

**RULE IMPACT STATEMENT  
PROPOSED PERMANENT RULES**

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION  
CHAPTER 3. INDIVIDUAL PROCEEDINGS**

**PROPOSED RULES:**

- 435:3-3-1. Investigations [AMENDED]
- 435:3-3-2. Confidentiality during investigations [AMENDED]
- 435:3-3-3. Confidentiality during hearings [AMENDED]
- 435:3-3-8. Response to a complaint [AMENDED]
- 435:3-3-13. Trial examiner [AMENDED]
- 435:3-3-16. Subpoenas [AMENDED]
- 435:3-3-18. Hearing records [AMENDED]
- 435:3-3-19. Maintenance of hearing records [AMENDED]

**PURPOSE OF PROPOSED RULES:**

The proposed rules clarify additional state boards that may be sent referrals by the Board. The proposed rules add language about investigation records being privileged in addition to confidential as passed in SB 597 and signed April 30, 2024. Confidentiality during hearings is modified to add the word “privileged” to confidential pursuant to SB 597. Service of subpoenas is clarified. The Board providing records of hearings is modernized to reflect audio records and transcription of audio.

**CLASSES AFFECTED:**

The classes of persons most likely to be affected by the proposed amendments are the Board, the Board’s staff, and licensees of the Oklahoma State Board of Medical Licensure and Supervision.

**PERSONS BENEFITTED:**

The classes of persons most likely to benefit from the proposed amendments are the Board, the Board’s staff, and licensees of the Oklahoma State Board of Medical Licensure and Supervision.

**PROBABLE ECONOMIC IMPACT:**

1. On affected classes: There will be little or no impact due to the proposed changes in these rules.
2. On political subdivision: There will be little or no impact due to the proposed changes in these rules.
3. Fees: There will be little or no impact due to the proposed changes in these rules.

**PROBABLE COST TO THE AGENCY:**

Minimal administrative only. No additional personnel or budget expenses are anticipated.

**WILL THE RULES IMPACT POLITICAL SUBDIVISIONS:**

No economic impact, or a need for cooperation from political subdivisions, is anticipated.

**SMALL BUSINESS IMPACT:**

There is no anticipated adverse impact on small business, with reference to Sections 303(A)(4) and 303(B)(6) of the APA.

**ALTERNATIVE METHODS AND COSTS OF COMPLIANCE:**

There are no apparent alternative methods for compliance. The Agency does not anticipate any additional costs of administration due to implementation of these rule changes.

**PUBLIC HEALTH/ SAFETY CONCERNS:**

There will be no adverse impact or concerns with public health, safety or environment that will result for these proposed rule changes.

*Prepared September 30, 2024.*