



Requests for Waivers

The Health Facility Licensing and Certification program has amended administrative rules in response to current events relating to hospitals seeking to stop offering maternity or emergency services. Hospitals will now be required to consider the potential impact on diverse populations when requesting a waiver from an administrative rule requirement, and to propose steps on how to mitigate those impacts for populations that are disproportionately affected.

OAR 333-500-0065 – Waivers

This rule has been amended to clarify that hospital waiver requests must include information about equity impacts of the alternative proposed in the waiver request. The amendments require that when requesting a waiver from an administrative rule requirement,

- A hospital must provide the Oregon Health Authority (OHA) with information on the possible impacts to persons with different backgrounds and cultures, persons with limited English proficiency, households with lower income and persons based on their gender identity or sexual orientation; and
- A hospital must identify how the impact was determined and what proposed steps will be taken to mitigate any impact on populations identified that may be disproportionately affected.

The [waiver request form](#) is available at www.healthoregon.org/hflc under 'Information for All Regulated Entities' and equity impacts should be described in the Narrative Justification for the Request.

Requests for waivers for physical environment requirements remain unchanged.

This revised rule is effective January 29, 2024 and is posted at:

<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=310422>.