

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

In the Matter of the Application) FINAL ORDER
for Licensure Renewal)

G RICHARD TRAVIS
412 DRAKE ST
SILVERTON, OR 97381-2148

On or about July 2, 1993, a notice stating that the Board intended to refuse to renew marriage and family therapist license T0036 was served upon G RICHARD TRAVIS by certified mail. This notice alleged that G RICHARD TRAVIS (licensee) failed to meet the conditions for renewal by not meeting the continuing education requirements set forth in OAR 833-25-050.

Pursuant to a written request for hearing as provided by ORS Chapter 183, a hearing before the Board was scheduled for August 27, 1993 at 1:45 pm in Room 137, State Capitol Salem, Oregon. Notice of date, time, and place of the hearing and information on procedures, right to representation, and the rights of parties relating to the conduct of the hearing was served upon G RICHARD TRAVIS on or about August 9, 1993 by certified mail. Mr. TRAVIS was present but not represented by an attorney.

Now therefore, after consideration of the records and files of the board relating to this matter, a majority of the Board enters the following order:

FINDINGS OF FACT

1. Licensee submitted continuing education report listing 19 hours of continuing education taken during the license year and one hour of supervision taken in April 1993.
2. Licensee was aware of needing one hour and that he could do it through supervision.
3. Supervisor was busy so scheduled an available time for supervision after deadline.
4. Licensee was involved in change of staff and place of practice at renewal time, so was delayed in getting renewal notice because it was not forwarded from prior place of practice. When he got it, little time was left to make suitable arrangements.
5. Licensee misunderstood that "grace period" did not allow for completion of continuing education hours.

ULTIMATE FINDINGS OF FACT

1. Licensee made effort to complete hours within timeframe.
2. Licensee had accumulated all but one hour.
3. In trying to accommodate supervisor's schedule, licensee inadvertently scheduled time after deadline.
4. Licensee was subjected to delays by previous employer not forwarding renewal notice.
5. Licensee misunderstood what "grace period" allowed.

CONCLUSIONS OF LAW

The number of hours of continuing education required for renewal by ORS 675.725(1)(d) were fulfilled to the satisfaction of the Board.

OPINION

The Board believes licensees, by seeking licensure, have agreed to abide by the regulations of the Board and are obligated to keep abreast of the regulations and must accept the responsibility for and consequences of not reading or studying Board rules and distributed information. The Board believes sufficient information has been distributed and opportunity for clarifications available. The Board stated that it was not setting precedent by recognizing a first-time situation and may not accept similar arguments in the future.

ORDER

Having met the conditions for renewal, the marriage and family therapist license of G RICHARD TRAVIS is renewed to April 1, 1994.

Dated: September 17, 1993



Joshua D. Radish, Presiding Officer
Board of Licensed Professional Counselors
and Therapists

Service by certified mail no. P 909 902 502 Mailed: 9-20-93

Appeal Rights

G RICHARD TRAVIS is entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days from the service of this order after it becomes final, which will be accomplished by mailing. The appeal procedures are set forth in ORS 183.482.