BEFORE THE STATE OF OREGON
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

In the Matter of the Application for Licensure	)))	PROPOSED AND FINAL ORDER REFUSAL TO ISSUE LICENSE, NOTICE, AND WAIVER OF FORM OF ORDER

TO: David A. Benson
17356 Caminito Canaste
San Diego, CA 92127

Proposed Order

Pursuant to ORS 675.715 to 675.835 and OAR 833-01-001 to 833-60-001, the State Board of Licensed Professional Counselors and Therapists proposes to reject the applications of David A. Benson to obtain a license as a professional counselor and to close the application file, on the facts set forth herein and incorporated by reference.

Right to a Hearing

The applicant, David A. Benson, has the right to a hearing under the provisions of the Administrative Procedures Act, ORS chapter 183. Unless a hearing is requested in writing addressed to the Administrator, Board of Licensed Professional Counselors and Therapists, 3218 Pringle Road SE #160, Salem, Oregon 97302-6312 and is received on or before the close of business within 60 days from service by certified mail, or approximately June 12, 1995, this order becomes a final order without further action. If a hearing is requested, you may be represented by counsel at the hearing. Attached is information on the procedures, right of representation, and the rights of parties relating to conduct of the hearing as required under ORS 183.413(2).

Waiver

If you request a hearing but fail to appear at the scheduled hearing, the Board may issue a final order by default denying you a license. By failing to request a hearing or appear at a hearing, David A. Benson waives any statutory requirements as to the form of the order including Findings of Fact and Conclusions of Law under the provisions of ORS 183.470.

Facts and Statements in Support of Order

1. Application for licensure signed by David A. Benson was received August 4, 1993. The application included a transcript showing a master of education degree with a major in counseling from North Texas State University was awarded applicant on August 16, 1975 and one attestation of work experience.

2. ORS 675.715(2)(b)(c) and (d) requires applicant to hold at least a graduate degree in counseling from a program approved by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), or a degree determined by the board under rule to be comparable in both content and quality, or a graduate degree determined by the board to a majority of the Board's adopted standards plus completion courses to fulfill any remaining standards. OAR 833-25-001(1) and the specific degree evaluation criteria adopted by reference in 833-25-001(3) includes the requirement that the degree program meet. OAR 833-25-005 sets coursework standards and minimum standards. Applicant did not submit documentation to show that degree program met the standards for licensure.

3. The attestation of supervised work experience does not indicate that the supervisor was licensed at the time of supervision or that the clinical supervision met the required level of supervision required for the client contact hours as specified in OAR 833-20-050 and 833-20-080.

4. OAR 833-20-020 requires applicants who fail to become licensed within one year to reapply. One year from application was August 4, 1994. No supplementary information has been received.

5. The Board of Licensed Professional Counselors and Therapists license file and the documents therein are incorporated by reference in support of this order in the form the file existed on December 9, 1994.

Dated 4-5-95

[redacted]

Carol F. Fleming
Board Administrator

Attachment: Contested Case Rights and Procedures

Service by certified mail no. P 298 595 315 Mailed 4-6-95

****

No request for hearing having been received in the time prescribed herein, this order is affirmed as final and shall be served by mail.

Appeal Rights

David A. Benson is entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this order after it becomes final, which will be accomplished by mailing. The appeal procedures for this order are set forth in ORS 183.

Dated and mailed June 29, 1995

[redacted]

Carol F. Fleming
Board Administrator

PO-rti