



MEMORANDUM

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| DATE | August 14, 2025 |
| TO | OMBC Board Members |
| FROM | Terri Thorfinnson, J.D. Administrative Services Program Manager |
| RE: | Agenda Item- 15 Rulemaking Update – 2025 Rulemaking for Pending or Proposed Regulations |

Rulemaking Update Summary

Three regulatory packages are moving along in the rulemaking process. The [CME/Audit and Cite and Fine](#) package was approved by the Office of Administrative Law (OAL) July 10, 2025. By law rulemaking does not become effective upon approval of OAL, rather rulemaking becomes effective quarterly based on the date approved. The CME and Audits and Cite and Fine rulemaking will become effective October 1, 2025. This rulemaking package is completed.

The Fees and License Status rulemaking documents are still pending review within DCA. Budgets and Regulator staff must sign-off and then it goes to the DCA Director for review and approval. The Board must receive approval from DCA and Agency before it can be submitted to OAL for post for 45-day comment period. July 10, 2025, Board staff was notified of the need for additional revisions to the already Board approved language. The Board will be reviewing these revisions at this meeting. DCA budget staff has not signed off, so we are still waiting for their approval in order to proceed to the next step of regulatory counsel review prior to submitting to DCA Director and Agency for approval to submit to OAL. This first submission to OAL starts the one-year regulatory clock during which the Board must complete the regulatory process and receive approval, appeal for additional time or start over. This first submission is when the Board receives permission to proceed to public comment.

The Disciplinary Guidelines are in the initial stages. Preliminary draft of the proposed language was reviewed by Regulatory Counsel and that draft is being reviewed and revised. It is anticipated that more input and revisions will be made over the summer and fall in preparation for the Board to review in the November board meeting 2025. The Board staff is trying to anticipate as many of the changes needed upfront before the Enforcement Committee and Board review it. This is another large rulemaking package that is complex because it is creating a new Disciplinary Guidelines document that has not been amended since 1996. Since Rebecca Marcos gracefully resumed retirement, I have become involved in both the Licensing and Fees as well as the Disciplinary Guidelines rulemaking working closely with Erika.

Rulemaking Status: Continuing Medical Education and Cite and Fines

| Concept/ Draft language | DCA pre-review | Board approval of Language | Draft Regulatory documents/ review | DCA Director Approval | Agency Approval | DOF Approval | Filing regulatory package with OAL |
|--|---|--|--|---|----------------------------|-------------------------|---|
| 9.22.2018 | 3/5/18, 5/25/22, 6/29/23,9/19/23, 6/4/24,9/11/24 | 5/16/19,1/14/21, 1/19/23,8/17/23, 8/15/24 | 6/4/24, 9/11/24 | October 2024 | approved | approved | Submitted and approved to release for comments |
| 45-day comment period | Board Respond to comments | Final review with Regulatory Attorney | Submit to DCA Director, OAL for approval | OAL approval or denial | Effective Date | | |
| Completed January 8 th , 2025 | Board review/ approval 2/13/2025 Board meeting | 5.7.2025 from Regulatory Attorney, | 5.19.2025 to Director, 5.21.2025 Director Approval. 5.29.2025 Budget to DOF. Submission to OAL 5.29.2025. DOF approval 7.1.2025 | July 10, 2025. OAL posted 7.18.2025 | October 1, 2025 | | |

Rulemaking Status: Fees and License Status

| <i>Concept/ Draft language</i> | <i>DCA pre-review</i> | <i>Board approval of Language</i> | <i>Draft Regulatory documents/ review</i> | <i>DCA Director Approval</i> | <i>Agency Approval</i> | <i>DOF Approval</i> | <i>Filing regulatory package with OAL</i> |
|--|---|--|---|---------------------------------------|----------------------------|-------------------------|---|
| 1/1/2024 | 2/1/24,2/15/24 2/28/24, 4/12/24, 4/12/24,5/9/24, 6/5/24,7/10/24, 7/22/24, 7/26/24 | 8/15/2024 | 8/16/2024, 7/8/2025, budget approval pending | | | | |
| <i>45-day comment period</i> | <i>Board Respond to comments</i> | <i>Final review with Regulatory Attorney</i> | <i>Submit to DCA Director, OAL for approval</i> | <i>OAL approval or denial</i> | <i>Effective Date</i> | | |

Rulemaking Status: Disciplinary Guidelines

| Concept/Draft language | DCA Pre- Review | Board Approval of Language | Draft Regulatory Documents Review | DCA Director Approval | Agency Approval | DOF Approval | Filing Regulatory package with OAL |
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| 1/31/2020 | 9/19/23, 10/9/2023, 11/16/23, 3/8/2024, 4/16/24. pending | | | | | | |
| 45 Day Comment Period | Board Approved Response to Comments | Final Review with Regulatory Attorney | Submit to DCA Director, OAL | OAL Approval or Denial | Effective Date | | |