



Intent of HB 3233

- To create a **Sex Offender Treatment and Certification Board** (administered by the Oregon Health Licensing Agency) that will:
 - Certify sex offender treatment providers;
 - Establish standards of practice and professional responsibility; and
 - Adopt standards for training and continuing education (including specific populations such as developmental disabilities, juveniles and adults).
- Create the following titles and corresponding requirements thereof:
 - **Certified Clinical Sex Offender Therapist**
 - **Certified Associate Sex Offender Therapist**

Board Administration

The Sex Offender Treatment and Certification Board (Board) will be administered by the Oregon Health Licensing Agency (OHLA). The OHLA is a consumer protection agency that provides regulatory oversight for health and related professions.

OHLA Mission: To protect the health and safety of Oregon citizens by setting, communicating and enforcing uniform regulatory standards.

The OHLA will provide the following services to the Board:

- Administrative Services – support, information technology, infrastructure, and communications and outreach.
- Fiscal Services – coordination of revenue received and expenses allocated.
- Regulatory Operations – certification through and enforcement of titles (certified sex offender therapist and certified associate sex offender therapist)

The OHLA will provide the following services to the public:

- Verify names, titles and credentials of certified providers
- Receive complaints regarding a practitioner, or an unlicensed/uncertified person practicing

OHLA is funded entirely by licensing and civil penalty fees and will recoup all initial costs associated with the creation and implementation of the Board.

Board Appointment

The Board will be made up of seven experts in the field of sex offender treatment and management which will include licensed mental health professionals. The Governor will appoint members for a term of three-years and the following associations and organization will make recommended appointments.

- Two members will be recommended by the Oregon Association for the Treatment of Sexual Abusers;
- Two members will be recommended by the Oregon Adolescent Sex Offender Treatment Network;
- One member will be recommended by the Oregon Community Corrections Directors Association;

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- One member will be recommended by the Oregon Juvenile Department Directors Association; and
- One member will be recommended by a victims' advocacy organization.

Appointed Board members who provide sex offender treatment will have 12 months to obtain certification as either a certified sex offender therapist or a certified associate sex offender therapist.

- Board Advisory Committee
Under the authority of the OHLA the Board will create a multidisciplinary advisory committee, not limited in size, to provide additional input on the work of the Board.

Certification and Mental Health Licensing

Both titles (sex offender therapist and associate sex offender therapist) require a valid Oregon mental health professional license or equivalent. Mental health professional licenses include:

- Licensed Professional Counselor
- Licensed Marriage and Family Counselor
- Licensed Clinical Social Worker
- Licensed Psychologist
- Equivalent out-of-state licenses
- Other, as determined by the Board

Grandfather Clause

The Board will develop a time-limited grandfather clause to provide for the certification of sex offender treatment providers who are practicing at the inception of the Board and who meet all requirements for certification except for licensure as an Oregon mental health professional.

Why the creation of a Sex Offender Treatment and Certification Board is needed:

Sex offender treatment is a standard condition of probation, post-prison supervision and/or parole for offenders who have committed a sexual crime. However:

- There are currently no statewide standards or guidelines for selecting or approving sex offender treatment providers. Individuals who provide treatment for sex offenders range from those with a bachelor's degree to licensed psychologists.
 - Community supervision of sexual offenders is primarily managed by individual counties – including the selection and approval of sex offender treatment providers. Many counties lack the resources needed to complete a thorough selection and approval process.
- There are currently no statewide standards and guidelines for continuing education and training for individuals who provide sex offender treatment.
 - Current mental health licensures (e.g. social workers, therapists, psychologists, etc.) do not require specific training or continuing education specific to sex offenders or issues surrounding sexual assault

Sex offender treatment providers assume a vital role in protecting the public from offenders who remain in the community; the protection of the community is undermined by not regulating providers. It is vital that providers who are charged with protecting the community by working with sex offenders to reduce the likelihood of re-offense have the skills, knowledge and training necessary.

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National Landscape

The majority of states require a minimum of a masters level degree and specific training and/or contact hours in order to provide treatment to sexual offenders. The following lists outline the states that have a formal body and/or process for qualifying, certifying or approving sex offender treatment providers.

Sex Offender Management Board or similar:

- **Alaska:** Sex Offender Management Board housed through the Department of Corrections.
- **California:** Developing Sex Offender Management Board to be housed in the Department of Corrections and Rehabilitation.
- **Colorado:** Sex Offender Management Board housed through the Department of Public Safety.
- **Delaware:** Legislation possibly pending for a Sex Offender Management Board.
- **Hawaii:** Sex Offender Management Team housed through the Department of Public Safety; aspirations to become a fully-funded SOMB during the 2008 legislative session.
- **Illinois:** Sex Offender Management Board housed through the Attorney General's Office – network of approved treatment providers through board.
- **Massachusetts:** Coalition on Sex Offender Management sets standards for sex offender management and treatment (not a legislatively created body); working towards legislation to support the Coalition.
- **New Mexico:** In the process of developing a Sex Offender Management Board – by way of legislative action.
- **North Carolina:** In the process of developing a Sex Offender Management Board (to be administered through the DOC)
- **Oklahoma:** In the process of developing a Sex Offender Management Board
- **Kansas:** In the process of developing a Sex Offender Management Board
- **Tennessee:** Sex Offender Treatment Board administered by the Department of Corrections.

Sex Offender Treatment Board or Certification Process for Treatment Providers:

- **Texas:** Council on Sex Offender Treatment created in 1983 and is an independent Board administratively attached to the Department of State Health Services.
- **Washington:** Requires certification for Sex Offender Treatment Providers. Certification is managed by the State Department of Health.
- **Virginia:** Certification by discipline – sex offender certification.
- **Iowa:** Certification process for treatment providers and supervision officers.

Sex Offender Treatment Provider Approval Process:

- **Kentucky:** Approves sex offender providers through its Department of Corrections.
- **Michigan:** The Department of Corrections offers contracts to treatment providers, the contract outlines the standards needed to perform the duties of the contract. All treatment providers are contracted by the DOC.

- **Vermont:** Approves sex offender treatment providers through the Vermont center for the prevention and treatment of sexual abuse, a project of the Department of Corrections.

Oregon Sex Offender Treatment Provider Associations

- Oregon Association for the Treatment of Sexual Abusers has 48 members.
 - The National Association for the Treatment of Sexual Abusers, whose headquarters is located in Oregon, has 75 members who live in Oregon.
- Oregon Adolescent Sex Offender Treatment Network has 1,226 past and present members and 190 of those members are active members. Members include juvenile sex offender treatment providers as well as other professionals who work with sexual offending youth (probation officers, counselor, etc.).

Training and Continuing Education

There are currently no institutions of higher education in Oregon that provide specific coursework on sex offender treatment. The National Association for the Treatment of Sexual Abusers (ATSA) provides a 14-16 hour basic training for sex offender treatment providers at its annual conference. Oregon offers the following additional training opportunities for sex offender treatment and management professionals:

- Oregon Association for the Treatment of Sexual Abusers (OATSA) hosts 3-4 one-day trainings that cover sex offender risk assessment, evaluation, treatment, management and emerging research.
 - OATSA President, Dr. Bill Davis, has initiated discussion with the OATSA Executive Board to discuss the necessary steps for meeting the basic and continuing training/education requirements for treatment providers.
- Oregon Adolescent Sex Offender Treatment Network (OASTN) holds an annual conference and 2-4 regional trainings every year.
- Oregon Attorney General's Sexual Assault Task Force holds a biennial statewide conference with workshops specific to sex offender treatment and management.
- Oregon Department of Human Services offers a number of trainings specific to sexual abuse annually.
- Child Abuse Summit sponsored by the Clackamas County Sheriff's Office is an annual conference with workshops and sessions specific to sexual abuse/assault.