2014	Amend	8-1-2014	461-135-0900	1-1-2014	Amend	2-1-2014
461-120-0315(T)	1-1-2014	Repeal	2-1-2014	461-135-0900(T)	1-1-2014	Repeal	2-1-2014
461-120-0330	1-1-2014	Amend	2-1-2014	461-135-0930	1-1-2014	Amend	2-1-2014
461-120-0345	1-1-2014	Amend	2-1-2014	461-135-0930(T)	1-1-2014	Repeal	2-1-2014
461-120-0345(T)	1-1-2014	Repeal	2-1-2014	461-135-0950	1-1-2014	Amend	2-1-2014
461-120-0350	1-1-2014	Amend	2-1-2014	461-135-0950	4-1-2014	Amend	5-1-2014
461-120-0350(T)	1-1-2014	Repeal	2-1-2014	461-135-0950(T)	1-1-2014	Repeal	2-1-2014
461-120-0510	1-1-2014	Amend	2-1-2014	461-135-0990	7-1-2014	Amend	8-1-2014
461-120-0510	7-1-2014	Amend	8-1-2014	461-135-1060	1-1-2014	Repeal	2-1-2014
461-120-0510(T)	1-1-2014	Repeal	2-1-2014	461-135-1070	1-1-2014	Amend	2-1-2014
461-120-0630	1-1-2014	Amend	2-1-2014	461-135-1070(T)	1-1-2014	Repeal	2-1-2014
461-120-0630(T)	1-1-2014	Repeal	2-1-2014	461-135-1100	1-1-2014	Repeal	2-1-2014
461-125-0030	10-1-2014	Amend	11-1-2014	461-135-1101	1-1-2014	Repeal	2-1-2014
461-125-0150	1-1-2014	Amend	2-1-2014	461-135-1102	1-1-2014	Repeal	2-1-2014
461-125-0150	10-1-2014	Repeal	11-1-2014	461-135-1120	1-1-2014	Repeal	2-1-2014
461-125-0150(T)	1-1-2014	Repeal	2-1-2014	461-135-1125	1-1-2014	Repeal	2-1-2014
461-125-0170	10-1-2014	Amend	11-1-2014	461-135-1149	1-1-2014	Repeal	2-1-2014
461-125-0370	8-1-2014	Amend(T)	9-1-2014	461-135-1260	6-26-2014	Amend(T)	8-1-2014
461-125-0370	9-1-2014	Amend(T)	10-1-2014	461-135-1260	10-1-2014	Amend	11-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
461-135-1260(T)	10-1-2014	Repeal	11-1-2014	461-145-0410(T)	1-1-2014	Repeal	2-1-2014
461-140-0020	1-1-2014	Amend	2-1-2014	461-145-0420	1-1-2014	Amend	2-1-2014
461-140-0020	7-1-2014	Amend	8-1-2014	461-145-0420(T)	1-1-2014	Repeal	2-1-2014
461-140-0040	1-1-2014	Amend	2-1-2014	461-145-0430	1-1-2014	Amend	2-1-2014
461-140-0040	7-1-2014	Amend	8-1-2014	461-145-0430(T)	1-1-2014	Repeal	2-1-2014
461-140-0040	9-19-2014	Amend(T)	11-1-2014	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	10-1-2014	Amend	11-1-2014
461-140-0300	1-1-2014	Amend	2-1-2014	461-145-0460(T)	1-1-2014	Repeal	2-1-2014
461-145-0040	1-1-2014	Amend	2-1-2014	461-145-0470	1-1-2014	Amend	2-1-2014
461-145-0040(T)	1-1-2014	Repeal	2-1-2014	461-145-0470(T)	1-1-2014	Repeal	2-1-2014
461-145-0050	1-1-2014	Amend	2-1-2014	461-145-0505	1-1-2014	Amend	2-1-2014
461-145-0050(T)	1-1-2014	Repeal	2-1-2014	461-145-0505(T)	1-1-2014	Repeal	2-1-2014
461-145-0080	1-1-2014	Amend	2-1-2014	461-145-0510	1-1-2014	Amend	2-1-2014
461-145-0080(T)	1-1-2014	Repeal	2-1-2014	461-145-0510(T)	1-1-2014	Repeal	2-1-2014
461-145-0086	1-1-2014	Amend	2-1-2014	461-145-0540	1-1-2014	Amend	2-1-2014
461-145-0086(T)	1-1-2014	Repeal	2-1-2014	461-145-0540(T)	1-1-2014	Repeal	2-1-2014
461-145-0090	1-1-2014	Amend	2-1-2014	461-145-0580	1-1-2014	Amend	2-1-2014
461-145-0090(T)	1-1-2014	Repeal	2-1-2014	461-145-0580(T)	1-1-2014	Repeal	2-1-2014
461-145-0110	1-1-2014	Amend	2-1-2014	461-145-0590	1-1-2014	Amend	2-1-2014
461-145-0110(T)	1-1-2014	Repeal	2-1-2014	461-145-0590(T)	1-1-2014	Repeal	2-1-2014
461-145-0120	1-1-2014	Amend	2-1-2014	461-145-0600	1-1-2014	Amend	2-1-2014
461-145-0120(T)	1-1-2014	Repeal	2-1-2014	461-145-0600(T)	1-1-2014	Repeal	2-1-2014
461-145-0130	1-1-2014	Amend	2-1-2014	461-145-0820	1-1-2014	Amend	2-1-2014
461-145-0130(T)	1-1-2014	Repeal	2-1-2014	461-145-0820(T)	1-1-2014	Repeal	2-1-2014
461-145-0150	1-1-2014	Amend	2-1-2014	461-145-0830	1-1-2014	Amend	2-1-2014
461-145-0150(T)	1-1-2014	Repeal	2-1-2014	461-145-0830(T)	1-1-2014	Repeal	2-1-2014
461-145-0220	1-1-2014	Amend	2-1-2014	461-145-0860	1-1-2014	Amend	2-1-2014
461-145-0220(T)	1-1-2014	Repeal	2-1-2014	461-145-0860(T)	1-1-2014	Repeal	2-1-2014
461-145-0230	1-1-2014	Amend	2-1-2014	461-145-0870	1-1-2014	Repeal	2-1-2014
461-145-0230(T)	1-1-2014	Repeal	2-1-2014	461-145-0910	1-1-2014	Amend	2-1-2014
461-145-0250	1-1-2014	Amend	2-1-2014	461-145-0910(T)	1-1-2014	Repeal	2-1-2014
461-145-0250(T)	1-1-2014	Repeal	2-1-2014	461-145-0920	1-1-2014	Amend	2-1-2014
461-145-0280	1-1-2014	Amend(T)	2-1-2014	461-145-0920(T)	1-1-2014	Repeal	2-1-2014
461-145-0280	4-1-2014	Amend	5-1-2014	461-145-0930	1-1-2014	Amend	2-1-2014
461-145-0280(T)	4-1-2014	Repeal	5-1-2014	461-145-0930(T)	1-1-2014	Repeal	2-1-2014
461-145-0300	1-1-2014	Amend	2-1-2014	461-150-0020	1-1-2014	Amend	2-1-2014
461-145-0300(T)	1-1-2014	Repeal	2-1-2014	461-150-0020(T)	1-1-2014	Repeal	2-1-2014
461-145-0330	1-1-2014	Amend	2-1-2014	461-150-0055	1-1-2014	Repeal	2-1-2014
461-145-0330(T)	1-1-2014	Repeal	2-1-2014	461-150-0060	1-1-2014	Amend	2-1-2014
461-145-0340	1-1-2014	Amend	2-1-2014	461-150-0060(T)	1-1-2014	Repeal	2-1-2014
461-145-0340	7-1-2014	Amend	8-1-2014	461-150-0070	1-1-2014	Amend	2-1-2014
461-145-0340(T)	1-1-2014	Repeal	2-1-2014	461-150-0070(T)	1-1-2014	Repeal	2-1-2014
461-145-0360	1-1-2014	Amend	2-1-2014	461-150-0080	1-1-2014	Amend	2-1-2014
461-145-0360(T)	1-1-2014	Repeal	2-1-2014	461-150-0080(T)	1-1-2014	Repeal	2-1-2014
461-145-0365	1-1-2014	Amend	2-1-2014	461-150-0090	1-1-2014	Amend	2-1-2014
461-145-0365(T)	1-1-2014	Repeal	2-1-2014	461-150-0090(T)	1-1-2014	Repeal	2-1-2014
461-145-0380	1-1-2014	Amend	2-1-2014	461-155-0030	1-1-2014	Amend	2-1-2014
461-145-0380	7-1-2014	Amend	8-1-2014	461-155-0030(T)	1-1-2014	Repeal	2-1-2014
461-145-0380(T)	1-1-2014	Repeal	2-1-2014	461-155-0150	3-31-2014	Amend	5-1-2014
461-145-0410	1-1-2014	Amend	2-1-2014	461-155-0180	1-1-2014	Amend	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
461-155-0180	2-1-2014	Amend	3-1-2014	461-160-0700	1-1-2014	Repeal	2-1-2014
461-155-0180(T)	1-1-2014	Repeal	2-1-2014	461-160-0780	1-1-2014	Amend	2-1-2014
461-155-0190	10-1-2014	Amend	11-1-2014	461-165-0030	1-1-2014	Amend	2-1-2014
461-155-0225	1-1-2014	Amend	2-1-2014	461-165-0030	11-3-2014	Amend(T)	12-1-2014
461-155-0225(T)	1-1-2014	Repeal	2-1-2014	461-165-0030(T)	1-1-2014	Repeal	2-1-2014
461-155-0235	1-1-2014	Repeal	2-1-2014	461-165-0070	1-1-2014	Amend	2-1-2014
461-155-0250	1-1-2014	Amend	2-1-2014	461-165-0120	1-1-2014	Amend	2-1-2014
461-155-0250	7-1-2014	Amend(T)	8-1-2014	461-165-0120(T)	1-1-2014	Repeal	2-1-2014
461-155-0250	10-1-2014	Amend	11-1-2014	461-165-0180	3-1-2014	Amend(T)	3-1-2014
461-155-0250(T)	10-1-2014	Repeal	11-1-2014	461-165-0180	4-1-2014	Amend(T)	5-1-2014
461-155-0270	1-1-2014	Amend	2-1-2014	461-165-0180	7-1-2014	Amend	8-1-2014
461-155-0290	3-1-2014	Amend(T)	3-1-2014	461-165-0180	8-13-2014	Amend(T)	9-1-2014
461-155-0290	3-7-2014	Amend	4-1-2014	461-165-0180(T)	4-1-2014	Suspend	5-1-2014
461-155-0290(T)	3-7-2014	Repeal	4-1-2014	461-165-0180(T)	7-1-2014	Repeal	8-1-2014
461-155-0291	3-1-2014	Amend(T)	3-1-2014	461-170-0010	7-1-2014	Amend	8-1-2014
461-155-0291	3-7-2014	Amend	4-1-2014	461-170-0011	1-1-2014	Amend	2-1-2014
461-155-0291(T)	3-7-2014	Repeal	4-1-2014	461-170-0011	6-26-2014	Amend(T)	8-1-2014
461-155-0295	3-1-2014	Amend(T)	3-1-2014	461-170-0011	10-1-2014	Amend	11-1-2014
461-155-0295	3-7-2014	Amend	4-1-2014	461-170-0011(T)	1-1-2014	Repeal	2-1-2014
461-155-0295(T)	3-7-2014	Repeal	4-1-2014	461-170-0011(T)	10-1-2014	Repeal	11-1-2014
461-155-0300	1-1-2014	Amend	2-1-2014	461-170-0130	1-1-2014	Amend	2-1-2014
461-155-0350	1-1-2014	Amend	2-1-2014	461-170-0130(T)	1-1-2014	Repeal	2-1-2014
461-155-0350(T)	1-1-2014	Repeal	2-1-2014	461-170-0200	1-1-2014	Amend	2-1-2014
461-155-0360	7-1-2014	Amend	8-1-2014	461-170-0200(T)	1-1-2014	Repeal	2-1-2014
461-155-0670	1-1-2014	Amend	2-1-2014	461-175-0200	1-1-2014	Amend	2-1-2014
461-155-0670(T)	1-1-2014	Repeal	2-1-2014	461-175-0200(T)	1-1-2014	Repeal	2-1-2014
461-160-0015	1-1-2014	Amend	2-1-2014	461-175-0203(T)	1-1-2014	Repeal	2-1-2014
461-160-0015	10-1-2014	Amend(T)	11-1-2014	461-175-0206	1-1-2014	Amend	2-1-2014
461-160-0015(T)	1-1-2014	Repeal	2-1-2014	461-175-0210	1-1-2014	Amend	2-1-2014
461-160-0040	1-1-2014	Amend	2-1-2014	461-175-0210	11-14-2014	Amend(T)	12-1-2014
461-160-0040(T)	1-1-2014	Repeal	2-1-2014	461-175-0210(T)	1-1-2014	Repeal	2-1-2014
461-160-0060	1-1-2014	Amend	2-1-2014	461-175-0230	4-1-2014	Amend	5-1-2014
461-160-0060(T)	1-1-2014	Repeal	2-1-2014	461-175-0270	1-1-2014	Amend	2-1-2014
461-160-0100	1-1-2014	Amend	2-1-2014	461-175-0270(T)	1-1-2014	Repeal	2-1-2014
461-160-0100(T)	1-1-2014	Repeal	2-1-2014	461-175-0305	1-1-2014	Amend	2-1-2014
461-160-0120	1-1-2014	Repeal	2-1-2014	461-175-0305(T)	1-1-2014	Repeal	2-1-2014
461-160-0125	1-1-2014	Repeal	2-1-2014	461-180-0010	1-1-2014	Amend	2-1-2014
461-160-0160	1-1-2014	Amend	2-1-2014	461-180-0010(T)	1-1-2014	Repeal	2-1-2014
461-160-0160(T)	1-1-2014	Repeal	2-1-2014	461-180-0020	1-1-2014	Amend	2-1-2014
461-160-0190	1-1-2014	Repeal	2-1-2014	461-180-0020(T)	1-1-2014	Repeal	2-1-2014
461-160-0200	1-1-2014	Repeal	2-1-2014	461-180-0050	1-1-2014	Amend	2-1-2014
461-160-0420	5-20-2014	Amend(T)	7-1-2014	461-180-0050(T)	1-1-2014	Repeal	2-1-2014
461-160-0420	10-1-2014	Amend	11-1-2014	461-180-0065	1-1-2014	Amend	2-1-2014
461-160-0420(T)	10-1-2014	Repeal	11-1-2014	461-180-0065(T)	1-1-2014	Repeal	2-1-2014
461-160-0430	10-1-2014	Amend	11-1-2014	461-180-0085	1-1-2014	Amend	2-1-2014
461-160-0550	7-1-2014	Amend	8-1-2014	461-180-0085(T)	1-1-2014	Repeal	2-1-2014
461-160-0551	7-1-2014	Amend	8-1-2014	461-180-0090	1-1-2014	Amend	2-1-2014
461-160-0580	1-1-2014	Amend	2-1-2014	461-180-0090	7-1-2014	Amend	8-1-2014
461-160-0620	1-1-2014	Amend	2-1-2014	461-180-0090(T)	1-1-2014	Repeal	2-1-2014
461-160-0620	2-1-2014	Amend	3-1-2014	461-180-0097(T)	1-1-2014	Repeal	2-1-2014
461-160-0620	7-1-2014	Amend	8-1-2014	461-180-0100	1-1-2014	Amend	2-1-2014
461-160-0620	7-1-2014	Amend(T)	8-1-2014	461-180-0100(T)	1-1-2014	Repeal	2-1-2014
461-160-0620	10-1-2014	Amend	11-1-2014	461-180-0105	1-1-2014	Amend	2-1-2014
461-160-0620(T)	10-1-2014	Repeal	11-1-2014	461-180-0105(T)	1-1-2014	Repeal	2-1-2014
461-160-0630	1-1-2014	Amend	2-1-2014	461-180-0120	1-1-2014	Amend	2-1-2014
461-160-0630(T)	1-1-2014	Repeal	2-1-2014	461-180-0120(T)	1-1-2014	Repeal	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
461-180-0140	1-1-2014	Amend	2-1-2014	471-030-0210	2-23-2014	Amend	2-1-2014
461-180-0140(T)	1-1-2014	Repeal	2-1-2014	471-031-0151	2-23-2014	Amend	2-1-2014
461-185-0050	1-1-2014	Amend	2-1-2014	471-031-0151	2-23-2014	Amend	2-1-2014
461-190-0211	3-5-2014	Amend(T)	4-1-2014	471-040-0020	2-23-2014	Amend	2-1-2014
461-190-0211	7-1-2014	Amend	8-1-2014	471-040-0020	2-23-2014	Amend	2-1-2014
461-190-0211(T)	7-1-2014	Repeal	8-1-2014	543-010-0034	10-1-2014	Amend(T)	11-1-2014
461-195-0301	1-1-2014	Amend	2-1-2014	571-001-0000	6-30-2014	Repeal	8-1-2014
461-195-0310	1-1-2014	Amend	2-1-2014	571-001-0005	6-30-2014	Repeal	8-1-2014
461-195-0501	4-1-2014	Amend	5-1-2014	571-001-0010	6-30-2014	Repeal	8-1-2014
461-195-0501(T)	4-1-2014	Repeal	5-1-2014	571-001-0015	6-30-2014	Repeal	8-1-2014
461-195-0521	4-1-2014	Amend	5-1-2014	571-001-0020	6-30-2014	Repeal	8-1-2014
461-195-0521(T)	4-1-2014	Repeal	5-1-2014	571-001-0025	6-30-2014	Repeal	8-1-2014
461-195-0541	4-1-2014	Amend	5-1-2014	571-001-0030	6-30-2014	Repeal	8-1-2014
461-195-0541(T)	4-1-2014	Repeal	5-1-2014	571-001-0035	6-30-2014	Repeal	8-1-2014
461-195-0551	1-1-2014	Amend	2-1-2014	571-001-0040	6-30-2014	Repeal	8-1-2014
461-195-0561	4-1-2014	Amend	5-1-2014	571-001-0045	6-30-2014	Repeal	8-1-2014
461-195-0561(T)	4-1-2014	Repeal	5-1-2014	571-001-0050	6-30-2014	Repeal	8-1-2014
462-120-0050	6-30-2014	Amend(T)	8-1-2014	571-002-0000	6-30-2014	Repeal	8-1-2014
462-120-0060	2-13-2014	Amend	3-1-2014	571-002-0005	6-30-2014	Repeal	8-1-2014
462-200-0635	2-13-2014	Adopt	3-1-2014	571-002-0010	6-30-2014	Repeal	8-1-2014
462-210-0010	10-23-2014	Amend(T)	12-1-2014	571-002-0015	6-30-2014	Repeal	8-1-2014
471-020-0010	2-28-2014	Amend	4-1-2014	571-002-0020	6-30-2014	Repeal	8-1-2014
471-020-0010(T)	2-28-2014	Repeal	4-1-2014	571-002-0022	6-30-2014	Repeal	8-1-2014
471-020-0035	2-28-2014	Amend	4-1-2014	571-002-0025	6-30-2014	Repeal	8-1-2014
471-020-0035(T)	2-28-2014	Repeal	4-1-2014	571-002-0030	6-30-2014	Repeal	8-1-2014
471-030-0036	2-23-2014	Amend	2-1-2014	571-002-0035	6-30-2014	Repeal	8-1-2014
471-030-0036	2-23-2014	Amend	2-1-2014	571-002-0040	6-30-2014	Repeal	8-1-2014
471-030-0040	2-23-2014	Amend	2-1-2014	571-002-0045	6-30-2014	Repeal	8-1-2014
471-030-0040	2-23-2014	Amend	2-1-2014	571-003-0000	6-30-2014	Repeal	8-1-2014
471-030-0040(T)	2-23-2014	Repeal	2-1-2014	571-003-0001	6-30-2014	Repeal	8-1-2014
471-030-0040(T)	2-23-2014	Repeal	2-1-2014	571-003-0003	6-30-2014	Repeal	8-1-2014
471-030-0045	2-23-2014	Amend	2-1-2014	571-003-0004	6-30-2014	Repeal	8-1-2014
471-030-0045	2-23-2014	Amend	2-1-2014	571-003-0005	6-30-2014	Repeal	8-1-2014
471-030-0045(T)	2-23-2014	Repeal	2-1-2014	571-003-0006	6-30-2014	Repeal	8-1-2014
471-030-0045(T)	2-23-2014	Repeal	2-1-2014	571-003-0007	6-30-2014	Repeal	8-1-2014
471-030-0052	2-23-2014	Amend	2-1-2014	571-003-0015	6-30-2014	Repeal	8-1-2014
471-030-0052	2-23-2014	Amend	2-1-2014	571-003-0016	6-30-2014	Repeal	8-1-2014
471-030-0052(T)	2-23-2014	Repeal	2-1-2014	571-003-0017	6-30-2014	Repeal	8-1-2014
471-030-0052(T)	2-23-2014	Repeal	2-1-2014	571-003-0020	6-30-2014	Repeal	8-1-2014
471-030-0053	2-23-2014	Amend	2-1-2014	571-003-0025	6-30-2014	Repeal	8-1-2014
471-030-0053	2-23-2014	Amend	2-1-2014	571-003-0100	6-30-2014	Repeal	8-1-2014
471-030-0053(T)	2-23-2014	Repeal	2-1-2014	571-003-0105	6-30-2014	Repeal	8-1-2014
471-030-0053(T)	2-23-2014	Repeal	2-1-2014	571-003-0110	6-30-2014	Repeal	8-1-2014
471-030-0058	2-23-2014	Adopt	2-1-2014	571-003-0115	6-30-2014	Repeal	8-1-2014
471-030-0058	2-23-2014	Adopt	2-1-2014	571-003-0120	6-30-2014	Repeal	8-1-2014
471-030-0058(T)	2-23-2014	Repeal	2-1-2014	571-003-0125	6-30-2014	Repeal	8-1-2014
471-030-0058(T)	2-23-2014	Repeal	2-1-2014	571-004-0005	6-30-2014	Repeal	8-1-2014
471-030-0078	2-23-2014	Repeal	2-1-2014	571-004-0007	6-30-2014	Repeal	8-1-2014
471-030-0078	2-23-2014	Repeal	2-1-2014	571-004-0010	6-30-2014	Repeal	8-1-2014
471-030-0081	5-19-2014	Amend(T)	7-1-2014	571-004-0015	6-30-2014	Repeal	8-1-2014
471-030-0081	10-28-2014	Amend	12-1-2014	571-004-0016	6-30-2014	Repeal	8-1-2014
471-030-0082	5-19-2014	Amend(T)	7-1-2014	571-004-0020	6-30-2014	Repeal	8-1-2014
471-030-0082	10-28-2014	Amend	12-1-2014	571-004-0025	6-30-2014	Repeal	8-1-2014
471-030-0083	2-23-2014	Adopt	2-1-2014	571-004-0030	6-30-2014	Repeal	8-1-2014
471-030-0083	2-23-2014	Adopt	2-1-2014	571-004-0037	6-30-2014	Repeal	8-1-2014
471-030-0210	2-23-2014	Amend	2-1-2014	571-004-0045	6-30-2014	Repeal	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
576-003-0010	6-30-2014	Repeal	8-1-2014	576-015-0052	6-30-2014	Repeal	8-1-2014
576-003-0020	6-30-2014	Repeal	8-1-2014	576-015-0055	6-30-2014	Repeal	8-1-2014
576-003-0040	6-30-2014	Repeal	8-1-2014	576-015-0056	3-6-2014	Amend(T)	4-1-2014
576-003-0050	6-30-2014	Repeal	8-1-2014	576-015-0056	6-30-2014	Repeal	8-1-2014
576-003-0060	6-30-2014	Repeal	8-1-2014	576-015-0057	6-30-2014	Repeal	8-1-2014
576-003-0070	6-30-2014	Repeal	8-1-2014	576-015-0060	3-6-2014	Amend(T)	4-1-2014
576-003-0080	6-30-2014	Repeal	8-1-2014	576-015-0060	6-30-2014	Repeal	8-1-2014
576-003-0090	6-30-2014	Repeal	8-1-2014	576-016-0000	6-30-2014	Repeal	8-1-2014
576-003-0100	6-30-2014	Repeal	8-1-2014	576-016-0010	6-30-2014	Repeal	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
580-021-0030	3-21-2014	Amend	5-1-2014	581-017-0338	6-24-2014	Adopt	8-1-2014
580-040-0040	6-13-2014	Amend	7-1-2014	581-017-0341	2-19-2014	Adopt(T)	4-1-2014
581-002-0200	6-27-2014	Adopt	8-1-2014	581-017-0341	6-24-2014	Adopt	8-1-2014
581-015-2000	12-18-2013	Amend	2-1-2014	581-017-0344	2-19-2014	Adopt(T)	4-1-2014
581-015-2000	9-8-2014	Amend(T)	10-1-2014	581-017-0344	6-24-2014	Adopt	8-1-2014
581-015-2005	9-3-2014	Amend(T)	10-1-2014	581-017-0347	2-19-2014	Adopt(T)	4-1-2014
581-015-2010	9-3-2014	Amend(T)	10-1-2014	581-017-0347	6-24-2014	Adopt	8-1-2014
581-015-2040	9-3-2014	Amend(T)	10-1-2014	581-017-0350	2-19-2014	Adopt(T)	4-1-2014
581-015-2080	9-3-2014	Amend(T)	10-1-2014	581-017-0350	6-24-2014	Adopt	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
581-018-0390	11-22-2013	Adopt(T)	1-1-2014	581-018-0540	6-24-2014	Adopt	8-1-2014
581-018-0391	6-24-2014	Adopt	8-1-2014	581-018-0543	2-19-2014	Adopt(T)	4-1-2014
581-018-0394	6-24-2014	Adopt	8-1-2014	581-018-0543	3-4-2014	Adopt(T)	4-1-2014
581-018-0395	11-22-2013	Adopt(T)	1-1-2014	581-018-0543	6-24-2014	Adopt	8-1-2014
581-018-0396	6-24-2014	Adopt	8-1-2014	581-018-0546	2-19-2014	Adopt(T)	4-1-2014
581-018-0397	11-22-2013	Adopt(T)	1-1-2014	581-018-0546	3-4-2014	Adopt(T)	4-1-2014
581-018-0398	6-24-2014	Adopt	8-1-2014	581-018-0546	6-24-2014	Adopt	8-1-2014
581-018-0399	11-22-2013	Adopt(T)	1-1-2014	581-018-0549	2-19-2014	Adopt(T)	4-1-2014
581-018-0400	11-22-2013	Adopt(T)	1-1-2014	581-018-0549	3-4-2014	Adopt(T)	4-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
581-021-0553	2-19-2014	Amend	4-1-2014	581-045-0068	4-23-2014	Am. & Ren.	6-1-2014
581-021-0553	3-4-2014	Amend	4-1-2014	581-045-0190	4-23-2014	Am. & Ren.	6-1-2014
581-021-0556	2-19-2014	Amend	4-1-2014	581-045-0200	4-23-2014	Am. & Ren.	6-1-2014
581-021-0556	3-4-2014	Amend	4-1-2014	581-045-0210	4-23-2014	Am. & Ren.	6-1-2014
581-021-0559	2-19-2014	Amend	4-1-2014	581-045-0586	2-19-2014	Amend	4-1-2014
581-021-0559	3-4-2014	Amend	4-1-2014	581-053-0003	9-3-2014	Amend	10-1-2014
581-021-0563	2-19-2014	Amend	4-1-2014	581-053-0004	9-3-2014	Amend	10-1-2014
581-021-0563	3-4-2014	Amend	4-1-2014	581-053-0040	9-3-2014	Amend	10-1-2014
581-021-0566	2-19-2014	Amend	4-1-2014	581-053-0050	9-3-2014	Amend	10-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
581-053-0060	9-3-2014	Amend	10-1-2014	584-017-1025	8-5-2014	Amend	9-1-2014
581-053-0130	9-3-2014	Amend	10-1-2014	584-017-1028	11-10-2014	Amend(T)	12-1-2014
581-053-0140	9-3-2014	Amend	10-1-2014	584-017-1030	11-10-2014	Amend(T)	12-1-2014
581-053-0220	9-3-2014	Amend	10-1-2014	584-018-0011	8-5-2014	Adopt	9-1-2014
581-053-0225	9-3-2014	Amend	10-1-2014	584-018-0125	3-15-2014	Amend	4-1-2014
581-053-0230	9-3-2014	Amend	10-1-2014	584-018-0305	8-5-2014	Amend	9-1-2014
581-053-0240	9-3-2014	Amend	10-1-2014	584-018-0315	11-14-2014	Amend	12-1-2014
581-053-0250	9-3-2014	Amend	10-1-2014	584-020-0040	3-15-2014	Amend	4-1-2014
581-053-0440	9-3-2014	Amend	10-1-2014	584-023-0005	3-15-2014	Amend(T)	4-1-2014
581-053-0540	9-3-2014	Amend	10-1-2014	584-023-0005	8-5-2014	Amend	9-1-2014
581-053-0630	9-3-2014	Amend	10-1-2014	584-023-0005	9-24-2014	Amend(T)	11-1-2014
581-053-0640	9-3-2014	Amend	10-1-2014	584-023-0030	3-15-2014	Adopt(T)	4-1-2014
581-054-0007	2-19-2014	Repeal	4-1-2014	584-023-0030	8-5-2014	Adopt	9-1-2014
583-001-0000	7-16-2014	Amend(T)	9-1-2014	584-036-0067	8-5-2014	Repeal	9-1-2014
583-001-0005	7-16-2014	Amend(T)	9-1-2014	584-036-0070	3-15-2014	Amend	4-1-2014
583-001-0010	7-16-2014	Adopt(T)	9-1-2014	584-036-0080	8-5-2014	Amend	9-1-2014
583-030-0005	7-16-2014	Amend(T)	9-1-2014	584-050-0020	8-5-2014	Amend	9-1-2014
583-030-0009	7-16-2014	Amend(T)	9-1-2014	584-050-0030	3-15-2014	Amend	4-1-2014
583-030-0010	7-16-2014	Amend(T)	9-1-2014	584-050-0040	8-5-2014	Amend	9-1-2014
583-030-0011	7-16-2014	Amend(T)	9-1-2014	584-050-0060	3-15-2014	Amend	4-1-2014
583-030-0015	7-16-2014	Amend(T)	9-1-2014	584-050-0066	3-15-2014	Amend	4-1-2014
583-030-0016	7-16-2014	Amend(T)	9-1-2014	584-060-0001	8-5-2014	Repeal	9-1-2014
583-030-0020	7-16-2014	Amend(T)	9-1-2014	584-060-0012	3-15-2014	Amend	4-1-2014
583-030-0025	7-16-2014	Amend(T)	9-1-2014	584-060-0012	8-6-2014	Amend(T)	9-1-2014
583-030-0030	7-16-2014	Amend(T)	9-1-2014	584-060-0012	11-14-2014	Amend	12-1-2014
583-030-0032	7-16-2014	Amend(T)	9-1-2014	584-060-0013	3-15-2014	Amend	4-1-2014
583-030-0035	7-16-2014	Amend(T)	9-1-2014	584-060-0014	3-15-2014	Amend	4-1-2014
583-030-0036	7-16-2014	Amend(T)	9-1-2014	584-060-0022	8-5-2014	Repeal	9-1-2014
583-030-0038	7-16-2014	Amend(T)	9-1-2014	584-060-0051	3-15-2014	Amend	4-1-2014
583-030-0039	7-16-2014	Amend(T)	9-1-2014	584-060-0052	3-15-2014	Amend	4-1-2014
583-030-0041	7-16-2014	Amend(T)	9-1-2014	584-060-0062	8-5-2014	Amend	9-1-2014
583-030-0042	7-16-2014	Amend(T)	9-1-2014	584-060-0162	11-14-2014	Amend	12-1-2014
583-030-0043	7-16-2014	Amend(T)	9-1-2014	584-060-0171	11-14-2014	Amend	12-1-2014
583-030-0044	7-16-2014	Amend(T)	9-1-2014	584-060-0182	8-6-2014	Amend(T)	9-1-2014
583-030-0045	7-16-2014	Amend(T)	9-1-2014	584-060-0182	11-14-2014	Am. & Ren.	12-1-2014
583-030-0046	7-16-2014	Amend(T)	9-1-2014	584-060-0200	3-15-2014	Amend	4-1-2014
583-030-0049	7-16-2014	Amend(T)	9-1-2014	584-060-0210	11-10-2014	Amend(T)	12-1-2014
583-040-0005	7-16-2014	Suspend	9-1-2014	584-060-0220	8-5-2014	Amend(T)	9-1-2014
583-040-0010	7-16-2014	Suspend	9-1-2014	584-060-0220	11-14-2014	Amend	12-1-2014
583-040-0025	7-16-2014	Suspend	9-1-2014	584-060-0250	8-5-2014	Amend	9-1-2014
583-050-0006	7-16-2014	Amend(T)	9-1-2014	584-060-0250	8-6-2014	Amend(T)	9-1-2014
583-050-0011	7-16-2014	Amend(T)	9-1-2014	584-060-0250	11-14-2014	Amend	12-1-2014
583-050-0014	7-16-2014	Amend(T)	9-1-2014	584-060-0501	8-5-2014	Adopt	9-1-2014
583-050-0016	7-16-2014	Amend(T)	9-1-2014	584-060-0525	3-15-2014	Adopt(T)	4-1-2014
583-050-0026	7-16-2014	Amend(T)	9-1-2014	584-060-0525	8-5-2014	Adopt	9-1-2014
583-050-0027	7-16-2014	Amend(T)	9-1-2014	584-060-0530	3-15-2014	Adopt(T)	4-1-2014
583-050-0028	7-16-2014	Amend(T)	9-1-2014	584-060-0530	8-5-2014	Adopt	9-1-2014
583-050-0036	7-16-2014	Amend(T)	9-1-2014	584-060-0600	11-14-2014	Adopt	12-1-2014
583-050-0040	7-16-2014	Amend(T)	9-1-2014	584-060-0630	11-14-2014	Adopt	12-1-2014
583-070-0002	7-16-2014	Amend(T)	9-1-2014	584-060-0635	11-14-2014	Adopt	12-1-2014
583-070-0011	7-16-2014	Amend(T)	9-1-2014	584-066-0015	3-15-2014	Adopt	4-1-2014
583-070-0015	7-16-2014	Amend(T)	9-1-2014	584-066-0020	4-8-2014	Adopt(T)	5-1-2014
583-070-0020	7-16-2014	Amend(T)	9-1-2014	584-066-0020	8-5-2014	Adopt	9-1-2014
584-001-0000	11-14-2014	Amend	12-1-2014	584-070-0012	3-15-2014	Amend(T)	4-1-2014
584-001-0015	8-5-2014	Repeal	9-1-2014	584-070-0012	8-5-2014	Amend	9-1-2014
584-001-0016	8-5-2014	Adopt	9-1-2014	584-070-0112	11-14-2014	Amend	12-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
584-070-0132	11-10-2014	Amend(T)	12-1-2014	603-052-1221	2-14-2014	Amend	3-1-2014
584-070-0211	3-15-2014	Amend	4-1-2014	603-052-1221	7-29-2014	Amend	9-1-2014
584-070-0271	3-15-2014	Amend	4-1-2014	603-052-1230	4-29-2014	Amend	6-1-2014
584-070-0271	8-5-2014	Amend	9-1-2014	603-052-1230	8-22-2014	Amend	10-1-2014
584-070-0431	11-14-2014	Amend	12-1-2014	603-052-1241	1-15-2014	Adopt	2-1-2014
584-070-0441	11-14-2014	Amend	12-1-2014	603-052-1245	4-29-2014	Amend	6-1-2014
584-080-0008	3-15-2014	Amend(T)	4-1-2014	603-052-1250	4-29-2014	Amend	6-1-2014
584-080-0008	8-5-2014	Amend	9-1-2014	603-052-1250	8-22-2014	Repeal	10-1-2014
584-080-0012	3-15-2014	Amend	4-1-2014	603-052-1320	2-14-2014	Amend	3-1-2014
584-080-0012	8-5-2014	Amend	9-1-2014	603-054-0016	5-1-2014	Amend	6-1-2014
584-080-0022	3-15-2014	Amend	4-1-2014	603-054-0017	5-1-2014	Amend	6-1-2014
584-080-0153	11-14-2014	Amend	12-1-2014	603-054-0018	5-1-2014	Amend	6-1-2014
584-080-0171	11-10-2014	Amend(T)	12-1-2014	603-054-0024	5-1-2014	Amend	6-1-2014
584-100-0041	11-14-2014	Amend	12-1-2014	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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
629-165-0010	1-1-2014	Adopt	1-1-2014	635-003-0078	6-10-2014	Amend	7-1-2014
629-165-0200	1-1-2014	Adopt	1-1-2014	635-003-0078	6-24-2014	Amend	8-1-2014
629-165-0210	1-1-2014	Adopt	1-1-2014	635-003-0085	6-10-2014	Amend	7-1-2014
632-030-0025	9-10-2014	Amend(T)	10-1-2014	635-003-0085	6-24-2014	Amend	8-1-2014
632-035-0005	4-2-2014	Amend	5-1-2014	635-004-0215	1-1-2014	Amend	2-1-2014
632-035-0010	4-2-2014	Amend	5-1-2014	635-004-0275	12-9-2013	Amend(T)	1-1-2014
632-035-0015	4-2-2014	Amend	5-1-2014	635-004-0275	1-1-2014	Amend	2-1-2014
632-035-0016	4-2-2014	Amend	5-1-2014	635-004-0275	4-23-2014	Amend(T)	6-1-2014
632-035-0017	4-2-2014	Amend	5-1-2014	635-004-0275	8-4-2014	Amend(T)	9-1-2014
632-035-0020	4-2-2014	Amend	5-1-2014	635-004-0275(T)	12-9-2013	Suspend	1-1-2014
632-035-0025	4-2-2014	Amend	5-1-2014	635-004-0275(T)	4-23-2014	Suspend	6-1-2014
632-035-0030	4-2-2014	Amend	5-1-2014	635-004-0275(T)	8-4-2014	Suspend	9-1-2014
632-035-0035	4-2-2014	Amend	5-1-2014	635-004-0320	1-1-2014	Amend	2-1-2014
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	635-004-0355	10-13-2014	Amend(T)	11-1-2014
632-035-0055	4-2-2014	Amend	5-1-2014	635-004-0355(T)	10-13-2014	Suspend	11-1-2014
632-035-0060	4-2-2014	Amend	5-1-2014	635-004-0360	1-1-2014	Amend	2-1-2014
632-037-0005	4-2-2014	Amend	5-1-2014	635-004-0375	6-25-2014	Amend(T)	8-1-2014
632-037-0010	4-2-2014	Amend	5-1-2014	635-004-0375	7-22-2014	Amend(T)	9-1-2014
632-037-0015	4-2-2014	Amend	5-1-2014	635-004-0375	8-1-2014	Amend(T)	9-1-2014
632-037-0020	4-2-2014	Amend	5-1-2014	635-004-0375	8-5-2014	Amend	9-1-2014
632-037-0025	4-2-2014	Amend	5-1-2014	635-004-0375	9-20-2014	Amend(T)	11-1-2014
632-037-0030	4-2-2014	Amend	5-1-2014	635-004-0375(T)	7-22-2014	Suspend	9-1-2014
632-037-0035	4-2-2014	Amend	5-1-2014	635-004-0375(T)	8-1-2014	Suspend	9-1-2014
632-037-0040	4-2-2014	Amend	5-1-2014	635-004-0375(T)	9-15-2014	Suspend	10-1-2014
632-037-0045	4-2-2014	Amend	5-1-2014	635-004-0505	1-1-2014	Amend(T)	1-1-2014
632-037-0050	4-2-2014	Amend	5-1-2014	635-004-0585	5-1-2014	Amend	6-1-2014
632-037-0055	4-2-2014	Amend	5-1-2014	635-005-0355	6-13-2014	Amend(T)	7-1-2014
632-037-0060	4-2-2014	Amend	5-1-2014	635-005-0420	8-15-2014	Amend	9-1-2014
632-037-0075	4-2-2014	Amend	5-1-2014	635-005-0440	8-15-2014	Amend	9-1-2014
632-037-0077	4-2-2014	Amend	5-1-2014	635-005-0465	12-1-2013	Amend(T)	1-1-2014
632-037-0080	4-2-2014	Amend	5-1-2014	635-005-0465	8-15-2014	Amend	9-1-2014
632-037-0085	4-2-2014	Amend	5-1-2014	635-005-0480	8-15-2014	Amend	9-1-2014
632-037-0095	4-2-2014	Amend	5-1-2014	635-005-0485	8-15-2014	Amend	9-1-2014
632-037-0100	4-2-2014	Amend	5-1-2014	635-005-0491	8-15-2014	Adopt	9-1-2014
632-037-0105	4-2-2014	Amend	5-1-2014	635-005-0705	12-9-2013	Amend(T)	1-1-2014
632-037-0110	4-2-2014	Amend	5-1-2014	635-005-0705	11-10-2014	Amend(T)	12-1-2014
632-037-0115	4-2-2014	Amend	5-1-2014	635-006-0210	1-1-2014	Amend	2-1-2014
632-037-0117	4-2-2014	Repeal	5-1-2014	635-006-0212	8-1-2014	Amend(T)	9-1-2014
632-037-0118	4-2-2014	Amend	5-1-2014	635-006-0213	1-1-2014	Amend	2-1-2014
632-037-0120	4-2-2014	Amend	5-1-2014	635-006-0215	8-1-2014	Amend(T)	9-1-2014
632-037-0125	4-2-2014	Amend	5-1-2014	635-006-0225	8-1-2014	Amend(T)	9-1-2014
632-037-0130	4-2-2014	Amend	5-1-2014	635-006-0232	1-13-2014	Amend	2-1-2014
632-037-0135	4-2-2014	Amend	5-1-2014	635-008-0050	8-7-2014	Amend	9-1-2014
632-037-0140	4-2-2014	Amend	5-1-2014	635-008-0050	10-17-2014	Amend	12-1-2014
632-037-0145	4-2-2014	Amend	5-1-2014	635-008-0055	8-7-2014	Amend	9-1-2014
632-037-0150	4-2-2014	Amend	5-1-2014	635-008-0055	10-17-2014	Amend	12-1-2014
632-037-0155	4-2-2014	Amend	5-1-2014	635-008-0060	8-7-2014	Amend	9-1-2014
635-003-0003	5-8-2014	Amend(T)	6-1-2014	635-008-0067	8-7-2014	Amend	9-1-2014
635-003-0003	6-10-2014	Amend	7-1-2014	635-008-0070	8-7-2014	Amend	9-1-2014
635-003-0003	6-24-2014	Amend	8-1-2014	635-008-0070	10-17-2014	Amend	12-1-2014
635-003-0003(T)	6-10-2014	Repeal	7-1-2014	635-008-0075	8-7-2014	Amend	9-1-2014
635-003-0003(T)	6-24-2014	Repeal	8-1-2014	635-008-0080	8-7-2014	Amend	9-1-2014
635-003-0077	6-10-2014	Amend	7-1-2014	635-008-0080	10-17-2014	Amend	12-1-2014
635-003-0077	6-24-2014	Amend	8-1-2014	635-008-0085	8-7-2014	Amend	9-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
635-008-0085	10-17-2014	Amend	12-1-2014	635-011-0104	6-1-2014	Amend(T)	7-1-2014
635-008-0090	8-7-2014	Amend	9-1-2014	635-011-0104(T)	12-9-2013	Repeal	1-1-2014
635-008-0095	8-7-2014	Amend	9-1-2014	635-013-0003	5-8-2014	Amend(T)	6-1-2014
635-008-0095	10-17-2014	Amend	12-1-2014	635-013-0003	6-10-2014	Amend	7-1-2014
635-008-0103	8-7-2014	Adopt	9-1-2014	635-013-0003	6-24-2014	Amend	8-1-2014
635-008-0105	8-7-2014	Amend	9-1-2014	635-013-0003(T)	6-10-2014	Repeal	7-1-2014
635-008-0105	10-17-2014	Amend	12-1-2014	635-013-0003(T)	6-24-2014	Repeal	8-1-2014
635-008-0110	8-7-2014	Amend	9-1-2014	635-013-0004	1-1-2014	Amend	2-1-2014
635-008-0110	10-17-2014	Amend	12-1-2014	635-013-0007	6-10-2014	Amend	7-1-2014
635-008-0115	8-7-2014	Amend	9-1-2014	635-013-0007	6-24-2014	Amend	8-1-2014
635-008-0115	10-17-2014	Amend	12-1-2014	635-014-0080	1-1-2014	Amend	2-1-2014
635-008-0117	8-7-2014	Adopt	9-1-2014	635-014-0090	1-1-2014	Amend	2-1-2014
635-008-0117	10-17-2014	Amend	12-1-2014	635-014-0090	6-30-2014	Amend(T)	8-1-2014
635-008-0120	8-7-2014	Amend	9-1-2014	635-014-0090	8-4-2014	Amend	9-1-2014
635-008-0120	10-17-2014	Amend	12-1-2014	635-014-0090	8-4-2014	Amend(T)	9-1-2014
635-008-0121	8-7-2014	Adopt	9-1-2014	635-014-0090	9-17-2014	Amend(T)	11-1-2014
635-008-0122	8-7-2014	Adopt	9-1-2014	635-014-0090	10-15-2014	Amend(T)	11-1-2014
635-008-0123	8-7-2014	Amend	9-1-2014	635-014-0090(T)	8-4-2014	Suspend	9-1-2014
635-008-0124	8-7-2014	Adopt	9-1-2014	635-014-0090(T)	9-17-2014	Suspend	11-1-2014
635-008-0126	8-7-2014	Adopt	9-1-2014	635-014-0090(T)	10-15-2014	Suspend	11-1-2014
635-008-0127	8-7-2014	Amend	9-1-2014	635-016-0080	1-1-2014	Amend	2-1-2014
635-008-0130	8-7-2014	Amend	9-1-2014	635-016-0090	1-1-2014	Amend	2-1-2014
635-008-0130	10-17-2014	Amend	12-1-2014	635-016-0090	8-4-2014	Amend	9-1-2014
635-008-0135	8-7-2014	Amend	9-1-2014	635-017-0080	1-1-2014	Amend	2-1-2014
635-008-0140	8-7-2014	Amend	9-1-2014	635-017-0090	1-1-2014	Amend	2-1-2014
635-008-0145	8-7-2014	Amend	9-1-2014	635-017-0090	6-10-2014	Amend(T)	7-1-2014
635-008-0147	8-7-2014	Amend	9-1-2014	635-017-0090	6-13-2014	Amend(T)	7-1-2014
635-008-0147	10-17-2014	Amend	12-1-2014	635-017-0090	6-23-2014	Amend(T)	8-1-2014
635-008-0148	8-7-2014	Renumber	9-1-2014	635-017-0090	9-26-2014	Amend(T)	11-1-2014
635-008-0149	8-7-2014	Am. & Ren.	9-1-2014	635-017-0090	10-15-2014	Amend(T)	11-1-2014
635-008-0151	7-4-2014	Amend	7-1-2014	635-017-0090(T)	6-13-2014	Suspend	7-1-2014
635-008-0151	8-7-2014	Am. & Ren.	9-1-2014	635-017-0090(T)	6-23-2014	Suspend	8-1-2014
635-008-0153	8-7-2014	Amend	9-1-2014	635-017-0090(T)	9-26-2014	Suspend	11-1-2014
635-008-0153	10-17-2014	Amend	12-1-2014	635-017-0090(T)	10-15-2014	Suspend	11-1-2014
635-008-0154	8-7-2014	Amend	9-1-2014	635-017-0095	1-1-2014	Amend	2-1-2014
635-008-0155	8-7-2014	Amend	9-1-2014	635-018-0080	1-1-2014	Amend	2-1-2014
635-008-0155	10-17-2014	Amend	12-1-2014	635-018-0090	1-1-2014	Amend	2-1-2014
635-008-0160	8-7-2014	Repeal	9-1-2014	635-018-0090	4-15-2014	Amend(T)	4-1-2014
635-008-0163	8-7-2014	Amend	9-1-2014	635-018-0090	8-1-2014	Amend(T)	8-1-2014
635-008-0163	10-17-2014	Amend	12-1-2014	635-019-0080	1-1-2014	Amend	2-1-2014
635-008-0164	8-7-2014	Adopt	9-1-2014	635-019-0090	1-1-2014	Amend	2-1-2014
635-008-0165	8-7-2014	Amend	9-1-2014	635-019-0090	5-17-2014	Amend(T)	6-1-2014
635-008-0170	8-7-2014	Amend	9-1-2014	635-019-0090	5-31-2014	Amend(T)	7-1-2014
635-008-0175	8-7-2014	Amend	9-1-2014	635-019-0090	6-1-2014	Amend(T)	7-1-2014
635-008-0175	10-17-2014	Amend	12-1-2014	635-019-0090	6-18-2014	Amend(T)	8-1-2014
635-008-0180	8-7-2014	Repeal	9-1-2014	635-019-0090	6-19-2014	Amend(T)	8-1-2014
635-008-0185	8-7-2014	Amend	9-1-2014	635-019-0090	6-21-2014	Amend(T)	7-1-2014
635-008-0185	10-17-2014	Amend	12-1-2014	635-019-0090	6-27-2014	Amend(T)	8-1-2014
635-008-0190	8-7-2014	Amend	9-1-2014	635-019-0090	7-5-2014	Amend(T)	8-1-2014
635-008-0190	10-17-2014	Amend	12-1-2014	635-019-0090	7-5-2014	Amend(T)	8-1-2014
635-008-0197	8-7-2014	Amend	9-1-2014	635-019-0090	7-21-2014	Amend(T)	9-1-2014
635-008-0200	8-7-2014	Amend	9-1-2014	635-019-0090(T)	5-31-2014	Suspend	7-1-2014
635-011-0100	12-10-2013	Amend(T)	1-1-2014	635-019-0090(T)	6-1-2014	Suspend	7-1-2014
635-011-0100	1-1-2014	Amend	2-1-2014	635-019-0090(T)	6-18-2014	Suspend	8-1-2014
635-011-0104	12-1-2013	Amend(T)	1-1-2014	635-019-0090(T)	6-19-2014	Suspend	8-1-2014
635-011-0104	12-9-2013	Amend	1-1-2014	635-019-0090(T)	6-21-2014	Suspend	7-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
635-019-0090(T)	6-27-2014	Suspend	8-1-2014	635-023-0130(T)	10-3-2014	Suspend	11-1-2014
635-019-0090(T)	7-5-2014	Suspend	8-1-2014	635-023-0134	1-1-2014	Amend	2-1-2014
635-019-0090(T)	7-5-2014	Suspend	8-1-2014	635-023-0134	4-26-2014	Amend(T)	6-1-2014
635-019-0090(T)	7-21-2014	Suspend	9-1-2014	635-023-0134	7-21-2014	Amend(T)	9-1-2014
635-021-0080	1-1-2014	Amend	2-1-2014	635-023-0134	9-1-2014	Amend(T)	9-1-2014
635-021-0090	1-1-2014	Amend	2-1-2014	635-023-0134(T)	7-21-2014	Suspend	9-1-2014
635-021-0090	6-11-2014	Amend(T)	7-1-2014	635-023-0134(T)	9-1-2014	Suspend	9-1-2014
635-021-0090	7-11-2014	Amend(T)	8-1-2014	635-023-0140	2-1-2014	Adopt(T)	3-1-2014
635-021-0090	8-9-2014	Amend(T)	9-1-2014	635-023-0140	2-10-2014	Adopt	3-1-2014
635-021-0090	11-1-2014	Amend(T)	11-1-2014	635-023-0140(T)	2-10-2014	Repeal	3-1-2014
635-021-0090(T)	7-11-2014	Suspend	8-1-2014	635-039-0080	1-1-2014	Amend	2-1-2014
635-021-0090(T)	8-9-2014	Suspend	9-1-2014	635-039-0080	5-1-2014	Amend	6-1-2014
635-021-0090(T)	11-1-2014	Suspend	11-1-2014	635-039-0085	5-1-2014	Amend	6-1-2014
635-023-0080	1-1-2014	Amend	2-1-2014	635-039-0085	6-27-2014	Amend(T)	8-1-2014
635-023-0090	1-1-2014	Amend	2-1-2014	635-039-0085	8-21-2014	Amend(T)	10-1-2014
635-023-0090	3-1-2014	Amend(T)	3-1-2014	635-039-0085(T)	8-21-2014	Suspend	10-1-2014
635-023-0095	1-1-2014	Amend	2-1-2014	635-039-0090	1-1-2014	Amend	2-1-2014
635-023-0095	1-1-2014	Amend(T)	1-1-2014	635-041-0045	3-12-2014	Amend(T)	4-1-2014
635-023-0095	2-1-2014	Amend(T)	3-1-2014	635-041-0045	5-6-2014	Amend(T)	6-1-2014
635-023-0095	2-24-2014	Amend(T)	4-1-2014	635-041-0045	8-1-2014	Amend(T)	9-1-2014
635-023-0095	5-1-2014	Amend(T)	5-1-2014	635-041-0045	10-31-2014	Amend(T)	12-1-2014
635-023-0095	6-13-2014	Amend(T)	7-1-2014	635-041-0045(T)	5-6-2014	Suspend	6-1-2014
635-023-0095	7-11-2014	Amend(T)	8-1-2014	635-041-0045(T)	10-31-2014	Suspend	12-1-2014
635-023-0095	7-14-2014	Amend(T)	8-1-2014	635-041-0061	2-1-2014	Amend(T)	3-1-2014
635-023-0095(T)	1-1-2014	Suspend	1-1-2014	635-041-0061	3-1-2014	Amend(T)	4-1-2014
635-023-0095(T)	2-1-2014	Suspend	3-1-2014	635-041-0061	3-12-2014	Amend(T)	4-1-2014
635-023-0095(T)	2-24-2014	Suspend	4-1-2014	635-041-0061(T)	3-1-2014	Suspend	4-1-2014
635-023-0095(T)	5-1-2014	Suspend	5-1-2014	635-041-0061(T)	3-12-2014	Suspend	4-1-2014
635-023-0095(T)	6-13-2014	Suspend	7-1-2014	635-041-0061(T)	7-14-2014	Suspend	8-1-2014
635-023-0095(T)	7-11-2014	Suspend	8-1-2014	635-041-0063	10-23-2014	Amend(T)	12-1-2014
635-023-0095(T)	7-14-2014	Suspend	8-1-2014	635-041-0065	2-1-2014	Amend(T)	3-1-2014
635-023-0125	1-1-2014	Amend	2-1-2014	635-041-0065	2-26-2014	Amend(T)	4-1-2014
635-023-0125	3-1-2014	Amend(T)	3-1-2014	635-041-0065	3-1-2014	Amend(T)	4-1-2014
635-023-0125	4-4-2014	Amend(T)	5-1-2014	635-041-0065	3-12-2014	Amend(T)	4-1-2014
635-023-0125	4-19-2014	Amend(T)	6-1-2014	635-041-0065	5-6-2014	Amend(T)	6-1-2014
635-023-0125	5-9-2014	Amend(T)	6-1-2014	635-041-0065	5-20-2014	Amend(T)	7-1-2014
635-023-0125	5-15-2014	Amend(T)	6-1-2014	635-041-0065	5-28-2014	Amend(T)	7-1-2014
635-023-0125	5-31-2014	Amend(T)	7-1-2014	635-041-0065	6-3-2014	Amend(T)	7-1-2014
635-023-0125(T)	4-4-2014	Suspend	5-1-2014	635-041-0065	6-10-2014	Amend(T)	7-1-2014
635-023-0125(T)	4-19-2014	Suspend	6-1-2014	635-041-0065(T)	2-26-2014	Suspend	4-1-2014
635-023-0125(T)	5-9-2014	Suspend	6-1-2014	635-041-0065(T)	3-1-2014	Suspend	4-1-2014
635-023-0125(T)	5-15-2014	Suspend	6-1-2014	635-041-0065(T)	3-12-2014	Suspend	4-1-2014
635-023-0125(T)	5-31-2014	Suspend	7-1-2014	635-041-0065(T)	5-6-2014	Suspend	6-1-2014
635-023-0128	1-1-2014	Amend	2-1-2014	635-041-0065(T)	5-20-2014	Suspend	7-1-2014
635-023-0128	6-16-2014	Amend(T)	7-1-2014	635-041-0065(T)	5-28-2014	Suspend	7-1-2014
635-023-0128	7-3-2014	Amend(T)	8-1-2014	635-041-0065(T)	6-3-2014	Suspend	7-1-2014
635-023-0128	7-11-2014	Amend(T)	8-1-2014	635-041-0065(T)	6-10-2014	Suspend	7-1-2014
635-023-0128(T)	7-3-2014	Suspend	8-1-2014	635-041-0065(T)	6-16-2014	Suspend	7-1-2014
635-023-0128(T)	7-11-2014	Suspend	8-1-2014	635-041-0075	8-1-2014	Amend(T)	9-1-2014
635-023-0130	1-1-2014	Amend	2-1-2014	635-041-0075	8-18-2014	Amend(T)	9-1-2014
635-023-0130	8-1-2014	Amend(T)	9-1-2014	635-041-0075	9-23-2014	Amend(T)	11-1-2014
635-023-0130	8-1-2014	Amend(T)	9-1-2014	635-041-0075	9-25-2014	Amend(T)	11-1-2014
635-023-0130	9-6-2014	Amend(T)	10-1-2014	635-041-0075	10-3-2014	Amend(T)	11-1-2014
635-023-0130	10-3-2014	Amend(T)	11-1-2014	635-041-0075	10-13-2014	Amend(T)	11-1-2014
635-023-0130(T)	8-1-2014	Suspend	9-1-2014	635-041-0075	10-31-2014	Amend(T)	12-1-2014
635-023-0130(T)	9-6-2014	Suspend	10-1-2014	635-041-0075(T)	8-18-2014	Suspend	9-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
635-041-0075(T)	9-23-2014	Suspend	11-1-2014	635-042-0145	5-20-2014	Amend(T)	6-1-2014
635-041-0075(T)	9-25-2014	Suspend	11-1-2014	635-042-0145	5-28-2014	Amend(T)	7-1-2014
635-041-0075(T)	10-3-2014	Suspend	11-1-2014	635-042-0145	6-4-2014	Amend(T)	7-1-2014
635-041-0075(T)	10-13-2014	Suspend	11-1-2014	635-042-0145	8-5-2014	Amend(T)	9-1-2014
635-041-0075(T)	10-31-2014	Suspend	12-1-2014	635-042-0145(T)	3-10-2014	Suspend	4-1-2014
635-041-0076	6-16-2014	Amend(T)	7-1-2014	635-042-0145(T)	3-17-2014	Suspend	4-1-2014
635-041-0076	6-30-2014	Amend(T)	8-1-2014	635-042-0145(T)	4-22-2014	Suspend	6-1-2014
635-041-0076	7-14-2014	Amend(T)	8-1-2014	635-042-0145(T)	4-24-2014	Suspend	6-1-2014
635-041-0076	7-21-2014	Amend(T)	9-1-2014	635-042-0145(T)	5-8-2014	Suspend	6-1-2014
635-041-0076	7-28-2014	Amend(T)	9-1-2014	635-042-0145(T)	5-20-2014	Suspend	6-1-2014
635-041-0076(T)	6-30-2014	Suspend	8-1-2014	635-042-0145(T)	5-28-2014	Suspend	7-1-2014
635-041-0076(T)	7-14-2014	Suspend	8-1-2014	635-042-0145(T)	6-4-2014	Suspend	7-1-2014
635-041-0076(T)	7-21-2014	Suspend	9-1-2014	635-042-0160	2-10-2014	Amend(T)	3-1-2014
635-041-0076(T)	7-28-2014	Suspend	9-1-2014	635-042-0160	4-24-2014	Amend(T)	6-1-2014
635-042-0010	8-13-2014	Amend(T)	9-1-2014	635-042-0160	5-8-2014	Amend(T)	6-1-2014
635-042-0022	4-1-2014	Amend(T)	5-1-2014	635-042-0160	8-18-2014	Amend(T)	9-1-2014
635-042-0022	5-7-2014	Amend(T)	6-1-2014	635-042-0160	9-19-2014	Amend(T)	11-1-2014
635-042-0022	5-20-2014	Amend(T)	6-1-2014	635-042-0160(T)	4-24-2014	Suspend	6-1-2014
635-042-0022	5-28-2014	Amend(T)	7-1-2014	635-042-0160(T)	5-8-2014	Suspend	6-1-2014
635-042-0022	6-4-2014	Amend(T)	7-1-2014	635-042-0160(T)	9-19-2014	Suspend	11-1-2014
635-042-0022(T)	5-7-2014	Suspend	6-1-2014	635-042-0170	2-10-2014	Amend(T)	3-1-2014
635-042-0022(T)	5-20-2014	Suspend	6-1-2014	635-042-0170	4-24-2014	Amend(T)	6-1-2014
635-042-0022(T)	5-28-2014	Suspend	7-1-2014	635-042-0170	5-8-2014	Amend(T)	6-1-2014
635-042-0022(T)	6-4-2014	Suspend	7-1-2014	635-042-0170	8-18-2014	Amend(T)	9-1-2014
635-042-0022(T)	6-16-2014	Suspend	7-1-2014	635-042-0170	9-19-2014	Amend(T)	11-1-2014
635-042-0027	6-16-2014	Amend(T)	7-1-2014	635-042-0170(T)	4-24-2014	Suspend	6-1-2014
635-042-0027	7-7-2014	Amend(T)	8-1-2014	635-042-0170(T)	5-8-2014	Suspend	6-1-2014
635-042-0027	7-14-2014	Amend(T)	8-1-2014	635-042-0170(T)	9-19-2014	Suspend	11-1-2014
635-042-0027	7-28-2014	Amend(T)	9-1-2014	635-042-0180	2-10-2014	Amend(T)	3-1-2014
635-042-0027(T)	7-7-2014	Suspend	8-1-2014	635-042-0180	8-18-2014	Amend(T)	9-1-2014
635-042-0027(T)	7-14-2014	Suspend	8-1-2014	635-042-0180	9-19-2014	Amend(T)	11-1-2014
635-042-0027(T)	7-28-2014	Suspend	9-1-2014	635-042-0180(T)	9-19-2014	Suspend	11-1-2014
635-042-0031	8-3-2014	Amend(T)	9-1-2014	635-043-0130	9-11-2014	Adopt	10-1-2014
635-042-0031	8-13-2014	Amend(T)	9-1-2014	635-043-0151	8-29-2014	Adopt(T)	10-1-2014
635-042-0031	8-26-2014	Amend(T)	10-1-2014	635-045-0000	6-10-2014	Amend	7-1-2014
635-042-0031	9-12-2014	Amend(T)	10-1-2014	635-045-0000	8-4-2014	Amend	9-1-2014
635-042-0031	9-19-2014	Amend(T)	11-1-2014	635-045-0002	6-10-2014	Amend	7-1-2014
635-042-0031	9-25-2014	Amend(T)	11-1-2014	635-050-0045	10-17-2014	Amend	12-1-2014
635-042-0031(T)	8-13-2014	Suspend	9-1-2014	635-050-0070	6-11-2014	Amend	7-1-2014
635-042-0031(T)	8-26-2014	Suspend	10-1-2014	635-050-0080	6-11-2014	Amend	7-1-2014
635-042-0031(T)	9-12-2014	Suspend	10-1-2014	635-050-0090	6-11-2014	Amend	7-1-2014
635-042-0031(T)	9-19-2014	Suspend	11-1-2014	635-050-0100	6-11-2014	Amend	7-1-2014
635-042-0031(T)	9-25-2014	Suspend	11-1-2014	635-050-0110	6-11-2014	Amend	7-1-2014
635-042-0032	10-1-2014	Amend(T)	11-1-2014	635-050-0120	6-11-2014	Amend	7-1-2014
635-042-0032	10-13-2014	Amend(T)	11-1-2014	635-050-0130	6-11-2014	Amend	7-1-2014
635-042-0032(T)	10-13-2014	Suspend	11-1-2014	635-050-0140	6-11-2014	Amend	7-1-2014
635-042-0060	10-9-2014	Amend(T)	11-1-2014	635-050-0150	6-11-2014	Amend	7-1-2014
635-042-0060	10-23-2014	Amend(T)	12-1-2014	635-050-0170	6-11-2014	Amend	7-1-2014
635-042-0060(T)	10-23-2014	Suspend	12-1-2014	635-050-0180	6-11-2014	Amend	7-1-2014
635-042-0130	2-10-2014	Amend(T)	3-1-2014	635-050-0183	6-11-2014	Amend	7-1-2014
635-042-0145	2-10-2014	Amend(T)	3-1-2014	635-050-0189	6-11-2014	Amend	7-1-2014
635-042-0145	3-10-2014	Amend(T)	4-1-2014	635-051-0000	8-4-2014	Amend	9-1-2014
635-042-0145	3-17-2014	Amend(T)	4-1-2014	635-051-0048	8-4-2014	Amend	9-1-2014
635-042-0145	4-22-2014	Amend(T)	6-1-2014	635-052-0000	8-4-2014	Amend	9-1-2014
635-042-0145	4-24-2014	Amend(T)	6-1-2014	635-053-0000	8-4-2014	Amend	9-1-2014
635-042-0145	5-8-2014	Amend(T)	6-1-2014	635-054-0000	8-4-2014	Amend	9-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
635-054-0045	6-30-2014	Adopt(T)	8-1-2014	635-069-0000	6-10-2014	Amend	7-1-2014
635-054-0050	6-30-2014	Adopt(T)	8-1-2014	635-070-0000	3-11-2014	Amend	4-1-2014
635-054-0055	6-30-2014	Adopt(T)	8-1-2014	635-070-0000	6-10-2014	Amend	7-1-2014
635-054-0060	6-30-2014	Adopt(T)	8-1-2014	635-070-0020	2-12-2014	Amend(T)	3-1-2014
635-055-0002	3-11-2014	Amend	4-1-2014	635-070-0020	3-11-2014	Amend	4-1-2014
635-055-0030	3-11-2014	Amend	4-1-2014	635-070-0020	6-10-2014	Amend	7-1-2014
635-055-0035	3-11-2014	Amend	4-1-2014	635-070-0020(T)	2-12-2014	Suspend	3-1-2014
635-055-0037	3-11-2014	Amend	4-1-2014	635-071-0000	3-11-2014	Amend	4-1-2014
635-056-0000	3-11-2014	Amend	4-1-2014	635-071-0000	6-10-2014	Amend	7-1-2014
635-056-0002	3-11-2014	Adopt	4-1-2014	635-072-0000	12-20-2013	Amend	2-1-2014
635-056-0002	9-11-2014	Amend	10-1-2014	635-073-0000	1-22-2014	Amend	3-1-2014
635-056-0050	3-11-2014	Amend	4-1-2014	635-073-0000	6-10-2014	Amend	7-1-2014
635-056-0050	9-11-2014	Amend	10-1-2014	635-073-0000	7-7-2014	Amend(T)	8-1-2014
635-056-0060	3-11-2014	Amend	4-1-2014	635-073-0015	6-10-2014	Amend	7-1-2014
635-056-0060	4-16-2014	Amend(T)	5-1-2014	635-073-0060	8-8-2014	Amend(T)	9-1-2014
635-056-0060	9-11-2014	Amend	10-1-2014	635-075-0005	6-10-2014	Amend	7-1-2014
635-056-0060(T)	9-11-2014	Repeal	10-1-2014	635-075-0010	6-10-2014	Amend	7-1-2014
635-056-0075	4-1-2014	Amend(T)	5-1-2014	635-075-0011	6-10-2014	Amend	7-1-2014
635-056-0075	9-11-2014	Amend	10-1-2014	635-075-0020	6-10-2014	Amend	7-1-2014
635-056-0130	3-11-2014	Amend	4-1-2014	635-095-0100	7-4-2014	Amend	7-1-2014
635-056-0130	9-11-2014	Amend	10-1-2014	635-095-0105	7-4-2014	Amend	7-1-2014
635-056-0140	3-11-2014	Amend	4-1-2014	635-095-0125	7-4-2014	Amend	7-1-2014
635-056-0140	9-11-2014	Amend	10-1-2014	635-095-0125	7-7-2014	Amend(T)	8-1-2014
635-056-0150	3-11-2014	Amend	4-1-2014	635-110-0000	1-14-2014	Amend	2-1-2014
635-060-0000	8-4-2014	Amend	9-1-2014	635-110-0010	1-14-2014	Amend	2-1-2014
635-060-0000	10-17-2014	Amend	12-1-2014	635-110-0010(T)	1-14-2014	Repeal	2-1-2014
635-060-0008	10-17-2014	Amend	12-1-2014	635-110-0020	1-14-2014	Amend	2-1-2014
635-060-0009	10-17-2014	Amend	12-1-2014	635-110-0030	1-14-2014	Amend	2-1-2014
635-060-0023	10-17-2014	Amend	12-1-2014	635-200-0040	6-11-2014	Amend	7-1-2014
635-060-0055	10-17-2014	Amend	12-1-2014	635-435-0000	8-29-2014	Amend(T)	10-1-2014
635-065-0001	12-20-2013	Amend	2-1-2014	635-500-0130	6-10-2014	Repeal	7-1-2014
635-065-0011	12-20-2013	Amend	2-1-2014	635-500-0130	6-24-2014	Repeal	8-1-2014
635-065-0015	12-20-2013	Amend	2-1-2014	635-500-0135	6-10-2014	Repeal	7-1-2014
635-065-0015	6-10-2014	Amend	7-1-2014	635-500-0135	6-24-2014	Repeal	8-1-2014
635-065-0090	12-20-2013	Amend	2-1-2014	635-500-0140	6-10-2014	Repeal	7-1-2014
635-065-0401	12-20-2013	Amend	2-1-2014	635-500-0140	6-24-2014	Repeal	8-1-2014
635-065-0501	12-20-2013	Amend	2-1-2014	635-500-0145	6-10-2014	Repeal	7-1-2014
635-065-0625	8-7-2014	Amend	9-1-2014	635-500-0145	6-24-2014	Repeal	8-1-2014
635-065-0705	12-20-2013	Amend	2-1-2014	635-500-0150	6-10-2014	Repeal	7-1-2014
635-065-0705	8-26-2014	Amend(T)	10-1-2014	635-500-0150	6-24-2014	Repeal	8-1-2014
635-065-0740	12-20-2013	Amend	2-1-2014	635-500-0175	6-10-2014	Repeal	7-1-2014
635-065-0760	12-20-2013	Amend	2-1-2014	635-500-0175	6-24-2014	Repeal	8-1-2014
635-065-0765	12-20-2013	Amend	2-1-2014	635-500-0200	6-10-2014	Amend	7-1-2014
635-065-0765	10-28-2014	Amend(T)	12-1-2014	635-500-0200	6-24-2014	Amend	8-1-2014
635-065-0772	3-13-2014	Amend(T)	4-1-2014	635-500-0385	6-10-2014	Amend	7-1-2014
635-065-0772	6-10-2014	Amend	7-1-2014	635-500-0385	6-24-2014	Amend	8-1-2014
635-065-0772(T)	6-10-2014	Repeal	7-1-2014	635-500-0390	6-10-2014	Repeal	7-1-2014
635-066-0000	12-20-2013	Amend	2-1-2014	635-500-0390	6-24-2014	Repeal	8-1-2014
635-066-0010	12-20-2013	Amend	2-1-2014	635-500-0400	6-10-2014	Repeal	7-1-2014
635-067-0000	12-20-2013	Amend	2-1-2014	635-500-0400	6-24-2014	Repeal	8-1-2014
635-067-0000	6-10-2014	Amend	7-1-2014	635-500-0405	6-10-2014	Repeal	7-1-2014
635-067-0030	8-28-2014	Amend(T)	9-1-2014	635-500-0405	6-24-2014	Repeal	8-1-2014
635-067-0041	12-20-2013	Amend	2-1-2014	635-500-0415	6-10-2014	Repeal	7-1-2014
635-068-0000	2-27-2014	Amend	4-1-2014	635-500-0415	6-24-2014	Repeal	8-1-2014
635-068-0000	6-10-2014	Amend	7-1-2014	635-500-0420	6-10-2014	Repeal	7-1-2014
635-069-0000	1-22-2014	Amend	3-1-2014	635-500-0420	6-24-2014	Repeal	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
635-500-4060	6-10-2014	Repeal	7-1-2014	635-500-5080	6-10-2014	Repeal	7-1-2014
635-500-4060	6-24-2014	Repeal	8-1-2014	635-500-5080	6-24-2014	Repeal	8-1-2014
635-500-4070	6-10-2014	Repeal	7-1-2014	635-500-5210	6-10-2014	Amend	7-1-2014
635-500-4070	6-24-2014	Repeal	8-1-2014	635-500-5210	6-24-2014	Amend	8-1-2014
635-500-4310	6-10-2014	Amend	7-1-2014	635-500-5230	6-10-2014	Repeal	7-1-2014
635-500-4310	6-24-2014	Amend	8-1-2014	635-500-5230	6-24-2014	Repeal	8-1-2014
635-500-4330	6-10-2014	Repeal	7-1-2014	635-500-5240	6-10-2014	Repeal	7-1-2014
635-500-4330	6-24-2014	Repeal	8-1-2014	635-500-5240	6-24-2014	Repeal	8-1-2014
635-500-4340	6-10-2014	Repeal	7-1-2014	635-500-5250	6-10-2014	Repeal	7-1-2014
635-500-4340	6-24-2014	Repeal	8-1-2014	635-500-5250	6-24-2014	Repeal	8-1-2014
635-500-4350	6-10-2014	Repeal	7-1-2014	635-500-5270	6-10-2014	Repeal	7-1-2014
635-500-4350	6-24-2014	Repeal	8-1-2014	635-500-5270	6-24-2014	Repeal	8-1-2014
635-500-4370	6-10-2014	Repeal	7-1-2014	635-500-5280	6-10-2014	Repeal	7-1-2014
635-500-4370	6-24-2014	Repeal	8-1-2014	635-500-5280	6-24-2014	Repeal	8-1-2014
635-500-4380	6-10-2014	Repeal	7-1-2014	635-500-5290	6-10-2014	Repeal	7-1-2014
635-500-4380	6-24-2014	Repeal	8-1-2014	635-500-5290	6-24-2014	Repeal	8-1-2014
635-500-4510	6-10-2014	Amend	7-1-2014	635-500-5400	6-10-2014	Repeal	7-1-2014
635-500-4510	6-24-2014	Amend	8-1-2014	635-500-5400	6-24-2014	Repeal	8-1-2014
635-500-4530	6-10-2014	Repeal	7-1-2014	635-500-6775	6-10-2014	Adopt	7-1-2014
635-500-4530	6-24-2014	Repeal	8-1-2014	635-500-6775	6-24-2014	Adopt	8-1-2014
635-500-4540	6-10-2014	Repeal	7-1-2014	642-010-0010	7-1-2014	Amend	5-1-2014
635-500-4540	6-24-2014	Repeal	8-1-2014	644-010-0005	7-1-2014	Amend	8-1-2014
635-500-4550	6-10-2014	Repeal	7-1-2014	644-010-0005	7-23-2014	Amend	9-1-2014
635-500-4550	6-24-2014	Repeal	8-1-2014	644-010-0010	7-1-2014	Amend	8-1-2014
635-500-4560	6-10-2014	Repeal	7-1-2014	644-010-0010	7-23-2014	Amend	9-1-2014
635-500-4560	6-24-2014	Repeal	8-1-2014	644-010-0015	7-1-2014	Amend	8-1-2014
635-500-4580	6-10-2014	Repeal	7-1-2014	644-010-0015	7-23-2014	Amend	9-1-2014
635-500-4580	6-24-2014	Repeal	8-1-2014	644-010-0020	7-1-2014	Amend	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
644-010-0020	7-23-2014	Amend	9-1-2014	695-040-0100	8-6-2014	Adopt	9-1-2014
644-010-0025	7-1-2014	Amend	8-1-2014	695-040-0110	8-6-2014	Adopt	9-1-2014
644-010-0025	7-23-2014	Amend	9-1-2014	695-040-0120	8-6-2014	Adopt	9-1-2014
644-030-0020	7-1-2014	Amend	8-1-2014	695-040-0130	8-6-2014	Adopt	9-1-2014
646-010-0020	5-5-2014	Amend	6-1-2014	695-040-0140	8-6-2014	Adopt	9-1-2014
646-030-0020	5-5-2014	Amend	6-1-2014	695-040-0150	8-6-2014	Adopt	9-1-2014
646-040-0000	5-5-2014	Amend	6-1-2014	710-001-0000	2-11-2014	Adopt	3-1-2014
647-010-0010	5-5-2014	Amend	6-1-2014	710-001-0005	2-11-2014	Adopt	3-1-2014
655-015-0020	5-6-2014	Amend	6-1-2014	710-005-0005	2-11-2014	Adopt	3-1-2014
656-030-0020	1-24-2014	Amend	3-1-2014	710-010-0000	7-1-2014	Adopt(T)	8-1-2014
656-030-0040	1-24-2014	Amend	3-1-2014	715-001-0020	2-19-2014	Adopt(T)	4-1-2014
656-040-0010	1-24-2014	Amend	3-1-2014	715-001-0025	2-19-2014	Adopt(T)	4-1-2014
660-006-0025	1-1-2014	Amend	2-1-2014	715-010-0015	10-15-2014	Amend(T)	11-1-2014
660-006-0026	1-1-2014	Amend	2-1-2014	715-013-0010	6-25-2014	Adopt(T)	8-1-2014
660-006-0055	1-1-2014	Amend	2-1-2014	715-013-0050	6-25-2014	Adopt(T)	8-1-2014
660-012-0005	8-15-2014	Amend	9-1-2014	715-013-0055	6-25-2014	Adopt(T)	8-1-2014
660-012-0015	8-15-2014	Amend	9-1-2014	731-012-0030	4-23-2014	Amend	6-1-2014
660-012-0016	8-15-2014	Amend	9-1-2014	731-012-0030	7-10-2014	Amend	8-1-2014
660-012-0020	8-15-2014	Amend	9-1-2014	731-035-0010	12-20-2013	Amend	2-1-2014
660-012-0025	8-15-2014	Amend	9-1-2014	731-035-0020	12-20-2013	Amend	2-1-2014
660-012-0030	8-15-2014	Amend	9-1-2014	731-035-0050	12-20-2013	Amend	2-1-2014
660-012-0035	8-15-2014	Amend	9-1-2014	731-035-0060	12-20-2013	Amend	2-1-2014
660-012-0045	8-15-2014	Amend	9-1-2014	731-035-0080	12-20-2013	Amend	2-1-2014
660-012-0055	8-15-2014	Amend	9-1-2014	731-147-0010	1-1-2014	Amend	2-1-2014
660-018-0020	1-1-2014	Amend	2-1-2014	731-147-0040	1-1-2014	Amend	2-1-2014
660-018-0040	1-1-2014	Amend	2-1-2014	731-149-0010	1-1-2014	Amend	2-1-2014
660-033-0030	1-1-2014	Amend	2-1-2014	733-030-0006	11-5-2014	Amend	12-1-2014
660-033-0120	1-1-2014	Amend	2-1-2014	733-030-0011	11-5-2014	Amend	12-1-2014
660-033-0120	10-14-2014	Amend	11-1-2014	733-030-0016	11-5-2014	Amend	12-1-2014
660-033-0130	1-1-2014	Amend	2-1-2014	733-030-0021	11-5-2014	Amend	12-1-2014
660-033-0130	10-14-2014	Amend	11-1-2014	733-030-0026	11-5-2014	Amend	12-1-2014
660-033-0140	1-1-2014	Amend	2-1-2014	733-030-0036	11-5-2014	Amend	12-1-2014
661-010-0000	2-26-2014	Amend	4-1-2014	733-030-0045	11-5-2014	Amend	12-1-2014
661-010-0021	1-1-2014	Amend	2-1-2014	733-030-0050	11-5-2014	Repeal	12-1-2014
661-010-0025	1-1-2014	Amend	2-1-2014	733-030-0055	11-5-2014	Amend	12-1-2014
661-010-0030	1-1-2014	Amend	2-1-2014	733-030-0060	11-5-2014	Amend	12-1-2014
661-010-0050	1-1-2014	Amend	2-1-2014	733-030-0065	11-5-2014	Amend	12-1-2014
661-010-0067	1-1-2014	Amend	2-1-2014	733-030-0080	11-5-2014	Amend	12-1-2014
661-010-0071	1-1-2014	Amend	2-1-2014	733-030-0085	11-5-2014	Repeal	12-1-2014
661-010-0073	1-1-2014	Amend	2-1-2014	733-030-0090	11-5-2014	Repeal	12-1-2014
661-010-0075	1-1-2014	Amend	2-1-2014	733-030-0095	11-5-2014	Repeal	12-1-2014
690-022-0020	4-1-2014	Adopt(T)	5-1-2014	733-030-0100	11-5-2014	Repeal	12-1-2014
690-022-0020	9-26-2014	Adopt	11-1-2014	733-030-0105	11-5-2014	Repeal	12-1-2014
690-022-0025	4-1-2014	Adopt(T)	5-1-2014	733-030-0110	11-5-2014	Repeal	12-1-2014
690-022-0025	9-26-2014	Adopt	11-1-2014	733-030-0115	11-5-2014	Repeal	12-1-2014
690-022-0030	4-1-2014	Adopt(T)	5-1-2014	733-030-0120	11-5-2014	Repeal	12-1-2014
690-022-0030	9-26-2014	Adopt	11-1-2014	733-030-0125	11-5-2014	Repeal	12-1-2014
695-040-0010	8-6-2014	Amend	9-1-2014	733-030-0130	11-5-2014	Repeal	12-1-2014
695-040-0020	8-6-2014	Amend	9-1-2014	733-030-0135	11-5-2014	Repeal	12-1-2014
695-040-0030	8-6-2014	Amend	9-1-2014	733-030-0150	11-5-2014	Amend	12-1-2014
695-040-0040	8-6-2014	Repeal	9-1-2014	733-030-0155	11-5-2014	Amend	12-1-2014
695-040-0050	8-6-2014	Repeal	9-1-2014	733-030-0160	11-5-2014	Amend	12-1-2014
695-040-0060	8-6-2014	Repeal	9-1-2014	733-030-0170	11-5-2014	Amend	12-1-2014
695-040-0070	8-6-2014	Repeal	9-1-2014	733-030-0180	11-5-2014	Amend	12-1-2014
695-040-0080	8-6-2014	Repeal	9-1-2014	733-030-0190	11-5-2014	Amend	12-1-2014
695-040-0090	8-6-2014	Adopt	9-1-2014	733-030-0200	11-5-2014	Amend	12-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
733-030-0210	11-5-2014	Amend	12-1-2014	734-051-3070	7-9-2014	Amend	8-1-2014
733-030-0220	11-5-2014	Amend	12-1-2014	734-051-4020	6-30-2014	Amend	8-1-2014
733-030-0250	11-5-2014	Repeal	12-1-2014	734-051-4020	7-9-2014	Amend	8-1-2014
733-030-0260	11-5-2014	Repeal	12-1-2014	734-051-5060	6-30-2014	Amend	8-1-2014
733-030-0270	11-5-2014	Repeal	12-1-2014	734-051-5060	7-9-2014	Amend	8-1-2014
733-030-0280	11-5-2014	Repeal	12-1-2014	734-051-5120	6-30-2014	Amend	8-1-2014
733-030-0290	11-5-2014	Repeal	12-1-2014	734-051-5120	7-9-2014	Amend	8-1-2014
733-030-0300	11-5-2014	Repeal	12-1-2014	734-051-7010	6-30-2014	Amend	8-1-2014
733-030-0320	11-5-2014	Repeal	12-1-2014	734-051-7010	7-9-2014	Amend	8-1-2014
733-030-0330	11-5-2014	Repeal	12-1-2014	734-051-8010	1-1-2014	Adopt(T)	2-1-2014
733-030-0340	11-5-2014	Repeal	12-1-2014	734-051-8010(T)	6-30-2014	Repeal	8-1-2014
733-030-0350	11-5-2014	Repeal	12-1-2014	734-051-8010(T)	7-9-2014	Repeal	8-1-2014
733-030-0400	11-5-2014	Amend	12-1-2014	734-051-8015	1-1-2014	Adopt(T)	2-1-2014
733-030-0410	11-5-2014	Amend	12-1-2014	734-051-8015(T)	6-30-2014	Repeal	8-1-2014
733-030-0420	11-5-2014	Amend	12-1-2014	734-051-8015(T)	7-9-2014	Repeal	8-1-2014
733-030-0430	11-5-2014	Amend	12-1-2014	734-051-8020	1-1-2014	Adopt(T)	2-1-2014
733-030-0440	11-5-2014	Amend	12-1-2014	734-051-8020(T)	6-30-2014	Repeal	8-1-2014
733-030-0450	11-5-2014	Amend	12-1-2014	734-051-8020(T)	7-9-2014	Repeal	8-1-2014
733-030-0460	11-5-2014	Amend	12-1-2014	734-051-8025	1-1-2014	Adopt(T)	2-1-2014
733-030-0470	11-5-2014	Amend	12-1-2014	734-051-8025(T)	6-30-2014	Repeal	8-1-2014
733-030-0480	11-5-2014	Amend	12-1-2014	734-051-8025(T)	7-9-2014	Repeal	8-1-2014
734-020-0010	2-21-2014	Amend	4-1-2014	734-051-8030	1-1-2014	Adopt(T)	2-1-2014
734-026-0010	11-25-2013	Amend	1-1-2014	734-051-8030(T)	6-30-2014	Repeal	8-1-2014
734-026-0020	11-25-2013	Amend	1-1-2014	734-051-8030(T)	7-9-2014	Repeal	8-1-2014
734-026-0030	11-25-2013	Amend	1-1-2014	734-055-0017	11-25-2013	Repeal	1-1-2014
734-035-0010	6-25-2014	Amend(T)	8-1-2014	735-010-0020	8-29-2014	Amend	10-1-2014
734-035-0010	7-10-2014	Amend(T)	8-1-2014	735-010-0250	12-20-2013	Adopt	2-1-2014
734-035-0200	6-25-2014	Adopt(T)	8-1-2014	735-018-0010	12-20-2013	Amend	2-1-2014
734-035-0200	7-9-2014	Adopt(T)	8-1-2014	735-018-0010	3-25-2014	Amend	5-1-2014
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	735-040-0100	9-19-2014	Amend	11-1-2014
734-051-3050	6-30-2014	Amend	8-1-2014	735-046-0000	5-19-2014	Amend	7-1-2014
734-051-3050	7-9-2014	Amend	8-1-2014	735-050-0120	11-25-2013	Amend	1-1-2014
734-051-3060	6-30-2014	Amend	8-1-2014	735-050-0120(T)	11-25-2013	Repeal	1-1-2014
734-051-3060	7-9-2014	Amend	8-1-2014	735-061-0210	11-1-2014	Adopt	12-1-2014
734-051-3070	6-30-2014	Amend	8-1-2014	735-061-0220	11-1-2014	Adopt	12-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
735-061-0230	11-1-2014	Adopt	12-1-2014	737-015-0105	3-1-2014	Adopt	3-1-2014
735-061-0240	11-1-2014	Adopt	12-1-2014	737-015-0110	3-1-2014	Amend	3-1-2014
735-061-0250	11-1-2014	Adopt	12-1-2014	737-015-0120	3-1-2014	Adopt	3-1-2014
735-061-0260	11-1-2014	Adopt	12-1-2014	737-015-0130	3-1-2014	Adopt	3-1-2014
735-061-0270	11-1-2014	Adopt	12-1-2014	737-025-0010	2-26-2014	Amend	4-1-2014
735-061-0280	11-1-2014	Adopt	12-1-2014	740-010-0010	9-22-2014	Amend	11-1-2014
735-061-0290	11-1-2014	Adopt	12-1-2014	740-030-0045	9-22-2014	Adopt	11-1-2014
735-061-0300	11-1-2014	Adopt	12-1-2014	740-050-0610	9-22-2014	Amend	11-1-2014
735-061-0310	11-1-2014	Adopt	12-1-2014	740-055-0045	9-22-2014	Adopt	11-1-2014
735-061-0320	11-1-2014	Adopt	12-1-2014	740-065-0000	9-22-2014	Adopt	11-1-2014
735-061-0330	11-1-2014	Adopt	12-1-2014	740-065-0005	9-22-2014	Adopt	11-1-2014
735-061-0340	11-1-2014	Adopt	12-1-2014	740-065-0010	9-22-2014	Adopt	11-1-2014
735-061-0350	11-1-2014	Adopt	12-1-2014	740-065-0015	9-22-2014	Adopt	11-1-2014
735-061-0360	11-1-2014	Adopt	12-1-2014	740-065-0020	9-22-2014	Adopt	11-1-2014
735-061-0370	11-1-2014	Adopt	12-1-2014	740-065-0025	9-22-2014	Adopt	11-1-2014
735-061-0380	11-1-2014	Adopt	12-1-2014	740-065-0030	9-22-2014	Adopt	11-1-2014
735-061-0390	11-1-2014	Adopt	12-1-2014	740-065-0035	9-22-2014	Adopt	11-1-2014
735-062-0007	1-1-2014	Amend	2-1-2014	740-065-0040	9-22-2014	Adopt	11-1-2014
735-062-0010	1-1-2014	Amend	2-1-2014	740-065-0045	9-22-2014	Adopt	11-1-2014
735-062-0385	1-1-2014	Amend	2-1-2014	740-065-0050	9-22-2014	Adopt	11-1-2014
735-064-0070	1-1-2014	Amend	2-1-2014	740-100-0010	4-23-2014	Amend	6-1-2014
735-070-0082	1-1-2014	Adopt	2-1-2014	740-100-0010	7-10-2014	Amend	8-1-2014
735-070-0085	11-25-2013	Amend	1-1-2014	740-100-0065	4-23-2014	Amend	6-1-2014
735-070-0085(T)	11-25-2013	Repeal	1-1-2014	740-100-0065	7-10-2014	Amend	8-1-2014
735-070-0185	1-1-2014	Amend	2-1-2014	740-100-0070	4-23-2014	Amend	6-1-2014
735-070-0190	1-1-2014	Amend	2-1-2014	740-100-0070	7-10-2014	Amend	8-1-2014
735-072-0035	1-1-2014	Amend	2-1-2014	740-100-0080	4-23-2014	Amend	6-1-2014
735-090-0020	9-19-2014	Amend	11-1-2014	740-100-0080	7-10-2014	Amend	8-1-2014
735-090-0042	9-19-2014	Amend	11-1-2014	740-100-0085	4-23-2014	Amend	6-1-2014
735-090-0120	9-19-2014	Amend	11-1-2014	740-100-0085	7-10-2014	Amend	8-1-2014
735-118-0000	9-1-2014	Amend	10-1-2014	740-100-0090	4-23-2014	Amend	6-1-2014
735-118-0010	9-1-2014	Amend	10-1-2014	740-100-0090	7-10-2014	Amend	8-1-2014
735-118-0020	9-1-2014	Amend	10-1-2014	740-110-0010	4-23-2014	Amend	6-1-2014
735-118-0030	9-1-2014	Amend	10-1-2014	740-110-0010	7-10-2014	Amend	8-1-2014
735-118-0040	9-1-2014	Amend	10-1-2014	740-200-0010	1-1-2014	Amend	2-1-2014
735-118-0050	9-1-2014	Adopt	10-1-2014	740-200-0020	1-1-2014	Amend	2-1-2014
735-150-0037	5-19-2014	Amend(T)	7-1-2014	740-200-0040	1-1-2014	Amend	2-1-2014
735-150-0037	10-28-2014	Amend	12-1-2014	740-200-0040	9-22-2014	Amend	11-1-2014
735-150-0045	1-1-2014	Amend	2-1-2014	741-040-0040	12-20-2013	Amend	2-1-2014
735-150-0105	1-1-2014	Amend	2-1-2014	800-010-0020	2-1-2014	Amend	3-1-2014
735-150-0140	5-19-2014	Amend	7-1-2014	800-010-0025	2-1-2014	Amend	3-1-2014
735-152-0037	1-1-2014	Amend	2-1-2014	800-010-0040	2-1-2014	Amend	3-1-2014
736-010-0040	3-6-2014	Amend	4-1-2014	800-010-0041	2-1-2014	Amend	3-1-2014
736-018-0045	8-31-2014	Amend	9-1-2014	800-010-0050	2-1-2014	Amend	3-1-2014
736-040-0065	7-1-2014	Amend	8-1-2014	800-015-0015	2-1-2014	Amend	3-1-2014
736-040-0070	7-1-2014	Amend	8-1-2014	800-020-0025	2-1-2014	Amend	3-1-2014
737-015-0010	3-1-2014	Amend	3-1-2014	800-020-0065	2-1-2014	Amend	3-1-2014
737-015-0020	3-1-2014	Amend	3-1-2014	800-025-0020	2-1-2014	Amend	3-1-2014
737-015-0030	3-1-2014	Amend	3-1-2014	800-025-0040	2-1-2014	Amend	3-1-2014
737-015-0035	3-1-2014	Adopt	3-1-2014	800-025-0060	2-1-2014	Amend	3-1-2014
737-015-0070	3-1-2014	Amend	3-1-2014	801-001-0035	3-1-2014	Amend	3-1-2014
737-015-0074	3-1-2014	Adopt	3-1-2014	801-010-0050	3-1-2014	Amend	3-1-2014
737-015-0076	3-1-2014	Adopt	3-1-2014	801-010-0085	3-1-2014	Amend	3-1-2014
737-015-0085	3-1-2014	Adopt	3-1-2014	804-003-0000	12-12-2013	Amend	1-1-2014
737-015-0090	3-1-2014	Amend	3-1-2014	804-022-0005	12-12-2013	Amend	1-1-2014
737-015-0100	3-1-2014	Amend	3-1-2014	804-022-0010	12-12-2013	Amend	1-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
804-025-0010	12-12-2013	Amend	1-1-2014	812-003-0160	4-30-2014	Amend	6-1-2014
806-010-0010	7-24-2014	Amend	9-1-2014	812-003-0170	1-1-2014	Repeal	2-1-2014
806-010-0020	7-24-2014	Amend	9-1-2014	812-003-0171	1-1-2014	Amend	2-1-2014
806-010-0035	1-1-2014	Amend	2-1-2014	812-003-0175	1-1-2014	Amend	2-1-2014
806-010-0040	7-24-2014	Amend	9-1-2014	812-003-0180	1-1-2014	Amend	2-1-2014
806-010-0045	1-1-2014	Amend	2-1-2014	812-003-0190	4-30-2014	Amend	6-1-2014
806-010-0050	10-23-2014	Amend	12-1-2014	812-003-0220	1-1-2014	Repeal	2-1-2014
806-010-0060	5-22-2014	Amend	7-1-2014	812-003-0221	1-1-2014	Amend	2-1-2014
806-010-0075	7-24-2014	Amend	9-1-2014	812-003-0240	1-1-2014	Amend	2-1-2014
806-010-0105	4-24-2014	Amend	6-1-2014	812-003-0250	1-1-2014	Amend	2-1-2014
806-010-0130	7-24-2014	Amend	9-1-2014	812-003-0260	1-1-2014	Amend	2-1-2014
806-010-0145	4-24-2014	Amend	6-1-2014	812-003-0260	4-30-2014	Amend	6-1-2014
808-001-0020	4-1-2014	Amend(T)	5-1-2014	812-003-0260	5-5-2014	Amend(T)	6-1-2014
808-001-0020	10-1-2014	Amend	11-1-2014	812-003-0260	7-1-2014	Amend	8-1-2014
808-001-0020(T)	10-1-2014	Repeal	11-1-2014	812-003-0260(T)	7-1-2014	Repeal	8-1-2014
808-002-0145	10-1-2014	Adopt	11-1-2014	812-003-0290	1-1-2014	Amend	2-1-2014
808-002-0240	2-1-2014	Amend	3-1-2014	812-003-0310	1-1-2014	Amend	2-1-2014
808-002-0330	4-1-2014	Amend(T)	5-1-2014	812-003-0320	1-1-2014	Amend	2-1-2014
808-002-0330	10-1-2014	Amend	11-1-2014	812-003-0340	5-5-2014	Amend(T)	6-1-2014
808-002-0330(T)	10-1-2014	Repeal	11-1-2014	812-003-0340	7-1-2014	Amend	8-1-2014
808-002-0360	6-1-2014	Amend	7-1-2014	812-003-0340(T)	7-1-2014	Repeal	8-1-2014
808-003-0035	3-1-2014	Amend	4-1-2014	812-003-0350	5-5-2014	Amend(T)	6-1-2014
808-003-0040	3-1-2014	Amend	4-1-2014	812-003-0350	7-1-2014	Amend	8-1-2014
808-003-0040	3-1-2014	Amend(T)	4-1-2014	812-003-0350(T)	7-1-2014	Repeal	8-1-2014
808-003-0040	9-25-2014	Amend(T)	11-1-2014	812-003-0360	5-5-2014	Amend(T)	6-1-2014
808-003-0045	3-1-2014	Amend	4-1-2014	812-003-0360	7-1-2014	Amend	8-1-2014
808-003-0045	3-1-2014	Amend(T)	4-1-2014	812-003-0360(T)	7-1-2014	Repeal	8-1-2014
808-003-0045	9-25-2014	Amend(T)	11-1-2014	812-003-0370	5-5-2014	Amend(T)	6-1-2014
808-003-0060	3-1-2014	Amend	4-1-2014	812-003-0370	7-1-2014	Amend	8-1-2014
808-003-0065	3-1-2014	Amend(T)	4-1-2014	812-003-0370(T)	7-1-2014	Repeal	8-1-2014
808-003-0065	9-25-2014	Amend(T)	11-1-2014	812-003-0380	5-5-2014	Amend(T)	6-1-2014
808-009-0315	6-1-2014	Adopt	7-1-2014	812-003-0380	7-1-2014	Amend	8-1-2014
809-050-0050	9-15-2014	Amend(T)	10-1-2014	812-003-0380(T)	7-1-2014	Repeal	8-1-2014
811-010-0110	8-11-2014	Amend	9-1-2014	812-003-0390	1-1-2014	Amend	2-1-2014
811-010-0110	9-5-2014	Amend	10-1-2014	812-003-0390	4-30-2014	Amend	6-1-2014
811-015-0005	11-27-2013	Amend	1-1-2014	812-003-0400	1-1-2014	Amend	2-1-2014
811-015-0005	8-7-2014	Amend	9-1-2014	812-003-0430	1-1-2014	Amend	2-1-2014
811-015-0005	9-5-2014	Amend	10-1-2014	812-003-0440	1-1-2014	Amend	2-1-2014
811-015-0036	6-4-2014	Repeal	7-1-2014	812-005-0200	4-30-2014	Amend	6-1-2014
811-035-0015	1-29-2014	Amend	3-1-2014	812-005-0210	4-30-2014	Amend	6-1-2014
811-035-0015	10-28-2014	Amend	12-1-2014	812-005-0250	4-30-2014	Amend	6-1-2014
812-002-0120	1-1-2014	Amend	2-1-2014	812-005-0800	7-1-2014	Amend	8-1-2014
812-002-0120	7-1-2014	Amend	8-1-2014	812-006-0200	5-5-2014	Amend(T)	6-1-2014
812-002-0640	4-30-2014	Amend	6-1-2014	812-006-0200	7-1-2014	Amend	8-1-2014
812-003-0100	4-30-2014	Amend	6-1-2014	812-006-0200(T)	7-1-2014	Repeal	8-1-2014
812-003-0120	7-1-2014	Amend	8-1-2014	812-006-0205	5-5-2014	Adopt(T)	6-1-2014
812-003-0130	1-1-2014	Repeal	2-1-2014	812-006-0205	7-1-2014	Adopt	8-1-2014
812-003-0131	1-1-2014	Amend	2-1-2014	812-006-0205(T)	7-1-2014	Repeal	8-1-2014
812-003-0140	1-1-2014	Repeal	2-1-2014	812-008-0030	1-1-2014	Amend	2-1-2014
812-003-0141	1-1-2014	Repeal	2-1-2014	812-008-0040	1-1-2014	Amend	2-1-2014
812-003-0142	5-5-2014	Adopt(T)	6-1-2014	812-009-0340	7-1-2014	Amend	8-1-2014
812-003-0142	7-1-2014	Adopt	8-1-2014	812-012-0110	1-1-2014	Amend	2-1-2014
812-003-0142(T)	7-1-2014	Repeal	8-1-2014	812-020-0050	7-1-2014	Amend	8-1-2014
812-003-0150	1-1-2014	Repeal	2-1-2014	812-020-0055	7-1-2014	Amend	8-1-2014
812-003-0152	1-1-2014	Amend	2-1-2014	812-020-0060	7-1-2014	Amend	8-1-2014
812-003-0153	1-1-2014	Amend	2-1-2014	812-020-0062	7-1-2014	Amend	8-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
812-022-0015	2-6-2014	Amend	3-1-2014	812-032-0135	1-1-2014	Adopt	2-1-2014
812-022-0015	7-1-2014	Amend	8-1-2014	812-032-0135	4-30-2014	Amend	6-1-2014
812-022-0015(T)	2-6-2014	Repeal	3-1-2014	812-032-0140	1-1-2014	Adopt	2-1-2014
812-022-0016	4-30-2014	Amend	6-1-2014	812-032-0140	4-30-2014	Amend	6-1-2014
812-022-0018	4-30-2014	Amend	6-1-2014	812-032-0150	1-1-2014	Adopt	2-1-2014
812-022-0021	11-26-2013	Amend(T)	1-1-2014	812-032-0150	4-30-2014	Amend	6-1-2014
812-022-0021	2-6-2014	Amend	3-1-2014	813-001-0007	12-18-2013	Amend	2-1-2014
812-022-0021	3-26-2014	Amend(T)	5-1-2014	813-001-0007	12-18-2013	Amend	2-1-2014
812-022-0021	7-1-2014	Amend	8-1-2014	813-001-0007	4-17-2014	Amend(T)	6-1-2014
812-022-0021(T)	2-6-2014	Repeal	3-1-2014	813-001-0007	10-9-2014	Amend	11-1-2014
812-022-0021(T)	7-1-2014	Repeal	8-1-2014	813-001-0007(T)	12-18-2013	Amend	2-1-2014
812-022-0022	3-26-2014	Adopt(T)	5-1-2014	813-001-0007(T)	12-18-2013	Repeal	2-1-2014
812-022-0022	7-1-2014	Adopt	8-1-2014	813-001-0007(T)	10-9-2014	Repeal	11-1-2014
812-022-0022(T)	7-1-2014	Repeal	8-1-2014	813-005-0001	12-18-2013	Amend	2-1-2014
812-022-0022(T)	7-1-2014	Repeal	8-1-2014	813-005-0001(T)	12-18-2013	Repeal	2-1-2014
812-022-0025	12-12-2013	Amend(T)	1-1-2014	813-005-0005	12-18-2013	Amend	2-1-2014
812-022-0025	2-6-2014	Amend	3-1-2014	813-005-0005	4-17-2014	Amend(T)	6-1-2014
812-022-0025(T)	2-6-2014	Repeal	3-1-2014	813-005-0005	10-9-2014	Amend	11-1-2014
812-022-0026	12-12-2013	Amend(T)	1-1-2014	813-005-0005(T)	12-18-2013	Repeal	2-1-2014
812-022-0026	2-6-2014	Amend	3-1-2014	813-005-0005(T)	10-9-2014	Repeal	11-1-2014
812-022-0026(T)	2-6-2014	Repeal	3-1-2014	813-005-0016	12-18-2013	Amend	2-1-2014
812-022-0027	12-12-2013	Amend(T)	1-1-2014	813-005-0016(T)	12-18-2013	Repeal	2-1-2014
812-022-0027	2-6-2014	Amend	3-1-2014	813-005-0020	12-18-2013	Adopt	2-1-2014
812-022-0027(T)	2-6-2014	Repeal	3-1-2014	813-005-0020	4-17-2014	Amend(T)	6-1-2014
812-022-0028	2-6-2014	Amend	3-1-2014	813-005-0020	10-9-2014	Amend	11-1-2014
812-022-0028(T)	2-6-2014	Repeal	3-1-2014	813-005-0020(T)	12-18-2013	Repeal	2-1-2014
812-022-0029	2-6-2014	Adopt	3-1-2014	813-005-0020(T)	10-9-2014	Repeal	11-1-2014
812-022-0029(T)	2-6-2014	Repeal	3-1-2014	813-005-0030	12-18-2013	Adopt	2-1-2014
812-022-0033	4-30-2014	Amend	6-1-2014	813-005-0030(T)	12-18-2013	Repeal	2-1-2014
812-022-0034	2-6-2014	Adopt	3-1-2014	813-005-0040	12-18-2013	Adopt	2-1-2014
812-022-0034(T)	2-6-2014	Repeal	3-1-2014	813-005-0040(T)	12-18-2013	Repeal	2-1-2014
812-022-0035	2-6-2014	Adopt	3-1-2014	813-005-0050	12-18-2013	Adopt	2-1-2014
812-022-0035(T)	2-6-2014	Repeal	3-1-2014	813-005-0050(T)	12-18-2013	Repeal	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
813-005-0060	12-18-2013	Adopt	2-1-2014	813-049-0010(T)	2-10-2014	Suspend	3-1-2014
813-005-0060(T)	12-18-2013	Repeal	2-1-2014	813-049-0020	1-27-2014	Amend(T)	3-1-2014
813-005-0070	12-18-2013	Adopt	2-1-2014	813-049-0020(T)	2-10-2014	Suspend	3-1-2014
813-005-0070(T)	12-18-2013	Repeal	2-1-2014	813-049-0035	1-27-2014	Adopt(T)	3-1-2014
813-006-0005	12-18-2013	Amend	2-1-2014	813-049-0035(T)	2-10-2014	Suspend	3-1-2014
813-006-0005(T)	12-18-2013	Repeal	2-1-2014	813-049-0040	1-27-2014	Adopt(T)	3-1-2014
813-006-0010	12-18-2013	Amend	2-1-2014	813-049-0040(T)	2-10-2014	Suspend	3-1-2014
813-006-0010(T)	12-18-2013	Repeal	2-1-2014	813-049-0050	1-27-2014	Adopt(T)	3-1-2014
813-006-0015	12-18-2013	Amend	2-1-2014	813-049-0050(T)	2-10-2014	Suspend	3-1-2014
813-006-0015(T)	12-18-2013	Repeal	2-1-2014	813-049-0060	1-27-2014	Adopt(T)	3-1-2014
813-006-0020	12-18-2013	Amend	2-1-2014	813-049-0060(T)	2-10-2014	Suspend	3-1-2014
813-006-0020(T)	12-18-2013	Repeal	2-1-2014	813-051-0000	1-27-2014	Amend(T)	3-1-2014
813-006-0025	12-18-2013	Amend	2-1-2014	813-051-0000(T)	2-10-2014	Suspend	3-1-2014
813-006-0025(T)	12-18-2013	Repeal	2-1-2014	813-051-0010	1-27-2014	Amend(T)	3-1-2014
813-006-0030	12-18-2013	Amend	2-1-2014	813-051-0010(T)	2-10-2014	Suspend	3-1-2014
813-006-0030(T)	12-18-2013	Repeal	2-1-2014	813-051-0020	1-27-2014	Amend(T)	3-1-2014
813-006-0035	12-18-2013	Repeal	2-1-2014	813-051-0020(T)	2-10-2014	Suspend	3-1-2014
813-006-0040	12-18-2013	Adopt	2-1-2014	813-051-0030	1-27-2014	Amend(T)	3-1-2014
813-006-0040(T)	12-18-2013	Repeal	2-1-2014	813-051-0030(T)	2-10-2014	Suspend	3-1-2014
813-041-0000	10-9-2014	Amend	11-1-2014	813-051-0040	1-27-2014	Amend(T)	3-1-2014
813-041-0006	10-9-2014	Adopt	11-1-2014	813-051-0040(T)	2-10-2014	Suspend	3-1-2014
813-041-0010	10-9-2014	Amend	11-1-2014	813-051-0050	1-27-2014	Amend(T)	3-1-2014
813-041-0015	10-9-2014	Amend	11-1-2014	813-051-0050(T)	2-10-2014	Suspend	3-1-2014
813-041-0020	10-9-2014	Amend	11-1-2014	813-051-0060	1-27-2014	Amend(T)	3-1-2014
813-041-0027	10-9-2014	Amend	11-1-2014	813-051-0060(T)	2-10-2014	Suspend	3-1-2014
813-041-0030	10-9-2014	Repeal	11-1-2014	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
813-046-0045(T)	2-10-2014	Suspend	3-1-2014	813-055-0010	12-18-2013	Amend	2-1-2014
813-046-0050	1-27-2014	Amend(T)	3-1-2014	813-055-0010(T)	12-18-2013	Repeal	2-1-2014
813-046-0050(T)	2-10-2014	Suspend	3-1-2014	813-055-0020	12-18-2013	Amend	2-1-2014
813-046-0061	1-27-2014	Amend(T)	3-1-2014	813-055-0020(T)	12-18-2013	Repeal	2-1-2014
813-046-0061(T)	2-10-2014	Suspend	3-1-2014	813-055-0040	12-18-2013	Amend	2-1-2014
813-046-0065	1-27-2014	Amend(T)	3-1-2014	813-055-0040(T)	12-18-2013	Repeal	2-1-2014
813-046-0065(T)	2-10-2014	Suspend	3-1-2014	813-055-0050	12-18-2013	Amend	2-1-2014
813-046-0070	1-27-2014	Amend(T)	3-1-2014	813-055-0050(T)	12-18-2013	Repeal	2-1-2014
813-046-0070(T)	2-10-2014	Suspend	3-1-2014	813-055-0060	12-18-2013	Repeal	2-1-2014
813-046-0081	1-27-2014	Amend(T)	3-1-2014	813-055-0065	12-18-2013	Adopt	2-1-2014
813-046-0081(T)	2-10-2014	Suspend	3-1-2014	813-055-0065(T)	12-18-2013	Repeal	2-1-2014
813-046-0100	1-27-2014	Suspend	3-1-2014	813-055-0075	12-18-2013	Amend	2-1-2014
813-046-0100(T)	2-10-2014	Suspend	3-1-2014	813-055-0075(T)	12-18-2013	Repeal	2-1-2014
813-049-0001	1-27-2014	Amend(T)	3-1-2014	813-055-0085	12-18-2013	Amend	2-1-2014
813-049-0001(T)	2-10-2014	Suspend	3-1-2014	813-055-0085(T)	12-18-2013	Repeal	2-1-2014
813-049-0005	1-27-2014	Amend(T)	3-1-2014	813-055-0095	12-18-2013	Adopt	2-1-2014
813-049-0005(T)	2-10-2014	Suspend	3-1-2014	813-055-0095(T)	12-18-2013	Repeal	2-1-2014
813-049-0007	1-27-2014	Adopt(T)	3-1-2014	813-055-0100	12-18-2013	Repeal	2-1-2014
813-049-0007(T)	2-10-2014	Suspend	3-1-2014	813-055-0105	12-18-2013	Amend	2-1-2014
813-049-0010	1-27-2014	Amend(T)	3-1-2014	813-055-0105(T)	12-18-2013	Repeal	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
813-110-0026	12-18-2013	Adopt	2-1-2014	813-145-0025	1-27-2014	Adopt(T)	3-1-2014
813-110-0026(T)	12-18-2013	Repeal	2-1-2014	813-145-0025(T)	2-10-2014	Suspend	3-1-2014
813-110-0027	12-18-2013	Adopt	2-1-2014	813-145-0030	1-27-2014	Amend(T)	3-1-2014
813-110-0027(T)	12-18-2013	Repeal	2-1-2014	813-145-0030(T)	2-10-2014	Suspend	3-1-2014
813-110-0030	12-18-2013	Amend	2-1-2014	813-145-0040	1-27-2014	Amend(T)	3-1-2014
813-110-0030(T)	12-18-2013	Repeal	2-1-2014	813-145-0040(T)	2-10-2014	Suspend	3-1-2014
813-110-0032	12-18-2013	Adopt	2-1-2014	813-145-0050	1-27-2014	Amend(T)	3-1-2014
813-110-0032(T)	12-18-2013	Repeal	2-1-2014	813-145-0050(T)	2-10-2014	Suspend	3-1-2014
813-110-0033	12-18-2013	Repeal	2-1-2014	813-145-0060	1-27-2014	Amend(T)	3-1-2014
813-110-0034	12-18-2013	Adopt	2-1-2014	813-145-0060(T)	2-10-2014	Suspend	3-1-2014
813-110-0034(T)	12-18-2013	Repeal	2-1-2014	813-145-0070	1-27-2014	Amend(T)	3-1-2014
813-110-0035	12-18-2013	Amend	2-1-2014	813-145-0070(T)	2-10-2014	Suspend	3-1-2014
813-110-0035(T)	12-18-2013	Repeal	2-1-2014	813-145-0080	1-27-2014	Amend(T)	3-1-2014
813-110-0037	12-18-2013	Adopt	2-1-2014	813-145-0080(T)	2-10-2014	Suspend	3-1-2014
813-110-0037(T)	12-18-2013	Repeal	2-1-2014	813-145-0090	1-27-2014	Suspend	3-1-2014
813-110-0040	12-18-2013	Amend	2-1-2014	813-145-0090(T)	2-10-2014	Suspend	3-1-2014
813-110-0040(T)	12-18-2013	Repeal	2-1-2014	813-200-0001	1-27-2014	Amend(T)	3-1-2014
813-110-0045	12-18-2013	Adopt	2-1-2014	813-200-0001(T)	2-10-2014	Suspend	3-1-2014
813-110-0045(T)	12-18-2013	Repeal	2-1-2014	813-200-0005	1-27-2014	Amend(T)	3-1-2014
813-110-0050	12-18-2013	Repeal	2-1-2014	813-200-0005(T)	2-10-2014	Suspend	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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	Repeal	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
813-202-0020	1-27-2014	Amend(T)	3-1-2014	813-210-0015(T)	2-10-2014	Suspend	3-1-2014
813-202-0020(T)	2-10-2014	Suspend	3-1-2014	813-210-0022	1-27-2014	Adopt(T)	3-1-2014
813-202-0030	1-27-2014	Amend(T)	3-1-2014	813-210-0022(T)	2-10-2014	Suspend	3-1-2014
813-202-0030(T)	2-10-2014	Suspend	3-1-2014	813-210-0025	1-27-2014	Amend(T)	3-1-2014
813-202-0040	1-27-2014	Amend(T)	3-1-2014	813-210-0025(T)	2-10-2014	Suspend	3-1-2014
813-202-0040(T)	2-10-2014	Suspend	3-1-2014	813-210-0030	1-27-2014	Repeal	3-1-2014
813-202-0050	1-27-2014	Amend(T)	3-1-2014	813-210-0040	1-27-2014	Suspend	3-1-2014
813-202-0050(T)	2-10-2014	Suspend	3-1-2014	813-210-0040(T)	2-10-2014	Suspend	3-1-2014
813-202-0060	1-27-2014	Amend(T)	3-1-2014	813-210-0050	1-27-2014	Amend(T)	3-1-2014
813-202-0060(T)	2-10-2014	Suspend	3-1-2014	813-210-0050(T)	2-10-2014	Suspend	3-1-2014
813-202-0070	1-27-2014	Adopt(T)	3-1-2014	813-210-0052	1-27-2014	Amend(T)	3-1-2014
813-202-0070(T)	2-10-2014	Suspend	3-1-2014	813-210-0052(T)	2-10-2014	Suspend	3-1-2014
813-205-0000	12-18-2013	Amend	2-1-2014	813-210-0055	1-27-2014	Suspend	3-1-2014
813-205-0000(T)	12-18-2013	Repeal	2-1-2014	813-210-0055(T)	2-10-2014	Suspend	3-1-2014
813-205-0010	12-18-2013	Repeal	2-1-2014	813-210-0056	1-27-2014	Adopt(T)	3-1-2014
813-205-0020	12-18-2013	Amend	2-1-2014	813-210-0056(T)	2-10-2014	Suspend	3-1-2014
813-205-0020(T)	12-18-2013	Repeal	2-1-2014	813-210-0060	1-27-2014	Amend(T)	3-1-2014
813-205-0030	12-18-2013	Amend	2-1-2014	813-210-0060(T)	2-10-2014	Suspend	3-1-2014
813-205-0030(T)	12-18-2013	Repeal	2-1-2014	813-210-0065	1-27-2014	Suspend	3-1-2014
813-205-0040	12-18-2013	Amend	2-1-2014	813-210-0065(T)	2-10-2014	Suspend	3-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
813-240-0041(T)	2-10-2014	Suspend	3-1-2014	817-010-0300	3-1-2014	Repeal	4-1-2014
813-240-0050	1-27-2014	Amend(T)	3-1-2014	817-015-0010	3-1-2014	Repeal	4-1-2014
813-240-0050(T)	2-10-2014	Suspend	3-1-2014	817-015-0030	3-1-2014	Amend	4-1-2014
813-240-0060	1-27-2014	Amend(T)	3-1-2014	817-015-0065	3-1-2014	Amend	4-1-2014
813-240-0060(T)	2-10-2014	Suspend	3-1-2014	817-020-0001	3-1-2014	Amend	4-1-2014
813-240-0070	1-27-2014	Amend(T)	3-1-2014	817-020-0006	3-1-2014	Amend	4-1-2014
813-240-0070(T)	2-10-2014	Suspend	3-1-2014	817-020-0007	3-1-2014	Amend	4-1-2014
813-240-0080	1-27-2014	Amend(T)	3-1-2014	817-020-0009	3-1-2014	Amend	4-1-2014
813-240-0080(T)	2-10-2014	Suspend	3-1-2014	817-020-0305	3-1-2014	Amend	4-1-2014
813-240-0090	1-27-2014	Suspend	3-1-2014	817-020-0325	3-1-2014	Adopt	4-1-2014
813-240-0090(T)	2-10-2014	Suspend	3-1-2014	817-020-0350	3-1-2014	Adopt	4-1-2014
813-250-0000	1-27-2014	Amend(T)	3-1-2014	817-030-0003	3-1-2014	Amend	4-1-2014
813-250-0000(T)	2-10-2014	Suspend	3-1-2014	817-030-0005	3-1-2014	Amend	4-1-2014
813-250-0005	1-27-2014	Adopt(T)	3-1-2014	817-030-0028	1-1-2014	Adopt	2-1-2014
813-250-0005(T)	2-10-2014	Suspend	3-1-2014	817-030-0030	3-1-2014	Amend	4-1-2014
813-250-0015	1-27-2014	Adopt(T)	3-1-2014	817-030-0065	1-1-2014	Amend	2-1-2014
813-250-0015(T)	2-10-2014	Suspend	3-1-2014	817-030-0071	3-1-2014	Amend	4-1-2014
813-250-0020	1-27-2014	Amend(T)	3-1-2014	817-030-0080	3-1-2014	Amend	4-1-2014
813-250-0020(T)	2-10-2014	Suspend	3-1-2014	817-035-0010	3-1-2014	Amend	4-1-2014
813-250-0030	1-27-2014	Amend(T)	3-1-2014	817-035-0048	3-1-2014	Amend	4-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
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
818-026-0065	8-1-2014	Amend	8-1-2014	820-010-0442(T)	12-5-2013	Suspend	1-1-2014
818-026-0070	8-1-2014	Amend	8-1-2014	820-010-0442(T)	12-5-2013	Suspend	1-1-2014
818-035-0025	8-1-2014	Amend	8-1-2014	820-010-0442(T)	2-26-2014	Repeal	4-1-2014
818-035-0030	8-1-2014	Amend	8-1-2014	820-010-0620	12-5-2013	Amend(T)	1-1-2014
818-035-0040	8-1-2014	Amend	8-1-2014	820-010-0620	2-26-2014	Amend	4-1-2014
818-042-0040	8-1-2014	Amend	8-1-2014	820-010-0620(T)	12-5-2013	Suspend	1-1-2014
818-042-0050	8-1-2014	Amend	8-1-2014	820-010-0620(T)	12-5-2013	Suspend	1-1-2014
818-042-0060	8-1-2014	Amend	8-1-2014	820-010-0620(T)	2-26-2014	Repeal	4-1-2014
818-042-0090	8-1-2014	Amend	8-1-2014	820-010-0621	12-5-2013	Amend(T)	1-1-2014
818-042-0120	8-1-2014	Amend	8-1-2014	820-010-0621	2-26-2014	Amend	4-1-2014
818-042-0130	8-1-2014	Amend	8-1-2014	820-010-0621(T)	12-5-2013	Suspend	1-1-2014
820-001-0020	12-5-2013	Amend(T)	1-1-2014	820-010-0621(T)	12-5-2013	Suspend	1-1-2014
820-001-0020	2-26-2014	Amend	4-1-2014	820-010-0621(T)	2-26-2014	Repeal	4-1-2014
820-001-0020(T)	12-5-2013	Suspend	1-1-2014	820-010-0622	7-16-2014	Amend	9-1-2014
820-001-0020(T)	12-5-2013	Suspend	1-1-2014	824-010-0005	12-1-2014	Adopt	12-1-2014
820-001-0020(T)	2-26-2014	Repeal	4-1-2014	824-010-0010	12-1-2014	Adopt	12-1-2014
820-001-0025	12-5-2013	Amend(T)	1-1-2014	824-010-0020	12-1-2014	Adopt	12-1-2014
820-001-0025	2-26-2014	Amend	4-1-2014	824-010-0030	12-1-2014	Adopt	12-1-2014
820-001-0030	7-16-2014	Adopt	9-1-2014	824-010-0040	12-1-2014	Adopt	12-1-2014
820-001-0035	7-16-2014	Adopt	9-1-2014	824-020-0010	12-1-2014	Adopt	12-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
824-020-0020	12-1-2014	Adopt	12-1-2014	836-052-0800	1-1-2014	Amend	2-1-2014
824-020-0030	12-1-2014	Adopt	12-1-2014	836-052-0830	1-1-2014	Repeal	2-1-2014
824-020-0040	12-1-2014	Adopt	12-1-2014	836-052-0860	1-1-2014	Amend	2-1-2014
824-030-0010	12-1-2014	Adopt	12-1-2014	836-053-0000	1-1-2014	Amend	2-1-2014
824-030-0020	12-1-2014	Adopt	12-1-2014	836-053-0001	1-1-2014	Amend	2-1-2014
824-030-0030	12-1-2014	Adopt	12-1-2014	836-053-0002	1-1-2014	Adopt	2-1-2014
824-030-0040	12-1-2014	Adopt	12-1-2014	836-053-0003	1-1-2014	Amend	2-1-2014
824-040-0010	12-1-2014	Adopt	12-1-2014	836-053-0005	1-1-2014	Amend	2-1-2014
824-050-0010	12-1-2014	Adopt	12-1-2014	836-053-0007	1-1-2014	Amend	2-1-2014
824-060-0010	12-1-2014	Adopt	12-1-2014	836-053-0008	1-1-2014	Adopt	2-1-2014
833-020-0051	1-8-2014	Amend	2-1-2014	836-053-0009	1-1-2014	Adopt	2-1-2014
833-020-0075	7-1-2014	Amend(T)	7-1-2014	836-053-0021	1-1-2014	Amend	2-1-2014
833-030-0021	9-5-2014	Amend	10-1-2014	836-053-0030	1-1-2014	Amend	2-1-2014
833-040-0021	1-8-2014	Amend	2-1-2014	836-053-0040	1-1-2014	Repeal	2-1-2014
833-040-0021	9-5-2014	Amend	10-1-2014	836-053-0050	1-1-2014	Amend	2-1-2014
833-050-0061	6-11-2014	Amend	7-1-2014	836-053-0060	1-1-2014	Repeal	2-1-2014
833-050-0071	9-5-2014	Amend	10-1-2014	836-053-0063	1-1-2014	Adopt	2-1-2014
833-050-0131	6-11-2014	Amend	7-1-2014	836-053-0065	1-1-2014	Amend	2-1-2014
833-060-0012	1-8-2014	Amend	2-1-2014	836-053-0066	4-11-2014	Adopt(T)	5-1-2014
833-100-0021	6-11-2014	Amend	7-1-2014	836-053-0066	10-6-2014	Adopt	11-1-2014
836-007-0001	12-31-2013	Adopt(T)	2-1-2014	836-053-0070	1-1-2014	Amend	2-1-2014
836-007-0001	6-20-2014	Adopt	8-1-2014	836-053-0081	1-1-2014	Repeal	2-1-2014
836-010-0011	1-1-2014	Amend	2-1-2014	836-053-0100	10-17-2014	Adopt	12-1-2014
836-010-0013	4-24-2014	Adopt(T)	6-1-2014	836-053-0105	10-17-2014	Adopt	12-1-2014
836-010-0013	10-6-2014	Adopt	11-1-2014	836-053-0210	1-1-2014	Repeal	2-1-2014
836-010-0051	1-1-2014	Adopt	2-1-2014	836-053-0211	1-1-2014	Adopt	2-1-2014
836-010-0150	7-17-2014	Adopt	9-1-2014	836-053-0220	1-1-2014	Repeal	2-1-2014
836-011-0000	2-14-2014	Amend	3-1-2014	836-053-0221	1-1-2014	Adopt	2-1-2014
836-011-0050	2-14-2014	Adopt	3-1-2014	836-053-0250	1-1-2014	Repeal	2-1-2014
836-020-0770	1-1-2014	Amend	2-1-2014	836-053-0410	1-1-2014	Amend	2-1-2014
836-020-0775	1-1-2014	Amend	2-1-2014	836-053-0415	1-1-2014	Amend	2-1-2014
836-020-0780	1-1-2014	Amend	2-1-2014	836-053-0430	1-1-2014	Repeal	2-1-2014
836-020-0785	1-1-2014	Amend	2-1-2014	836-053-0431	1-1-2014	Adopt	2-1-2014
836-020-0806	1-1-2014	Amend	2-1-2014	836-053-0431	2-4-2014	Amend(T)	3-1-2014
836-027-0005	1-1-2014	Amend	2-1-2014	836-053-0431	4-2-2014	Amend(T)	5-1-2014
836-027-0005	1-8-2014	Amend	2-1-2014	836-053-0431	4-16-2014	Amend(T)	6-1-2014
836-027-0010	1-1-2014	Amend	2-1-2014	836-053-0431	7-30-2014	Amend	9-1-2014
836-027-0010	1-8-2014	Amend	2-1-2014	836-053-0431	10-6-2014	Amend	11-1-2014
836-027-0030	1-1-2014	Amend	2-1-2014	836-053-0440	1-1-2014	Repeal	2-1-2014
836-027-0030	1-8-2014	Amend	2-1-2014	836-053-0460	1-1-2014	Repeal	2-1-2014
836-027-0035	1-1-2014	Amend	2-1-2014	836-053-0465	1-1-2014	Amend	2-1-2014
836-027-0035	1-8-2014	Amend	2-1-2014	836-053-0465	4-11-2014	Amend(T)	5-1-2014
836-027-0045	1-1-2014	Amend	2-1-2014	836-053-0465	10-6-2014	Amend	11-1-2014
836-027-0045	1-8-2014	Amend	2-1-2014	836-053-0471	1-1-2014	Repeal	2-1-2014
836-027-0050	1-1-2014	Amend	2-1-2014	836-053-0472	1-1-2014	Adopt	2-1-2014
836-027-0050	1-8-2014	Amend	2-1-2014	836-053-0473	1-1-2014	Adopt	2-1-2014
836-027-0100	1-1-2014	Amend	2-1-2014	836-053-0475	1-1-2014	Amend	2-1-2014
836-027-0100	1-8-2014	Amend	2-1-2014	836-053-0510	1-1-2014	Amend	2-1-2014
836-027-0125	1-1-2014	Adopt	2-1-2014	836-053-0700	1-1-2014	Repeal	2-1-2014
836-027-0125	1-8-2014	Adopt	2-1-2014	836-053-0710	1-1-2014	Repeal	2-1-2014
836-027-0140	1-1-2014	Adopt	2-1-2014	836-053-0750	1-1-2014	Repeal	2-1-2014
836-027-0140	1-8-2014	Adopt	2-1-2014	836-053-0760	1-1-2014	Repeal	2-1-2014
836-042-0045	10-1-2014	Amend	11-1-2014	836-053-0780	1-1-2014	Repeal	2-1-2014
836-052-0142	12-5-2013	Amend(T)	1-1-2014	836-053-0785	1-1-2014	Repeal	2-1-2014
836-052-0142	5-19-2014	Amend	7-1-2014	836-053-0790	1-1-2014	Repeal	2-1-2014
836-052-0676	1-1-2014	Amend	2-1-2014	836-053-0800	1-1-2014	Repeal	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
836-053-0825	1-1-2014	Amend	2-1-2014	836-085-0025	1-1-2014	Amend	2-1-2014
836-053-0830	1-1-2014	Amend	2-1-2014	836-085-0035	1-1-2014	Amend	2-1-2014
836-053-0835	1-1-2014	Adopt	2-1-2014	836-085-0045	1-1-2014	Amend	2-1-2014
836-053-0851	1-1-2014	Amend	2-1-2014	836-085-0050	1-1-2014	Amend	2-1-2014
836-053-0900	1-1-2014	Amend	2-1-2014	836-100-0011	1-1-2014	Repeal	2-1-2014
836-053-0910	1-1-2014	Amend	2-1-2014	836-100-0016	1-1-2014	Repeal	2-1-2014
836-053-1000	1-1-2014	Amend	2-1-2014	836-100-0020	1-1-2014	Repeal	2-1-2014
836-053-1020	1-1-2014	Amend	2-1-2014	836-100-0025	1-1-2014	Repeal	2-1-2014
836-053-1030	1-1-2014	Amend	2-1-2014	836-100-0030	1-1-2014	Repeal	2-1-2014
836-053-1035	1-1-2014	Amend	2-1-2014	836-100-0035	1-1-2014	Repeal	2-1-2014
836-053-1040	1-1-2014	Repeal	2-1-2014	836-100-0040	1-1-2014	Repeal	2-1-2014
836-053-1070	1-1-2014	Amend	2-1-2014	836-100-0045	1-1-2014	Repeal	2-1-2014
836-053-1080	1-1-2014	Amend	2-1-2014	836-100-0100	1-1-2014	Amend	2-1-2014
836-053-1100	1-1-2014	Amend	2-1-2014	836-100-0105	1-1-2014	Amend	2-1-2014
836-053-1110	1-1-2014	Amend	2-1-2014	836-100-0110	1-1-2014	Amend	2-1-2014
836-053-1130	1-1-2014	Amend	2-1-2014	836-100-0115	1-1-2014	Amend	2-1-2014
836-053-1140	1-1-2014	Amend	2-1-2014	836-200-0400	1-2-2014	Adopt(T)	2-1-2014
836-053-1170	1-1-2014	Amend	2-1-2014	836-200-0401	7-21-2014	Adopt	9-1-2014
836-053-1180	1-1-2014	Adopt	2-1-2014	836-200-0405	1-2-2014	Adopt(T)	2-1-2014
836-053-1190	1-1-2014	Amend	2-1-2014	836-200-0406	7-21-2014	Adopt	9-1-2014
836-053-1200	1-1-2014	Amend	2-1-2014	836-200-0410	1-2-2014	Adopt(T)	2-1-2014
836-053-1315	1-1-2014	Amend	2-1-2014	836-200-0411	7-21-2014	Adopt	9-1-2014
836-053-1320	1-1-2014	Amend	2-1-2014	836-200-0415	1-2-2014	Adopt(T)	2-1-2014
836-053-1325	1-1-2014	Amend	2-1-2014	836-200-0416	7-21-2014	Adopt	9-1-2014
836-053-1330	1-1-2014	Amend	2-1-2014	836-200-0420	1-2-2014	Adopt(T)	2-1-2014
836-053-1335	1-1-2014	Amend	2-1-2014	836-200-0421	7-21-2014	Adopt	9-1-2014
836-053-1340	1-1-2014	Amend	2-1-2014	837-012-0305	7-1-2014	Amend	8-1-2014
836-053-1342	1-1-2014	Amend	2-1-2014	837-012-0310	7-1-2014	Amend	8-1-2014
836-053-1345	1-1-2014	Amend	2-1-2014	837-012-0315	7-1-2014	Amend	8-1-2014
836-053-1350	1-1-2014	Amend	2-1-2014	837-012-0320	7-1-2014	Amend	8-1-2014
836-053-1355	1-1-2014	Amend	2-1-2014	837-012-0325	7-1-2014	Amend	8-1-2014
836-053-1360	1-1-2014	Amend	2-1-2014	837-012-0330	7-1-2014	Amend	8-1-2014
836-053-1365	1-1-2014	Amend	2-1-2014	837-012-0340	7-1-2014	Amend	8-1-2014
836-053-1400	1-1-2014	Amend	2-1-2014	837-012-0350	7-1-2014	Amend	8-1-2014
836-053-1401	1-1-2014	Repeal	2-1-2014	837-012-0360	7-1-2014	Amend	8-1-2014
836-053-1404	11-14-2014	Amend(T)	12-1-2014	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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
837-012-0625	7-1-2014	Amend	8-1-2014	837-012-1130	7-1-2014	Amend	8-1-2014
837-012-0630	7-1-2014	Amend	8-1-2014	837-012-1140	7-1-2014	Amend	8-1-2014
837-012-0635	7-1-2014	Amend	8-1-2014	837-012-1150	7-1-2014	Amend	8-1-2014
837-012-0640	7-1-2014	Amend	8-1-2014	837-012-1160	7-1-2014	Amend	8-1-2014
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

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
839-006-0450(T)	2-19-2014	Suspend	4-1-2014	839-019-0004	1-1-2014	Amend	2-1-2014
839-009-0210	12-31-2013	Amend	2-1-2014	839-019-0010	1-1-2014	Amend	2-1-2014
839-009-0230	12-31-2013	Amend	2-1-2014	839-019-0100	1-1-2014	Amend	2-1-2014
839-009-0240	12-31-2013	Amend	2-1-2014	839-020-0004	1-1-2014	Amend	2-1-2014
839-009-0250	12-31-2013	Amend	2-1-2014	839-020-0025	1-1-2014	Amend	2-1-2014
839-009-0270	12-31-2013	Amend	2-1-2014	839-020-0040	1-1-2014	Amend	2-1-2014
839-009-0280	12-31-2013	Amend	2-1-2014	839-020-0050	1-1-2014	Amend	2-1-2014
839-009-0325	12-31-2013	Amend	2-1-2014	839-020-0070	1-1-2014	Amend	2-1-2014
839-009-0330	12-31-2013	Amend	2-1-2014	839-020-1010	1-1-2014	Amend	2-1-2014
839-009-0340	12-31-2013	Amend	2-1-2014	839-021-0006	1-1-2014	Amend	2-1-2014
839-009-0345	12-31-2013	Amend	2-1-2014	839-021-0067	1-1-2014	Amend	2-1-2014
839-009-0362	12-31-2013	Amend	2-1-2014	839-021-0070	1-1-2014	Amend	2-1-2014
839-009-0363	12-31-2013	Amend	2-1-2014	839-021-0072	1-1-2014	Amend	2-1-2014
839-009-0380	12-31-2013	Amend	2-1-2014	839-021-0087	1-1-2014	Amend	2-1-2014
839-009-0390	12-31-2013	Amend	2-1-2014	839-021-0097	1-1-2014	Amend	2-1-2014
839-009-0430	12-31-2013	Amend	2-1-2014	839-021-0102	1-1-2014	Amend	2-1-2014
839-010-0000	12-30-2013	Amend	2-1-2014	839-021-0104	1-1-2014	Amend	2-1-2014
839-010-0300	12-30-2013	Adopt	2-1-2014	839-021-0175	1-1-2014	Amend	2-1-2014
839-010-0305	12-30-2013	Adopt	2-1-2014	839-021-0220	1-1-2014	Amend	2-1-2014
839-010-0310	12-30-2013	Adopt	2-1-2014	839-021-0221	1-1-2014	Amend	2-1-2014
839-015-0000	7-1-2015	Amend	12-1-2014	839-021-0246	1-1-2014	Amend	2-1-2014
839-015-0004	7-1-2015	Amend	12-1-2014	839-021-0248	1-1-2014	Amend	2-1-2014
839-015-0125	7-1-2015	Amend	12-1-2014	839-021-0255	1-1-2014	Amend	2-1-2014
839-015-0130	7-1-2015	Amend	12-1-2014	839-021-0265	1-1-2014	Amend	2-1-2014
839-015-0135	7-1-2015	Amend	12-1-2014	839-021-0280	1-1-2014	Amend	2-1-2014
839-015-0140	7-1-2015	Amend	12-1-2014	839-021-0290	1-1-2014	Amend	2-1-2014
839-015-0141	7-1-2015	Amend	12-1-2014	839-021-0292	1-1-2014	Amend	2-1-2014
839-015-0142	7-1-2015	Amend	12-1-2014	839-021-0294	1-1-2014	Amend	2-1-2014
839-015-0145	7-1-2015	Amend	12-1-2014	839-021-0297	1-1-2014	Amend	2-1-2014
839-015-0150	7-1-2015	Amend	12-1-2014	839-021-0315	1-1-2014	Amend	2-1-2014
839-015-0155	1-21-2014	Amend(T)	3-1-2014	839-021-0320	1-1-2014	Amend	2-1-2014
839-015-0155	4-10-2014	Amend	5-1-2014	839-021-0325	1-1-2014	Amend	2-1-2014
839-015-0155	7-1-2015	Amend	12-1-2014	839-021-0330	1-1-2014	Amend	2-1-2014
839-015-0157	7-1-2015	Amend	12-1-2014	839-021-0335	1-1-2014	Amend	2-1-2014
839-015-0160	7-1-2015	Amend	12-1-2014	839-021-0340	1-1-2014	Amend	2-1-2014
839-015-0165	7-1-2015	Amend	12-1-2014	839-021-0345	1-1-2014	Amend	2-1-2014
839-015-0195	7-1-2015	Amend	12-1-2014	839-021-0350	1-1-2014	Amend	2-1-2014
839-015-0200	7-1-2015	Amend	12-1-2014	839-021-0355	1-1-2014	Amend	2-1-2014
839-015-0230	7-1-2015	Amend	12-1-2014	839-021-0360	1-1-2014	Amend	2-1-2014
839-015-0250	7-1-2015	Amend	12-1-2014	839-021-0365	1-1-2014	Amend	2-1-2014
839-015-0300	7-1-2015	Amend	12-1-2014	839-021-0370	1-1-2014	Amend	2-1-2014
839-015-0310	7-1-2015	Amend	12-1-2014	839-021-0490	1-1-2014	Amend	2-1-2014
839-015-0320	7-1-2015	Amend	12-1-2014	839-022-0000	1-1-2014	Repeal	2-1-2014
839-015-0350	7-1-2015	Amend	12-1-2014	839-022-0010	1-1-2014	Repeal	2-1-2014
839-015-0360	7-1-2015	Amend	12-1-2014	839-022-0100	1-1-2014	Repeal	2-1-2014
839-015-0370	7-1-2015	Amend	12-1-2014	839-022-0105	1-1-2014	Repeal	2-1-2014
839-015-0400	7-1-2015	Amend	12-1-2014	839-022-0110	1-1-2014	Repeal	2-1-2014
839-015-0410	7-1-2015	Amend	12-1-2014	839-022-0115	1-1-2014	Repeal	2-1-2014
839-015-0450	7-1-2015	Amend	12-1-2014	839-022-0120	1-1-2014	Repeal	2-1-2014
839-015-0500	7-1-2015	Amend	12-1-2014	839-022-0125	1-1-2014	Repeal	2-1-2014
839-015-0502	7-1-2015	Amend	12-1-2014	839-022-0130	1-1-2014	Repeal	2-1-2014
839-015-0508	7-1-2015	Amend	12-1-2014	839-022-0135	1-1-2014	Repeal	2-1-2014
839-015-0509	7-1-2015	Amend	12-1-2014	839-022-0140	1-1-2014	Repeal	2-1-2014
839-015-0512	7-1-2015	Amend	12-1-2014	839-022-0145	1-1-2014	Repeal	2-1-2014
839-015-0520	7-1-2015	Amend	12-1-2014	839-022-0150	1-1-2014	Repeal	2-1-2014
839-015-0605	7-1-2015	Amend	12-1-2014	839-022-0155	1-1-2014	Repeal	2-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
839-022-0160	1-1-2014	Repeal	2-1-2014	839-050-0340	4-15-2014	Amend	5-1-2014
839-022-0165	1-1-2014	Repeal	2-1-2014	839-050-0340	9-4-2014	Amend	10-1-2014
839-025-0004	1-1-2014	Amend	2-1-2014	839-050-0350	4-15-2014	Amend	5-1-2014
839-025-0010	1-1-2014	Amend	2-1-2014	839-050-0360	4-15-2014	Amend	5-1-2014
839-025-0013	1-1-2014	Amend	2-1-2014	839-050-0370	4-15-2014	Amend	5-1-2014
839-025-0020	1-1-2014	Amend	2-1-2014	839-050-0380	4-15-2014	Amend	5-1-2014
839-025-0035	1-1-2014	Amend	2-1-2014	839-050-0400	4-15-2014	Amend	5-1-2014
839-025-0043	1-1-2014	Amend	2-1-2014	839-050-0410	4-15-2014	Amend	5-1-2014
839-025-0085	1-1-2014	Amend	2-1-2014	839-050-0420	4-15-2014	Amend	5-1-2014
839-025-0090	1-1-2014	Amend	2-1-2014	839-050-0430	4-15-2014	Amend	5-1-2014
839-025-0095	1-1-2014	Amend	2-1-2014	839-050-0440	4-15-2014	Amend	5-1-2014
839-025-0230	1-1-2014	Amend	2-1-2014	839-050-0440	9-4-2014	Repeal	10-1-2014
839-025-0530	1-1-2014	Amend	2-1-2014	839-050-0445	4-15-2014	Amend	5-1-2014
839-025-0700	1-1-2014	Amend	2-1-2014	845-001-0007	10-1-2014	Amend	10-1-2014
839-025-0700	4-2-2014	Amend	5-1-2014	845-003-0200	10-1-2014	Amend	10-1-2014
839-025-0700	7-1-2014	Amend	7-1-2014	845-003-0210	10-1-2014	Amend	10-1-2014
839-025-0700	10-1-2014	Amend	11-1-2014	845-003-0220	10-1-2014	Amend	10-1-2014
839-030-0010	10-3-2014	Amend	11-1-2014	845-003-0270	10-1-2014	Amend	10-1-2014
839-050-0000	4-15-2014	Amend	5-1-2014	845-003-0331	10-1-2014	Amend	10-1-2014
839-050-0010	4-15-2014	Amend	5-1-2014	845-003-0340	10-1-2014	Repeal	10-1-2014
839-050-0020	4-15-2014	Amend	5-1-2014	845-003-0345	10-1-2014	Adopt	10-1-2014
839-050-0030	4-15-2014	Amend	5-1-2014	845-003-0460	10-1-2014	Amend	10-1-2014
839-050-0040	4-15-2014	Amend	5-1-2014	845-003-0590	10-1-2014	Amend	10-1-2014
839-050-0050	4-15-2014	Amend	5-1-2014	845-003-0670	10-1-2014	Amend	10-1-2014
839-050-0060	4-15-2014	Amend	5-1-2014	845-004-0001	1-1-2014	Amend	1-1-2014
839-050-0070	4-15-2014	Amend	5-1-2014	845-005-0311	1-1-2014	Amend	1-1-2014
839-050-0080	4-15-2014	Amend	5-1-2014	845-005-0325	8-15-2014	Amend	9-1-2014
839-050-0080	9-4-2014	Amend	10-1-2014	845-005-0329	6-1-2014	Adopt	6-1-2014
839-050-0090	4-15-2014	Amend	5-1-2014	845-005-0331	6-1-2014	Amend	6-1-2014
839-050-0100	4-15-2014	Amend	5-1-2014	845-005-0431	3-1-2014	Amend	3-1-2014
839-050-0110	4-15-2014	Amend	5-1-2014	845-005-0440	3-1-2014	Amend	3-1-2014
839-050-0120	4-15-2014	Amend	5-1-2014	845-006-0309	6-1-2014	Adopt	6-1-2014
839-050-0130	4-15-2014	Amend	5-1-2014	845-006-0335	1-1-2014	Amend	1-1-2014
839-050-0140	4-15-2014	Amend	5-1-2014	845-006-0392	1-1-2014	Amend	1-1-2014
839-050-0150	4-15-2014	Amend	5-1-2014	845-006-0396	1-1-2014	Amend	1-1-2014
839-050-0160	4-15-2014	Amend	5-1-2014	845-006-0452	3-1-2014	Amend	3-1-2014
839-050-0170	4-15-2014	Amend	5-1-2014	845-009-0020	9-1-2014	Amend	9-1-2014
839-050-0180	4-15-2014	Amend	5-1-2014	845-009-0130	6-1-2014	Amend	6-1-2014
839-050-0190	4-15-2014	Amend	5-1-2014	845-013-0001	1-1-2014	Amend	1-1-2014
839-050-0200	4-15-2014	Amend	5-1-2014	845-013-0030	8-15-2014	Amend	9-1-2014
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	847-008-0010	10-8-2014	Amend	11-1-2014
839-050-0255	4-15-2014	Amend	5-1-2014	847-008-0040	10-8-2014	Amend	11-1-2014
839-050-0260	4-15-2014	Amend	5-1-2014	847-008-0058	10-8-2014	Adopt	11-1-2014
839-050-0270	4-15-2014	Amend	5-1-2014	847-008-0070	1-14-2014	Amend	2-1-2014
839-050-0280	4-15-2014	Amend	5-1-2014	847-010-0053	1-14-2014	Repeal	2-1-2014
839-050-0290	4-15-2014	Amend	5-1-2014	847-010-0060	1-14-2014	Amend	2-1-2014
839-050-0300	4-15-2014	Amend	5-1-2014	847-020-0110	1-14-2014	Amend	2-1-2014
839-050-0310	4-15-2014	Amend	5-1-2014	847-020-0182	10-8-2014	Amend	11-1-2014
839-050-0320	4-15-2014	Amend	5-1-2014	847-020-0183	4-9-2014	Amend	5-1-2014
839-050-0330	4-15-2014	Amend	5-1-2014	847-020-0183	10-8-2014	Amend	11-1-2014
839-050-0330	9-4-2014	Amend	10-1-2014	847-035-0030	10-8-2014	Amend	11-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
847-050-0020	1-14-2014	Amend	2-1-2014	851-054-0030	1-1-2014	Adopt	1-1-2014
847-050-0023	1-14-2014	Amend	2-1-2014	851-054-0035	1-1-2014	Adopt	1-1-2014
847-050-0023	10-8-2014	Amend	11-1-2014	851-054-0040	1-1-2014	Amend	1-1-2014
847-050-0025	1-14-2014	Amend	2-1-2014	851-056-0020	1-1-2014	Amend	1-1-2014
847-050-0026	1-14-2014	Repeal	2-1-2014	851-056-0022	1-1-2014	Amend	1-1-2014
847-050-0043	4-9-2014	Amend	5-1-2014	851-061-0020	1-1-2014	Amend	1-1-2014
847-070-0019	1-14-2014	Amend	2-1-2014	851-061-0030	1-1-2014	Amend	1-1-2014
847-070-0036	1-14-2014	Repeal	2-1-2014	851-061-0080	1-1-2014	Amend	1-1-2014
847-070-0037	1-14-2014	Amend	2-1-2014	851-061-0090	1-1-2014	Amend	1-1-2014
847-070-0037	10-8-2014	Amend	11-1-2014	851-062-0010	1-1-2014	Amend	1-1-2014
847-070-0045	4-9-2014	Amend	5-1-2014	851-062-0010	8-1-2014	Amend	8-1-2014
847-080-0002	1-14-2014	Amend	2-1-2014	851-062-0050	1-1-2014	Amend	1-1-2014
847-080-0021	4-9-2014	Amend	5-1-2014	851-062-0050	8-1-2014	Amend	8-1-2014
847-080-0021	10-8-2014	Amend	11-1-2014	851-062-0080	1-1-2014	Amend	1-1-2014
848-001-0005	1-1-2014	Amend	1-1-2014	851-062-0130	1-1-2014	Amend	1-1-2014
848-005-0020	1-1-2014	Amend	1-1-2014	851-070-0005	4-1-2014	Amend	4-1-2014
848-005-0030	1-1-2014	Amend	1-1-2014	851-070-0040	4-1-2014	Amend	4-1-2014
848-010-0010	1-1-2014	Amend	1-1-2014	851-070-0080	4-1-2014	Amend	4-1-2014
848-010-0015	1-1-2014	Amend	1-1-2014	851-070-0090	4-1-2014	Amend	4-1-2014
848-010-0020	1-1-2014	Amend	1-1-2014	851-070-0100	4-1-2014	Amend	4-1-2014
848-010-0026	1-1-2014	Amend	1-1-2014	852-010-0080	1-3-2014	Amend	2-1-2014
848-010-0033	1-1-2014	Amend	1-1-2014	852-050-0005	1-3-2014	Amend	2-1-2014
848-010-0035	1-1-2014	Amend	1-1-2014	852-050-0016	1-3-2014	Amend	2-1-2014
848-010-0044	1-1-2014	Amend	1-1-2014	855-007-0080	1-24-2014	Amend	3-1-2014
848-015-0030	1-1-2014	Amend	1-1-2014	855-011-0020	1-24-2014	Amend	3-1-2014
848-020-0000	1-1-2014	Amend	1-1-2014	855-019-0130	4-25-2014	Amend(T)	6-1-2014
848-020-0060	1-1-2014	Amend	1-1-2014	855-019-0130	10-22-2014	Amend	12-1-2014
848-035-0010	4-1-2014	Amend	4-1-2014	855-019-0150	2-28-2014	Amend(T)	4-1-2014
848-035-0015	4-1-2014	Amend	4-1-2014	855-019-0150	6-18-2014	Amend	8-1-2014
848-035-0020	4-1-2014	Amend	4-1-2014	855-019-0205	1-24-2014	Amend	3-1-2014
848-035-0030	4-1-2014	Amend	4-1-2014	855-019-0270	1-24-2014	Amend	3-1-2014
848-035-0035	4-1-2014	Amend	4-1-2014	855-019-0280	1-24-2014	Amend	3-1-2014
848-035-0040	4-1-2014	Amend	4-1-2014	855-041-1001	1-24-2014	Adopt	3-1-2014
848-040-0105	1-1-2014	Amend	1-1-2014	855-041-1030	1-24-2014	Amend	3-1-2014
848-040-0110	1-1-2014	Amend	1-1-2014	855-041-1105	1-24-2014	Amend	3-1-2014
848-040-0117	1-1-2014	Amend	1-1-2014	855-041-2300	1-24-2014	Adopt	3-1-2014
848-040-0147	1-1-2014	Amend	1-1-2014	855-041-2300(T)	1-24-2014	Repeal	3-1-2014
848-040-0150	1-1-2014	Amend	1-1-2014	855-041-2310	1-24-2014	Adopt	3-1-2014
848-045-0010	1-1-2014	Amend	1-1-2014	855-041-2310(T)	1-24-2014	Repeal	3-1-2014
850-030-0035	7-10-2014	Amend	8-1-2014	855-041-2320	1-24-2014	Adopt	3-1-2014
850-035-0230	7-10-2014	Amend	8-1-2014	855-041-2320(T)	1-24-2014	Repeal	3-1-2014
850-060-0226	4-9-2014	Amend	5-1-2014	855-041-2330	1-24-2014	Adopt	3-1-2014
850-060-0226	7-10-2014	Amend	8-1-2014	855-041-2330(T)	1-24-2014	Repeal	3-1-2014
851-021-0005	1-1-2014	Amend	1-1-2014	855-041-4200	1-3-2014	Amend	2-1-2014
851-021-0010	1-1-2014	Amend	1-1-2014	855-080-0021	12-20-2013	Amend(T)	2-1-2014
851-021-0025	1-1-2014	Amend	1-1-2014	855-080-0021	2-28-2014	Amend(T)	4-1-2014
851-021-0050	1-1-2014	Amend	1-1-2014	855-080-0021	4-15-2014	Amend(T)	5-1-2014
851-021-0120	1-1-2014	Amend	1-1-2014	855-080-0021	6-18-2014	Amend	8-1-2014
851-050-0000	1-1-2014	Amend	1-1-2014	855-110-0005	1-3-2014	Amend	2-1-2014
851-050-0001	1-1-2014	Amend	1-1-2014	855-110-0007	1-3-2014	Amend	2-1-2014
851-050-0002	1-1-2014	Amend	1-1-2014	856-010-0003	1-23-2014	Amend	3-1-2014
851-050-0005	7-1-2014	Amend(T)	8-1-2014	856-010-0006	1-23-2014	Adopt	3-1-2014
851-050-0005	11-1-2014	Amend	11-1-2014	856-010-0010	5-23-2014	Amend(T)	7-1-2014
851-054-0010	1-1-2014	Amend	1-1-2014	856-010-0011	5-23-2014	Amend(T)	7-1-2014
851-054-0020	1-1-2014	Amend	1-1-2014	856-010-0012	5-23-2014	Amend(T)	7-1-2014
851-054-0021	1-1-2014	Amend	1-1-2014	856-010-0045	8-25-2014	Amend	10-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
858-010-0036	3-24-2014	Amend	5-1-2014	860-027-0015	5-28-2014	Amend	7-1-2014
858-010-0075	6-2-2014	Amend	7-1-2014	860-027-0045	5-28-2014	Amend	7-1-2014
858-040-0015	1-1-2015	Amend	7-1-2014	860-027-0070	5-28-2014	Amend	7-1-2014
858-040-0020	1-1-2015	Am. & Ren.	7-1-2014	860-032-0012	1-22-2014	Amend	3-1-2014
858-040-0025	1-1-2015	Amend	7-1-2014	860-033-0001	12-20-2013	Amend	2-1-2014
858-040-0026	1-1-2015	Amend	7-1-2014	860-033-0001(T)	12-20-2013	Repeal	2-1-2014
858-040-0035	1-1-2015	Amend	7-1-2014	860-033-0005	12-20-2013	Amend	2-1-2014
858-040-0036	1-1-2015	Amend	7-1-2014	860-033-0005(T)	12-20-2013	Repeal	2-1-2014
858-040-0055	1-1-2015	Amend	7-1-2014	860-033-0006	12-20-2013	Amend	2-1-2014
858-040-0065	1-1-2015	Amend	7-1-2014	860-033-0006(T)	12-20-2013	Repeal	2-1-2014
859-200-0005	3-5-2014	Adopt	4-1-2014	860-033-0007	12-20-2013	Amend	2-1-2014
859-200-0010	3-5-2014	Adopt	4-1-2014	860-033-0007(T)	12-20-2013	Repeal	2-1-2014
859-200-0015	3-5-2014	Adopt	4-1-2014	860-033-0010	12-20-2013	Amend	2-1-2014
859-200-0020	3-5-2014	Adopt	4-1-2014	860-033-0010(T)	12-20-2013	Repeal	2-1-2014
859-200-0025	3-5-2014	Adopt	4-1-2014	860-033-0030	12-20-2013	Amend	2-1-2014
859-200-0030	3-5-2014	Adopt	4-1-2014	860-033-0030(T)	12-20-2013	Repeal	2-1-2014
859-200-0035	3-5-2014	Adopt	4-1-2014	860-033-0035	12-20-2013	Amend	2-1-2014
859-200-0040	3-5-2014	Adopt	4-1-2014	860-033-0035(T)	12-20-2013	Repeal	2-1-2014
859-200-0045	3-5-2014	Adopt	4-1-2014	860-033-0040	12-20-2013	Amend	2-1-2014
859-200-0050	3-5-2014	Adopt	4-1-2014	860-033-0040(T)	12-20-2013	Repeal	2-1-2014
859-200-0055	3-5-2014	Adopt	4-1-2014	860-033-0045	12-20-2013	Amend	2-1-2014
859-200-0060	3-5-2014	Adopt	4-1-2014	860-033-0045(T)	12-20-2013	Repeal	2-1-2014
859-200-0065	3-5-2014	Adopt	4-1-2014	860-033-0046	12-20-2013	Amend	2-1-2014
859-200-0070	3-5-2014	Adopt	4-1-2014	860-033-0046(T)	12-20-2013	Repeal	2-1-2014
859-200-0075	3-5-2014	Adopt	4-1-2014	860-033-0050	12-20-2013	Amend	2-1-2014
859-200-0080	3-5-2014	Adopt	4-1-2014	860-033-0050(T)	12-20-2013	Repeal	2-1-2014
859-200-0085	3-5-2014	Adopt	4-1-2014	860-033-0055	12-20-2013	Repeal	2-1-2014
859-200-0090	3-5-2014	Adopt	4-1-2014	860-033-0100	12-20-2013	Amend	2-1-2014
859-200-0095	3-5-2014	Adopt	4-1-2014	860-033-0100(T)	12-20-2013	Repeal	2-1-2014
859-200-0100	3-5-2014	Adopt	4-1-2014	860-033-0110	12-20-2013	Adopt	2-1-2014
859-200-0105	3-5-2014	Adopt	4-1-2014	860-033-0110(T)	12-20-2013	Repeal	2-1-2014
859-200-0110	3-5-2014	Adopt	4-1-2014	860-033-0530	12-20-2013	Amend	2-1-2014
859-200-0115	3-5-2014	Adopt	4-1-2014	860-033-0530(T)	12-20-2013	Repeal	2-1-2014
859-200-0120	3-5-2014	Adopt	4-1-2014	860-033-0535	12-20-2013	Amend	2-1-2014
859-200-0125	3-5-2014	Adopt	4-1-2014	860-033-0535(T)	12-20-2013	Repeal	2-1-2014
859-200-0130	3-5-2014	Adopt	4-1-2014	860-033-0536	12-20-2013	Amend	2-1-2014
859-200-0135	3-5-2014	Adopt	4-1-2014	860-033-0536(T)	12-20-2013	Repeal	2-1-2014
859-200-0140	3-5-2014	Adopt	4-1-2014	860-033-0537	12-20-2013	Amend	2-1-2014
859-200-0145	3-5-2014	Adopt	4-1-2014	860-033-0537(T)	12-20-2013	Repeal	2-1-2014
859-200-0150	3-5-2014	Adopt	4-1-2014	860-033-0540	12-20-2013	Amend	2-1-2014
859-200-0200	3-5-2014	Adopt	4-1-2014	860-033-0540(T)	12-20-2013	Repeal	2-1-2014
859-200-0205	3-5-2014	Adopt	4-1-2014	860-034-0130	6-26-2014	Amend	8-1-2014
859-200-0210	3-5-2014	Adopt	4-1-2014	860-034-0390	1-22-2014	Amend	3-1-2014
859-200-0215	3-5-2014	Adopt	4-1-2014	860-036-0135	6-26-2014	Amend	8-1-2014
859-200-0220	3-5-2014	Adopt	4-1-2014	860-036-0135	11-13-2014	Amend	12-1-2014
859-200-0225	3-5-2014	Adopt	4-1-2014	860-037-0120	6-26-2014	Amend	8-1-2014
859-200-0230	3-5-2014	Adopt	4-1-2014	860-037-0120	11-13-2014	Amend	12-1-2014
859-200-0235	3-5-2014	Adopt	4-1-2014	860-038-0005	3-7-2014	Amend	4-1-2014
859-200-0300	3-5-2014	Adopt	4-1-2014	860-038-0300	3-7-2014	Amend	4-1-2014
859-200-0305	3-5-2014	Adopt	4-1-2014	860-084-0150	10-14-2014	Amend	11-1-2014
859-200-0310	3-5-2014	Adopt	4-1-2014	860-084-0190	10-14-2014	Amend	11-1-2014
860-001-0310	1-9-2014	Amend	2-1-2014	860-084-0220	10-14-2014	Amend	11-1-2014
860-021-0135	6-26-2014	Amend	8-1-2014	863-003-0000	4-28-2014	Adopt	5-1-2014
860-021-0135	11-13-2014	Amend	12-1-2014	863-003-0005	4-28-2014	Adopt	5-1-2014
860-023-0055	1-22-2014	Amend	3-1-2014	863-003-0010	4-28-2014	Adopt	5-1-2014
860-027-0005	5-28-2014	Amend	7-1-2014	863-003-0020	4-28-2014	Adopt	5-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
863-003-0040	4-28-2014	Adopt	5-1-2014	875-030-0025	4-22-2014	Amend	6-1-2014
863-003-0050	4-28-2014	Adopt	5-1-2014	875-030-0030	1-17-2014	Amend	3-1-2014
863-003-0060	4-28-2014	Adopt	5-1-2014	875-030-0040	1-17-2014	Amend	3-1-2014
863-003-0070	4-28-2014	Adopt	5-1-2014	875-030-0050	1-17-2014	Amend	3-1-2014
863-003-0080	4-28-2014	Adopt	5-1-2014	877-020-0057	8-1-2014	Amend(T)	9-1-2014
863-003-0090	4-28-2014	Adopt	5-1-2014	918-001-0025	3-24-2014	Amend	5-1-2014
863-003-0100	4-28-2014	Adopt	5-1-2014	918-005-0010	10-1-2014	Repeal	11-1-2014
863-003-0110	4-28-2014	Adopt	5-1-2014	918-008-0000	4-1-2014	Amend	3-1-2014
863-014-0003	4-28-2014	Amend	5-1-2014	918-020-0090	1-1-2014	Amend	2-1-2014
863-014-0010	4-28-2014	Amend	5-1-2014	918-020-0090	11-14-2014	Amend(T)	12-1-2014
863-014-0015	4-28-2014	Amend	5-1-2014	918-020-0370	1-1-2014	Amend	2-1-2014
863-014-0015	4-28-2014	Amend	5-1-2014	918-020-0370(T)	1-1-2014	Repeal	2-1-2014
863-014-0020	4-28-2014	Amend	5-1-2014	918-040-0000	10-1-2014	Amend	11-1-2014
863-014-0035	4-28-2014	Amend	5-1-2014	918-098-1000	4-1-2014	Amend	5-1-2014
863-014-0040	4-28-2014	Amend	5-1-2014	918-098-1005	4-1-2014	Amend	5-1-2014
863-014-0050	4-28-2014	Amend	5-1-2014	918-098-1010	1-1-2014	Amend	2-1-2014
863-014-0062	4-28-2014	Amend	5-1-2014	918-098-1010	4-1-2014	Amend	5-1-2014
863-014-0063	4-28-2014	Amend	5-1-2014	918-098-1015	4-1-2014	Amend	5-1-2014
863-014-0065	4-28-2014	Amend	5-1-2014	918-098-1030	4-1-2014	Repeal	5-1-2014
863-014-0066	4-28-2014	Amend	5-1-2014	918-098-1210	4-1-2014	Amend	5-1-2014
863-014-0095	4-28-2014	Amend	5-1-2014	918-098-1215	4-1-2014	Amend	5-1-2014
863-014-0100	4-28-2014	Amend	5-1-2014	918-098-1450	4-1-2014	Amend	5-1-2014
863-015-0003	4-28-2014	Amend	5-1-2014	918-098-1470	4-1-2014	Amend	5-1-2014
863-015-0081	4-28-2014	Adopt	5-1-2014	918-098-1500	4-1-2014	Amend	5-1-2014
863-020-0000	4-28-2014	Amend	5-1-2014	918-098-1505	8-26-2014	Adopt(T)	10-1-2014
863-020-0010	4-28-2014	Amend	5-1-2014	918-098-1525	4-1-2014	Adopt	5-1-2014
863-020-0015	4-28-2014	Amend	5-1-2014	918-098-1550	4-1-2014	Amend	5-1-2014
863-020-0030	4-28-2014	Amend	5-1-2014	918-098-1560	4-1-2014	Repeal	5-1-2014
863-020-0030	4-28-2014	Amend	5-1-2014	918-251-0000	10-1-2014	Repeal	11-1-2014
863-020-0040	4-28-2014	Amend	5-1-2014	918-251-0090	10-1-2014	Amend	11-1-2014
863-020-0055	4-28-2014	Amend	5-1-2014	918-261-0010	10-1-2014	Repeal	11-1-2014
863-020-0060	4-28-2014	Amend	5-1-2014	918-282-0450	2-12-2014	Adopt(T)	3-1-2014
863-024-0003	4-28-2014	Amend	5-1-2014	918-282-0455	2-12-2014	Adopt(T)	3-1-2014
863-024-0015	4-28-2014	Amend	5-1-2014	918-282-0455	2-21-2014	Adopt(T)	4-1-2014
863-024-0015	4-28-2014	Amend	5-1-2014	918-282-0455(T)	2-21-2014	Suspend	4-1-2014
863-024-0045	4-28-2014	Amend	5-1-2014	918-282-0460	2-12-2014	Adopt(T)	3-1-2014
863-024-0050	4-28-2014	Amend	5-1-2014	918-305-0005	10-1-2014	Amend	11-1-2014
863-024-0062	4-28-2014	Amend	5-1-2014	918-305-0030	10-1-2014	Amend	11-1-2014
863-024-0063	4-28-2014	Amend	5-1-2014	918-305-0100	10-1-2014	Amend	11-1-2014
863-024-0065	4-28-2014	Amend	5-1-2014	918-305-0105	10-1-2014	Amend	11-1-2014
863-024-0066	4-28-2014	Amend	5-1-2014	918-306-0005	10-1-2014	Amend	11-1-2014
863-024-0095	4-28-2014	Amend	5-1-2014	918-306-0010	10-1-2014	Amend	11-1-2014
863-024-0100	4-28-2014	Amend	5-1-2014	918-309-0070	10-1-2014	Amend	11-1-2014
863-025-0010	4-28-2014	Amend	5-1-2014	918-309-0080	10-1-2014	Amend	11-1-2014
875-005-0005	1-17-2014	Amend	3-1-2014	918-309-0100	10-1-2014	Amend	11-1-2014
875-010-0000	1-17-2014	Amend	3-1-2014	918-400-0210	10-1-2014	Repeal	11-1-2014
875-010-0016	1-17-2014	Amend	3-1-2014	918-440-0010	7-1-2014	Amend	8-1-2014
875-010-0021	1-17-2014	Amend	3-1-2014	918-440-0012	7-1-2014	Amend	8-1-2014
875-010-0045	1-17-2014	Amend	3-1-2014	918-440-0050	7-1-2014	Amend	8-1-2014
875-010-0050	1-17-2014	Amend	3-1-2014	918-460-0010	7-1-2014	Amend	8-1-2014
875-010-0090	1-17-2014	Amend	3-1-2014	918-460-0015	7-1-2014	Amend	8-1-2014
875-015-0020	1-17-2014	Amend	3-1-2014	918-460-0050	7-1-2014	Amend	8-1-2014
875-015-0030	1-17-2014	Amend	3-1-2014	918-460-0500	7-1-2014	Amend	8-1-2014
875-030-0010	1-17-2014	Amend	3-1-2014	918-460-0510	7-1-2014	Repeal	8-1-2014
875-030-0010	10-20-2014	Amend	12-1-2014	918-480-0001	10-1-2014	Repeal	11-1-2014
875-030-0020	1-17-2014	Amend	3-1-2014	918-480-0005	10-1-2014	Amend	11-1-2014

OAR REVISION CUMULATIVE INDEX

OAR Number	Effective	Action	Bulletin	OAR Number	Effective	Action	Bulletin
918-480-0010	10-1-2014	Amend	11-1-2014	943-014-0460	2-18-2014	Adopt	3-1-2014
918-480-0020	10-1-2014	Amend	11-1-2014	943-014-0465	2-18-2014	Adopt	3-1-2014
918-690-0300	10-1-2014	Repeal	11-1-2014	943-070-0000	3-10-2014	Adopt	4-1-2014
918-750-0100	10-1-2014	Amend	11-1-2014	943-070-0010	3-10-2014	Adopt	4-1-2014
918-750-0110	10-1-2014	Amend	11-1-2014	943-070-0020	3-10-2014	Adopt	4-1-2014
918-750-0115	10-1-2014	Amend	11-1-2014	943-070-0030	3-10-2014	Adopt	4-1-2014
918-780-0060	10-1-2014	Repeal	11-1-2014	943-070-0040	3-10-2014	Adopt	4-1-2014
918-780-0065	10-1-2014	Adopt	11-1-2014	943-070-0050	3-10-2014	Adopt	4-1-2014
918-780-0070	10-1-2014	Repeal	11-1-2014	943-070-0060	3-10-2014	Adopt	4-1-2014
918-780-0085	10-1-2014	Adopt	11-1-2014	943-070-0070	3-10-2014	Adopt	4-1-2014
918-780-0130	10-1-2014	Amend	11-1-2014	945-030-0025	7-9-2014	Adopt(T)	8-1-2014
918-780-0140	10-1-2014	Amend	11-1-2014	945-030-0030	4-15-2014	Amend	5-1-2014
918-785-0100	10-1-2014	Am. & Ren.	11-1-2014	945-030-0045	1-16-2014	Adopt	3-1-2014
918-785-0110	10-1-2014	Am. & Ren.	11-1-2014	945-040-0010	5-12-2014	Amend	6-1-2014
918-785-0200	10-1-2014	Repeal	11-1-2014	945-040-0040	5-12-2014	Amend	6-1-2014
918-785-0210	10-1-2014	Repeal	11-1-2014	945-040-0060	5-12-2014	Amend	6-1-2014
918-785-0220	10-1-2014	Am. & Ren.	11-1-2014	945-040-0090	5-12-2014	Amend	6-1-2014
918-785-0230	10-1-2014	Repeal	11-1-2014	945-040-0100	5-12-2014	Amend	6-1-2014
943-005-0000	1-1-2015	Amend	10-1-2014	945-040-0110	5-12-2014	Amend	6-1-2014
943-005-0005	1-1-2015	Amend	10-1-2014	945-040-0140	5-12-2014	Amend	6-1-2014
943-005-0010	1-1-2015	Amend	10-1-2014	945-040-0180	11-18-2013	Adopt(T)	1-1-2014
943-005-0015	1-1-2015	Amend	10-1-2014	945-040-0180	12-23-2013	Adopt(T)	2-1-2014
943-005-0020	1-1-2015	Amend	10-1-2014	945-040-0180	5-12-2014	Adopt	6-1-2014
943-005-0025	1-1-2015	Amend	10-1-2014	945-040-0180(T)	12-23-2013	Suspend	2-1-2014
943-005-0030	1-1-2015	Amend	10-1-2014	952-001-0003	3-7-2014	Adopt	4-1-2014
943-005-0040	1-1-2015	Adopt	10-1-2014	952-001-0003(T)	3-7-2014	Repeal	4-1-2014
943-005-0050	1-1-2015	Adopt	10-1-2014	952-001-0010	3-7-2014	Amend	4-1-2014
943-005-0060	1-1-2015	Adopt	10-1-2014	952-001-0020	3-7-2014	Amend	4-1-2014
943-005-0070	1-1-2015	Adopt	10-1-2014	952-001-0030	3-7-2014	Amend	4-1-2014
943-014-0050	2-18-2014	Repeal	3-1-2014	952-001-0040	3-7-2014	Amend	4-1-2014
943-014-0400	2-18-2014	Adopt	3-1-2014	952-001-0050	3-7-2014	Amend	4-1-2014
943-014-0410	2-18-2014	Adopt	3-1-2014	952-001-0060	3-7-2014	Amend	4-1-2014
943-014-0415	2-18-2014	Adopt	3-1-2014	952-001-0070	3-7-2014	Amend	4-1-2014
943-014-0420	2-18-2014	Adopt	3-1-2014	952-001-0080	3-7-2014	Amend	4-1-2014
943-014-0430	2-18-2014	Adopt	3-1-2014	952-001-0090	3-7-2014	Amend	4-1-2014
943-014-0435	2-18-2014	Adopt	3-1-2014	952-001-0100	3-7-2014	Amend	4-1-2014
943-014-0440	2-18-2014	Adopt	3-1-2014	966-100-0600	7-1-2014	Adopt	8-1-2014
943-014-0445	2-18-2014	Adopt	3-1-2014	972-010-0020	5-7-2014	Amend	6-1-2014
943-014-0450	2-18-2014	Adopt	3-1-2014	972-030-0040	5-7-2014	Amend	6-1-2014
943-014-0455	2-18-2014	Adopt	3-1-2014				

