



# Oregon

Kate Brown, Governor

## Medical Board

1500 SW 1<sup>st</sup> Avenue, Suite 620  
Portland, OR 97201-5847  
(971) 673-2700  
FAX (971) 673-2670  
[www.oregon.gov/omb](http://www.oregon.gov/omb)

January 10, 2024

Oregon Legislative Assembly  
VIA E-MAIL

Re: ORS 183.403 Report from the Oregon Medical Board

Dear Legislators:

The Oregon Medical Board (“Board”) is pleased to submit this executive summary as required in ORS 183.403. In calendar year 2023, the Board adopted, amended, repealed or suspended rules as described below.

**The Board has taken the following rulemaking actions under ORS 183.335(2) and (3):**

- Adopted 1 rule
- Amended 17 rules
- Repealed 1 rule

**The Board has taken the following temporary rulemaking actions under ORS 183.335(5). The required information on these rulemaking actions is available in the report on our website.**

- Adopted 0 rule
- Amended 1 rule
- Suspended 0 rules

Thank you for your review of the Board’s rulemaking activity. This report is available on our website at <https://www.oregon.gov/omb/statutesrules/Pages/Statutes-Rules-Overview.aspx>.

Respectfully,

Elizabeth Ross  
Legislative & Policy Analyst

cc: Brett Hanes, Legislative Administrator  
Christoffer Poulsen, DO, Board Chair  
Nicole Krishnaswami, Executive Director, Oregon Medical Board

**Oregon Medical Board**  
**Administrative Rules Annual Report**  
**HB 4106 (2016 Session)**

Report contains rules filed during calendar year January 01, 2023 through December 31, 2023

**Rules Adopted, Amended, or Repealed [ORS 183.335(2) and (3)]**

Adopted	1
Amended	17
Repealed	1

**Temporary Rules Adopted, Amended, or Suspended [ORS 183.335(5)]**

Adopted	0
Amended	1
Suspended	0

**OMB 13-2023**

**Filed: 07/11/2023 5:54 PM**

847-020-0185

Amend

**Statement of Need**

The temporary rule is needed to treat unqualified applicants similar to qualified applicants who are not facing potential discipline. Under the temporary rule, an unqualified applicant would be able to request to withdraw their application, if there was no evidence of a statutory violation. Additionally, the Board would not report this action to Federation of State Medical Boards (FSMB), and the applicant could reapply at any time.

**Justification**

The Oregon Medical Board finds that failure to act promptly will result in unqualified applicants not being allowed to withdraw an application, requiring the Board to provide the applicant with notice of the denial and a right to request a hearing. The Board would have to report this action to the FSMB. A report to FSMB would be permanently on an applicant's national record and may impact licensure decisions in other jurisdictions. The Oregon Medical Board needs to adopt this temporary rule promptly to allow unqualified applicants, without evidence of a statutory violation, to withdraw their application similar to qualified applicants and not require the Board to issue a notice of denial under these circumstances.