

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

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AND TRIBAL LIAISON



ARCHIVES DIVISION

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STATUTORY MINOR CORRECTION

BOC 2-2024

CHAPTER 817

OREGON HEALTH AUTHORITY

HEALTH LICENSING OFFICE, BOARD OF COSMETOLOGY

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Correcting rule subsection references for civil penalties.

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 817-090-0085

RULE SUMMARY: Correct rule subsection reference.

CHANGES TO RULE:

817-090-0085

Schedule of Penalties for Sanitation or Disinfectant Violations ¶¶

The Office has adopted the following presumptive penalty schedule for the 1st, 2nd, and 3rd violation of safety and infection control laws and rules. This schedule applies, except at the discretion of the Office pursuant to ORS 676.992. For the 4th and subsequent offenses, the provisions of ORS 676.992 apply. ¶¶

(1) Failing to use a high-level disinfectant or failing to completely immerse in high-level disinfectant, all tools and implements with sharp edges or points, or foot spa equipment according to disinfectant manufacturer's instructions is a violation of either OAR 817-010-0068(~~34~~) or 817-010-0101(5):¶¶

(a) 1st offense: \$300;¶¶

(b) 2nd offense: \$500;¶¶

(c) 3rd offense: \$1000.¶¶

(2) Failing to keep disinfecting solutions at adequate strength, free of foreign material, and/or available for immediate use at all times the facility is open for business is a violation of OAR 817-010-0068(10):¶¶

(a) 1st offense: \$300;¶¶

(b) 2nd offense: \$500;¶¶

(c) 3rd offense: \$1000.¶¶

(3) Failing to provide and maintain adequate disinfecting solutions or sterilizing equipment to the number of applicable authorization holders providing services, usage requirements or volume of business is a violation of OAR 817-010-0068(9):¶¶

(a) 1st offense: \$300;¶¶

(b) 2nd offense: \$500;¶¶

(c) 3rd offense: \$1000.¶¶

(4) Failing to use a low-level disinfectant or failing to completely immerse all tools and implements, without sharp edges or points according to disinfectant manufacturers instructions is a violation of OAR 817-010-0068(~~26~~):¶¶

(a) 1st offense: \$300;¶¶

(b) 2nd offense: \$500;¶¶

(c) 3rd offense: \$1000.

Statutory/Other Authority: ORS 676.992, ORS 690.167, ORS 676.612, ORS 676.615

Statutes/Other Implemented: ORS 676.992, ORS 690.167, ORS 676.612, ORS 676.615