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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 875
VETERINARY MEDICAL EXAMINING BOARD

FILED

04/18/2023 4:22 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: OAR 875-010-0026 Intern, Active and Inactive licenses

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/14/2023 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Brenda Biggs

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800 NE Oregon Street

Suite 407

Portland, OR 97232

Filed By:

Brenda Biggs

Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 06/14/2023

TIME: 9:00 AM - 10:00 AM

OFFICER: Brenda Biggs

HEARING LOCATION

ADDRESS: Oregon Veterinary Medical Examining Board, 800 NE Oregon Street, Suite 407, Portland, OR 97232

SPECIAL INSTRUCTIONS:

Rules hearing will be virtually via zoom meeting only. Connection information below:

Oregon Veterinary Medical Examining Board is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/84632471962?pwd=cFBtVnA5aHIzVnNDa3UvcEljZUNmQT09>

Meeting ID: 846 3247 1962

Passcode: 76K2LW

One tap mobile

+13462487799,,84632471962#,,,,*030124# US (Houston)

+16694449171,,84632471962#,,,,*030124# US

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 931 3860 US
+1 689 278 1000 US
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 360 209 5623 US
+1 386 347 5053 US

Meeting ID: 846 3247 1962

Passcode: 030124

Find your local number: <https://us06web.zoom.us/j/84632471962>

NEED FOR THE RULE(S)

OAR 875 is in conflict with ORS 686 and needs to be amended to match the statute. ORS 686 allows a veterinarian who is not licensed in this state to practice veterinary medicine in Oregon for up to 30 days. OAR 875 states that a person holding an Inactive license may not practice veterinary medicine in the state of Oregon. The proposed rule change will amend OAR 875 to indicate that a person holding an inactive license may practice veterinary medicine in Oregon for up to 30 days. This will correct the rule to correspond with the statute.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

OAR 875 and ORS 686 available on the Secretary of State Website:

<https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=875>

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

There will be no impact on racial equity. This amendment will allow all inactive licensees to practice for up to 30 days as required by ORS 686.

FISCAL AND ECONOMIC IMPACT:

There will be no negative fiscal or economic impact to licensees or the Board as the statute has always been in effect. The rule modification only amends OAR 875 to correspond with the requirements of ORS 686. There may be a positive fiscal or economic impact for licensees as the change will clarify that licensees holding an inactive license may practice in Oregon for up to 30 days.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There will be no cost of compliance to licensees or the Board as the statute has always been in effect. The rule modification only amends OAR 875 to correspond with the requirements of ORS 686.

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

Notice is sent to all licensees and facilities in this state requesting input on the proposed amendment and notifying them

of the scheduled rules hearing. Many of those facilities and licensees are small business owners. Several of the Board members are small business owners who gave input and direction at the public Board meeting conducted April 7, 2023. Additionally, e-mail notifications and request for input is sent to all Oregon Veterinary Facility owners and licensees requesting comments and/or suggestions regarding the proposed amendment. Many licensees are small business owners. Notice of the public rules hearing is posted in 10 Oregon newspapers. The rules hearing is open to the public which includes small business owners.

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

Not required

AMEND: 875-010-0026

RULE SUMMARY: Amendment to ensure that OAR 875 corresponds with ORS 686. ORS 686 allows a veterinarian to practice veterinary medicine in Oregon for up to 30 days without an Oregon license. OAR 875 is in conflict with the Statue because the rule prohibits an inactive licensee from practicing veterinary medicine in Oregon. This amendment will amend OAR 875 to correspond with ORS 686 by allowing an inactive Veterinary Licensee to practice veterinary medicine in Oregon for up to 30 days.

CHANGES TO RULE:

875-010-0026

Intern, Active and Inactive Licenses ¶¶

Upon approval of all required application materials, the applicant may then apply for an intern or active license to practice veterinary medicine in Oregon. License activation forms are available from the Board office or on its website.¶¶

(1) The intern or active license fee shall be \$150 annually.¶¶

(2) If the applicant has satisfactorily completed one year's experience in the United States or its territories or provinces, an active veterinary license will be issued and will expire on the next following December 31st. Licensee shall renew the license according to OAR 875-010-0065.¶¶

(3) If applicant has less than one year's experience, an Intern Permit (intern license) will be issued. The intern license will expire following the total number of days necessary to complete one year's practice experience, under supervision of an Oregon licensed veterinarian, pursuant to ORS 686.085 and OAR 875-010-0050:¶¶

(a) Upon completion of the internship, the intern may apply for an active license, pursuant to OAR 875-010-0065. Late fees up to \$150 will apply for each month the application is late if the intern has continued to practice veterinary medicine in Oregon after expiration of the intern license;¶¶

(b) The supervising veterinarian shall complete an experience verification form attesting that the intern has satisfactorily completed the internship and the intern shall submit this form with the application for an active license.¶¶

(4) An inactive license may be issued to any applicant who does not meet Continuing Education requirements. Inactive licensees ~~shall not~~ may practice veterinary medicine in Oregon for up to 30 days. The inactive license fee shall be \$100 annually.

Statutory/Other Authority: ORS 686.210

Statutes/Other Implemented: ORS 686.095, 686.255