

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on 01/10/2014 by the Oregon Medical Board

Agency and Division

Kimberly Fisher

Rules Coordinator

1500 SW 1st Ave., Suite 620, Portland, OR 97201

Address

To become effective Upon filing. Rulemaking Notice was published in the November 2013 Oregon Bulletin.

847

Administrative Rules Chapter Number

(971) 673-2667

Telephone

**RULE CAPTION**

Recognizes continuing medical education in cultural competency

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

847-008-0070

**REPEAL:**

**RENUMBER:**

**AMEND AND RENUMBER:**

**Statutory Authority:**

ORS 677.265

**Other Authority:**

**Statutes Implemented:**

ORS 677.265

**RULE SUMMARY**

The rule amendment allows participation in cultural competency education to be counted toward the mandatory continuing education required of all Board licensees.

Kimberly Fisher  
Rules Coordinator Name

kimberly.fisher@state.or.us  
Email Address

**FILED**

1-14-14 4:21 PM

ARCHIVES DIVISION  
SECRETARY OF STATE

# OREGON ADMINISTRATIVE RULES

## CHAPTER 847, DIVISION 008 – OREGON MEDICAL BOARD

### FINAL REVIEW – JANUARY 2014

The rule amendment allows participation in cultural competency education to be counted toward the mandatory continuing education required of all Board licensees as part of maintenance of licensure. However, the rule clarifies that generally relevant continuing education hours such as cultural competency courses cannot be used to fulfill the requirements in OAR 847-017-0003(2). The rule also makes technical corrections to refer to “maintenance of certification” rather than “recertification” and the updated names for the podiatric specialty boards.

#### 847-008-0070

#### Continuing Medical Competency (Education)

The Oregon Medical Board is committed to ensuring the continuing competence of its licensees for the protection, safety and well being of the public. All licensees must engage in a culture of continuous quality improvement and lifelong learning.

(1) Licensees renewing registration who had been registered with Active, Administrative Medicine Active, Locum Tenens, Telemedicine Active, Telemonitoring Active, or Teleradiology Active status for the previous registration period must demonstrate ongoing competency to practice medicine by:

(a) Ongoing participation in ~~[re-]~~ **maintenance of** certification by an American Board of Medical Specialties (ABMS) board, the American Osteopathic Association’s Bureau of Osteopathic Specialists (AOA-BOS), the American Board of ~~[Podiatric Orthopedics and Primary]~~ Podiatric Medicine ~~[(ABPOPPM)]~~ **(ABPM), the American Board of Podiatric Surgery (ABPS)**, the National Commission on Certification of Physician Assistants (NCCPA), or the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM);  
or

(b) 60 hours of continuing medical education (CME) per two years relevant to the licensee's current medical practice, or 30 hours of CME if licensed during the second year of the biennium, as follows:

(A) American Medical Association (AMA) Category 1;

(B) American Osteopathic Association (AOA) Category 1-A or 2-A;

(C) American Podiatric Medical Association's (APMA) Council on Podiatric Medical Education approved sponsors of continuing education; or

(D) American Academy of Physician Assistants (AAPA) Category 1 (pre-approved); or

(c) 30 hours of NCCAOM-approved courses per two years relevant to the licensee's current practice, or 15 hours if licensed during the second year of the biennium.

(2) Licensees renewing registration who had been registered with Emeritus status for the previous registration period must demonstrate ongoing competency by:

(a) Ongoing participation in re-certification by an ABMS board, the AOA-BOS, the [ABPOPPM] **ABPM, the ABPS**, the NCCPA, or the NCCAOM; or

(b) 15 hours of CME per year as follows:

(A) AMA Category 1 or 2;

(B) AOA Category 1-A, 1-B, 2-A or 2-B;

(C) APMA-approved continuing education; or

(D) AAPA Category 1 or 2; or

(c) 8 hours of NCCAOM-approved courses.

(3) Licensees who have lifetime certification **without participation in maintenance of certification** with the ABMS, AOA-BOS, [ABPOPPM] **ABPM, ABPS**, or NCCPA must submit

the required CME in section (1) (b) of this rule or section (2) (b) of this rule if renewing with Emeritus status.

(4) Licensees who have lifetime certification **without participation in maintenance of certification** with the NCCAOM must submit the required CME in section (1) (c) of this rule or section (2) (c) of this rule if renewing with Emeritus status.

**(5) CME in cultural competency is considered relevant CME for the current practice of all licensees and may be used toward satisfying the required CME hours.**

**(6) Licensees who perform Level II office-based surgical procedures and who are not eligible or maintaining certification with an ABMS, AOA-BOS, ABPM, ABPS or NCCPA specialty board, must obtain 50 hours of CME each year. The CME hours must be relevant to the surgical procedures to be performed in the office-based facility and must be accredited as described in section (1)(b) of this rule. This requirement may not be satisfied with cultural competency CME or other CME that is only generally relevant to the licensee's practice.**

~~[(5)]~~ **(7)** The Board may audit licensees for compliance with CME. Audited licensees have 60 days from the date of the audit to provide course certificates. Failure to comply or misrepresentation of compliance is grounds for disciplinary action.

~~[(6)]~~ **(8)** As the result of an audit, if licensee's CME is deficient or licensee does not provide adequate documentation, the licensee will be fined \$250 and must comply with CME requirements within 120 days from the date of the audit.

(a) If the licensee does not comply within 120 days of the date of the audit, the fine will increase to \$1000; and

(b) If the licensee does not comply within 180 days of the date of the audit, the licensee's license will be suspended for a minimum of 90 days.

[~~7~~] **9** The following licensees are exempt from this rule:

(a) Licensees in residency training;

(b) Licensees serving in the military who are deployed outside Oregon for 90 days or more during the reporting period; and

(c) Volunteer Camp licensees.

Stat. Auth.: ORS 677.265

Stats. Implemented: ORS 677.265