RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
485:1-1-4, [REVOKED]

SUMMARY:
Proposed revisions include:
Revocation of 485:1-1-4 as it is duplicative language of the Open Meetings Act 25 O.S. §301-314.

AUTHORITY:
Oklahoma Board of Nursing; 59 O.S. §§ 567.2(A)(3)

COMMENT PERIOD:
Persons wishing to submit written comments must do so by January 15, 2021, at 4:30 p.m. to the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, Oklahoma 73106, Attn: Jackye Ward, MS, RN, NEA-BC, FRE.

PUBLIC HEARING:
A public hearing will be held to provide an opportunity for persons to orally present their views on Wednesday, January 20, 2021 at 8:00 a.m., at The Sheraton Oklahoma City Downtown, 2nd floor Ballroom, 1 North Broadway Avenue, Oklahoma City, Oklahoma. Anyone who wishes to speak at this public hearing must sign in with the Oklahoma Board of Nursing by 7:30 a.m., January 20, 2021.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Business entities affected by these proposed Rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed Rules. Business entities may submit this information in writing by January 15, 2021, at 4:30 p.m., to the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, OK 73106, Attn: Jackye Ward, MS, RN, NEA-BC, FRE.

COPIES OF PROPOSED RULES:
Copies of the proposed Rules may be obtained by contacting Jackye Ward, MS, RN, NEA-BC, FRE, at the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, Oklahoma 73106, (405) 962-1809. The proposed amendments may also be viewed on the Oklahoma Board of Nursing web site at http://www.nursing.ok.gov/rules.html.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. Section 303(D), a rule impact statement has been prepared. The rule impact statement may be obtained by contacting Jackye Ward, MS, RN, NEA-BC, FRE, at the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, Oklahoma 73106, (405) 962-1809. The Rule Impact Statement may also be viewed on the Oklahoma Board of Nursing web site at http://www.nursing.ok.gov/rules.html.

CONTACT PERSON:
Jackye Ward, MS, RN, NEA-BC, FRE, (405) 962-1809.
CHAPTER 1. ADMINISTRATION

485:1-1-4. Business meetings [REVOKED]
(a) Special meetings. Special meetings may be called by the President or Secretary with five (5) days notice to each member of the Board. [59 O.S. Section 567.4(F)]
(b) Emergency meetings. Emergency meetings may be called by the President without required notice for situations of imminent peril to the public health, safety, welfare or other compelling extraordinary circumstances.
(c) Agenda. A copy of the agenda shall be sent to each member at least five (5) days prior to the meeting. Any member wishing to have a special topic placed on the agenda shall notify the President at least fifteen (15) days prior to the meeting. Items of an emergency nature shall be considered at any meeting without prior notice.
(d) Record of meeting. The Secretary shall cause to be kept a record of all meetings which shall include a recording of votes by each member in attendance and such records shall be retained as a permanent record of the transaction of the Board.
(e) Parliamentary authority. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the meetings in all instances to which they are applicable. The President shall have a vote on all matters coming before the Board.
(f) Notice of meetings. Notice of all meetings shall be in writing and delivered to Board members ten (10) days prior to meeting.
RULE IMPACT STATEMENT: OAC Title 485. Oklahoma Board of Nursing, Chapter 1. Administration, Subchapter 1. Administration

a. Description of the purpose of the proposed rule:

   Proposed revisions include the deletion 485:1-1-4 as it repeats language in the Oklahoma Open Meetings Act, 25 O.S. §301-314.

b. Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

   The revocation of this language will not impact any persons as the statutory authority of the Open Meetings Act addresses business meetings.
   The agency has not received any information on costs impacts from any private or public entities.

c. Description of classes of persons who will benefit from the proposed rule:

   The Open Meetings Act, 25 O.S. §301, et seq. continues to serve the citizens of Oklahoma as public policy of the State of Oklahoma encouraging and facilitating an informed citizenry’s understanding of the governmental processes and governmental matters.

d. Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change.

   There will be no economic impact on political subdivisions.

e. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency.

   There are no additional costs to the agency for revoking these rules.

f. Determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

   The proposed revocation of these rules will have no economic impact on a political subdivision or require cooperation in implementing or enforcing the rules.

g. Determination of whether implementation of the proposed rule will have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.
The revocation of these rules will have no impact on small business.

h. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

   It was determined that revocation of these rules is both effective and a fiscally responsible method for achieving the purpose of removing duplicative administrative rules language.

i. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

   The revocation of these rules will have no effect on the public health, safety and environment, as the statutory authority for the revoked rules rests with the Open Meeting Act, 25 O.S. §301-314.

j. Determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented:

   If the proposed revocation of rule is not implemented, it will continue to serve as duplicative language in administrative rules.

k. Date the rule impact statement was prepared and if modified, the date modified:

   Prepared: November 12, 2020