



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 847 OREGON MEDICAL BOARD

FILED

04/13/2026 4:25 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Updates statutes implemented and includes gender-neutral language.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/26/2026 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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S)

The proposed rulemaking is needed to add two statutes to the statutes implemented list for this rule. The additions are ORS 677.420, relating to competency examinations, and ORS 677.425, relating to the confidentiality of information obtained during investigations. The rulemaking is also needed to update gender-specific terminology to use gender-neutral language.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ORS 677, https://www.oregonlegislature.gov/bills_laws/ors/ors677.html

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

The proposed rulemaking updates statutes implemented and gender-neutral language. At this time, the Board has no data to suggest that this rule will impact racial equity in the state.

FISCAL AND ECONOMIC IMPACT:

The proposed rule amendment has no fiscal and economic impact.

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).

(1) The rule amendment will have no economic impact on state agencies, units of local government, or the public. Board licensees will have to notify the Board of a legal name variation to ensure that the name is recorded correctly in the Board's database. (2) The rule amendment applies to individual licensees of the Oregon Medical Board; small

businesses are not eligible for a Board license. (b) The rulemaking imposes no additional mandatory reporting, recordkeeping or other administrative requirements on small businesses. (c) The rulemaking imposes no additional requirements regarding equipment, supplies, labor or administration.

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

Members of the Board who were consulted in the development of the rule represent small businesses. The rule was reviewed by the Administrative Affairs Committee of the Board on March 11, 2026 as well as the full Board at its quarterly meeting on April 2, 2026.

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

The rule was reviewed by the Administrative Affairs Committee of the Board on March 11, 2026 as well as the full Board at its quarterly meeting on April 2, 2026. Board members represent the interests of persons and communities likely to be affected by a proposed rule. Overall, board members are licensees of the Oregon Medical Board or public members who represent Oregon patients.

AMEND: 847-001-0024

RULE SUMMARY: The proposed rulemaking adds two statutes to the statutes implemented list for this rule. The additions are ORS 677.420, relating to competency examinations, and ORS 677.425, relating to the confidentiality of information obtained during investigations. The rulemaking also updates gender-specific terminology to use gender-neutral language.

CHANGES TO RULE:

847-001-0024

Compliance with Investigation Process ¶¶

- (1) Licensees and applicants must comply with a Board investigation, including truthfully responding to inquiries and providing requested materials within the time allowed and complying with a subpoena. Failure to comply with a Board investigation violates ORS 677.190(17) and is grounds for disciplinary action.¶¶
- (2) Licensees and applicants must comply with the terms of all Board Orders and Agreements, including Corrective Action Agreements and Consent Agreements for Re-entry to Practice. Failure to comply with the terms of a Board Order or Agreement violates ORS 677.190(17) and is grounds for disciplinary action.¶¶
- (3) The board will monitor the National Practitioner Data Bank (NPDB) Continuous Query alert system for two years from the date of an allegation of sexual misconduct.¶¶
- (4) The Executive Director or Medical Director, via ~~his~~ their signature, has the authority to issue Orders for Evaluation during an investigation. The Executive Director or Medical Director must forward any issued order under this rule to the Board in a timely manner.¶¶
- (5) Orders for Evaluation may not be negotiated and are confidential orders enforceable by the Board. Notwithstanding the confidentiality of an Order for Evaluation, failure to comply with such an Order will be grounds for discipline under ORS 677.190(17).

Statutory/Other Authority: ORS 677.265

Statutes/Other Implemented: ORS 677.190, 677.205, 677.270, 677.320, 677.420, 677.425