

STATE OF OREGON
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

the Matter of the Continuation of)
Licensure of)

FINAL ORDER
REFUSAL TO RENEW LICENSE

Laurie J. Roth
434 NW 11th
Corvallis, OR 97330

After notice and hearing before a majority of the Board on August 25, 1995 on the proposed refusal to renew the license (C0889) as a professional counselor to Laurie J. Roth (Licensee), the Board makes the following disposition:

FINDINGS OF FACT

(1) Laurie J. Roth was not present, nor represented by council, but submitted a written statement on her own behalf.

(2) Laurie J. Roth spend most of the license year touring as part of another career.

(3) Laurie J. Roth relied upon Bonnie Laing to handle correspondence and provide information relating to correspondence.

(4) Ms. Roth submitted an application for renewal, received by the Board's cashier office April 27, 1995 and included a continuing education report showing 24 hours of training taken via correspondence during license year 1994-95. No other continuing education was listed.

(5) Board rules require at least five hours of attended training, allow no more than five hours distance learning, and allow no more than 10 hours of supervision to be taken as part of the continuing education requirements.

(6) Documentation of compliance with the continuing education standards is a condition for renewal.

(7) The Board mails notices of rules and regulations and information on requirements to licensees. All licensees were sent printed rules for continuing education that restricts distance learning to no more than five hours. As part of the application for renewal information distributed to all licensees by February 1995, licensees were reminded that no more than 5 hours of distance learning could be claimed to offset the required continuing education hours.

(8) Correspondence or distance learning is one means of obtaining hours to meet the continuing education hours. A Board representative would confirm that correspondence hours could be used.

(9) Correspondence or distance learning hours cannot comprise all the required hours.

ULTIMATE FINDINGS OF FACT

- (1) Licensee submitted documentation showing completion of the maximum allowable hours of continuing education taken by correspondence: five hours.
- (2) Licensee did not submit a continuing education report showing completion of no less than 20 clock hours of continuing education training taken during the license year 1994-95.

CONCLUSIONS OF LAW

- (1) By failing to document no less than 20 clock hours of continuing education meeting the standards for continuing education as set forth in OAR 833-30-010(2), 833-25-050(1)(3), and 833-25-060(4), at time of renewal, Laurie J. Roth did not meet the requirements for renewal set forth in ORS 675.725(2)(b).
- (2) Application fees, including application for renewal, charged by the Board are nonrefundable as set forth by ORS 675.785(3).

OPINION

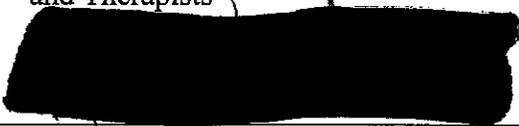
Laurie J. Roth delegated responsibility to another party to take care of her affairs. Without knowing exactly how the question was phrased to the Board representative, it is impossible to know whether the information given was faulty or whether the interpretation of the answer was incorrect. The Board has made an effort to notify licensees of the continuing education requirements. Ignorance of the rules and requirements of licensure and the reliance on third hand information is not sufficient defense.

ORDER

IT IS ORDERED that the license of Laurie J. Roth not be renewed, that professional counselor license C0889 expired April 1, 1995 and is no longer eligible for renewal. The application fee submitted by Laurie J. Roth is nonrefundable.

Dated this 4 day of October 1995

Oregon Board of Licensed Professional Counselors
and Therapists


Joshua D. Kadish, Member and Presiding Officer at
Hearing

Served by Certified Mail No. P 298 595 476

Mailed: 10/6/95

NOTICE: You are entitled to judicial review of this order. Judicial review may be by filing a petition for review with 60 days from the service of this order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.