



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 847 OREGON MEDICAL BOARD

FILED

04/13/2026 4:36 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Removes outdated public record fees and updates terminology to align with the statewide policy.

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 remove references to reports the Oregon Medical Board no longer produces. The Board discontinued its monthly malpractice report due to minimal demand (2 requestors) relative to the time required to compile it. The proposed rulemaking is also needed to remove a separate disciplinary report that the Board does not offer. Disciplinary information is instead available through a Verification of Licensure, which includes all Board orders. Second, the proposed rulemaking is needed to update terminology to align with the Oregon Department of Administrative Services' statewide policy on Public Records Requests and Fees and Charges.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

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

Oregon Department of Administrative Services' Policy 107-001-030: Public Records Requests and Fees and Charges, <https://www.oregon.gov/das/Policies/107-001-030.pdf>

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

The proposed rulemaking makes updates to remove outdated fees and align with current state policy. 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 will have a minimal fiscal and economic impact on the Oregon Medical Board. The Board will align with the Oregon Department of Administrative Services' statewide policy on Public Records Requests and Fees and Charges, specifically regarding allowable fees for staff time spent gathering, reviewing, and providing records.

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 removes outdated fees and aligns with the Oregon Department of Administrative Services' statewide policy on Public Records Requests and Fees and Charges. This alignment will have a minimal economic impact on the Oregon Medical Board regarding allowable fees for staff time spent gathering, reviewing, and providing records. Some requestors may see a slight increase in fees due to alignment with state policy. (2) The rule applies to anyone requesting public records, including small businesses. In 2025, OMB received fewer than 200 requests with itemized fees; it is unknown how many of those requestors were small businesses. (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: 847-005-0008

RULE SUMMARY: The proposed rulemaking first removes references to reports the Oregon Medical Board no longer produces. The Board discontinued its monthly malpractice report due to minimal demand (2 requestors) relative to the time required to compile it. The proposed rulemaking also removes a separate disciplinary report that the Board does not offer. Disciplinary information is instead available through a Verification of Licensure, which includes all Board orders. Second, the proposed rulemaking updates terminology to align with the Oregon Department of Administrative Services' statewide policy on Public Records Requests and Fees and Charges.

CHANGES TO RULE:

847-005-0008

Public Record Fees

Many public records are available on the Oregon Medical Board's website without charge; convenience copies of these records are available upon request for a set charge. Pursuant to ORS 192.324, public records fees reflect no more than the actual cost of producing and processing the public records request.¶

(1) Licensee Information Request Charges:¶

(a) Verification of Licensure - Individual Requests (1-4 licenses) - \$10 per license.¶

(b) Verification of Licensure - Multiple (5 or more licenses) - \$7.50 per license.¶

(c) Malpractice Report - Individual Requests - \$10 per license.¶

~~(d) Malpractice Report - Multiple (monthly report) - \$15 per report.¶~~

~~(e) Disciplinary - Individual Requests - \$10 per license.¶~~

(2) Record Search Charges: If a request for records can be fulfilled using less than 30 minutes of staff time, there will be no charge for the service.¶

(a) Clerical Staff - \$25 per hour.¶

~~(b) Administrative and Managerial Staff - \$40 per hour.¶~~

(c) Professional Staff and Medical Director - \$75 per hour.¶

(d) The actual cost to the Board of time spent by the Board's attorney in reviewing the public records, redacting

material from the public records, and segregating the public records into exempt and nonexempt records.¶¶

(3) Data Order Charges:¶¶

(a) Standard Licensee Data Order - \$75 each.¶¶

(b) Custom Licensee Data Order - \$75 + \$40.00 per hour Administrative time.¶¶

(c) Address Label Data - \$50 each.¶¶

(d) Malpractice Information Data - \$75 each.¶¶

(4) All Board fees are non-refundable and non-transferable.¶¶

(5) The Board may waive or reduce fees for public records upon written request if the Board determines that making the record available primarily benefits the general public.

Statutory/Other Authority: ORS 677.265

Statutes/Other Implemented: ORS 677.265, 192.324