

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Health Licensing Agency / Sex Offender Treatment Board		OAR 331, divisions 800 - 850	
<b>Agency and Division</b>		<b>Administrative Rules Chapter Number</b>	
Patricia C. Allbritton, PSPD Manager	700 Summer Street NE, Suite 320, Salem, OR 97301-1287	97301-1287	503-373-2088
<b>Rules Coordinator</b>	<b>Address</b>	<b>RULE CAPTION</b>	<b>Telephone</b>
Establishment of qualification requirements, practice standards and fees for certified clinical and associate sex offender therapists			
<b>Not more than 15 words that reasonably identify the subject matter of the agency's intended action.</b>			
<b>Friday April 25, 2008</b>	<b>9 am to end of testimony or by 12 noon</b>	<b>Rhoades Conference Room 700 Summer St. NE Suite 320 Salem, OR 97301-1287</b>	<b>Bert Krages</b>
<b>Hearing Date</b>	<b>Time</b>	<b>Location</b>	<b>Hearings Officer</b>

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

331-800-0010, 331-800-0020, 331-810-0020, 331-810-0030, 331-010-0035, 331-810-0040, 331-810-0050, 331-820-0010, 331-820-0020, 331,830-0005, 331-830-0010, 331-830-0020, 331-840-0010, 331-840-0020, 331-840-0030, 331-840-0040, 331-840-0050, 331-840-0060, 331-850-0010

**AMEND:**

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : ORS 675.360 to 675.410

Other Auth.: ORS 676.607, 676.612, and 676.615

Stats. Implemented: ORS 675.360 to 675.410

**RULE SUMMARY**

Passage of HB 3233 (Oregon Laws 2007, chapter 841) by the 2007 Legislature created the Sex Offender Treatment Board within the Oregon Health Licensing Agency, and establishing a Title Act for certifying clinical and associate sex offender therapists. The law became effective July 27, 2007. Board members were appointed by the Governor, confirmed by the Senate, and the Board held an initial meeting on November 30, 2007 to start the process of developing operating rules.

The agency, in consultation with the Board, adopted temporary operating rules that became effective **March 15, 2008**. The rules address definitions, fee structure, requirements for application and certification of clinical and associate level therapists, criteria for qualifying individuals who are currently providing sex offender therapy for certification under a one-year time limitation (grandfather provision), and reciprocal qualification criteria. Adoption of the temporary rules was necessary to initiate the certification of qualified applicants and to implement regulatory and administrative objectives and fund the program; permanent adoption is needed to sustain the rule requirements.

Concurrently, the Board developed rules establishing associate therapist supervision requirements, continuing education requirements and audit protocols, linkage to the central agency's investigative authority for discipline and enforcement action, and a comprehensive code of professional conduct addressing : standards of practice, professional conduct and client relationships, communications with other professionals, mandatory reporting, client confidentiality / disclosure and informed consent, and client records.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

**April 24, 2008 at close of business – 5 pm**

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

*[Signature on File]*

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Signature	Susan K. Wilson, Agency Director	March 14, 2008
	Printed name	Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005