

Unlicensed Practice Policy

Step One - (ORS 675.020(2)): Is the individual representing themselves as a psychologist without having a license to practice authorized by OBPE or an exemption in ORS 675.675.090? OR

Step Two - (ORS 675.010(4)): Do they meet the following three criteria for unlicensed practice of psychology?

- A. The individual or facility states that they provide services for a “disorder” listed in the most current revision of the Diagnostic and Statistical Manual of Mental Disorders (e.g., DSMIV-TR); **and**
 - B. the services listed are *essentially comparable* to assessment, testing, or psychological treatment of the mental disorder (e.g., terms such as “assessment” “testing”, “therapy” “counseling”, “healing”) without any information clarifying how the practice stands apart from giving psychologically-based tests, or interactive verbal exploration. Methods differing from the practice of psychology include occupational therapy, yoga, meditation, nutritional counseling, acupuncture, teaching of relaxation techniques; and behavior modification in contexts such as classrooms, camps, correctional facilities or remedial programs; **and**
 - C. the individual or treatment facility is not licensed nor certified through a State of Oregon licensing or certification body for the practice offered or the diagnosis listed, or the services are not rendered within their lawful scope of practice [ORS 675.090 (1)(c-d)].
- C. If A, B and C are met, OBPE may open an investigation into the unlicensed practice of psychology.

Should the individual be licensed or certified as listed in C, but the practice appears to be beyond the individual’s scope of practice for that license or certification (e.g., CADC offering to treat schizophrenia disorders, or a QMHP offering assessment services), an inquiry or a notification will be made by OBPE to the individual’s licensing body (e.g., chiropractor offering psychological assessment).

Definition of “disorder” under B(1) is to include, but is not limited to: Pervasive Developmental Disorders, Attention-Deficit and Disruptive Behavior Disorders, Separation Anxiety Disorder, Reactive Attachment Disorder, Schizophrenia and Other Psychotic Disorders, Mood Disorders (including the term Manic-Depressive), Anxiety Disorders Somatoform Disorders (excluding Pain Disorder), Factitious Disorders, Dissociative Disorders (including the term Multiple Personality), Paraphilias, Gender Identity Disorders, Eating Disorders (including the term Bulimia), and Personality Disorders. **Lay terms** such as abuse, overeating, trauma, and addiction, are not considered diagnoses and are too general to treat as the specific practice of psychology. In addition lay terms for depression and anxiety (e.g., grief, moody, fear, worry etc.).