



Art Therapy Program

OREGON REVISED STATUTES
(UNOFFICIAL COPY)
CHAPTER 681.740 – 758
& 676.992
2023 EDITION



HEALTH LICENSING OFFICE

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ART THERAPISTS

681.740 Definitions for ORS 681.740 to 681.758. As used in ORS 681.740 to 681.758:

(1) “Art therapy” means the integrated use of psychotherapeutic principles, visual art media and the creative process to assist clients in increasing awareness of self and others, coping with symptoms, stress and traumatic experiences, enhancing cognitive abilities and identifying and implementing therapeutic interventions to meet developmental, behavioral, cognitive and emotional needs.

(2) “Board certified art therapist” means a person who is credentialed by the Art Therapy Credentials Board, Inc., or its successor organization, as a board certified art therapist.

(3) “Licensed art therapist” means a person licensed by the Health Licensing Office to practice art therapy under ORS 681.743.

(4) “Licensed certified art therapist” means a person licensed by the office to practice art therapy under ORS 681.746.

(5) “Practice of art therapy” means to engage professionally and for compensation in providing art therapy services that include, but are not limited to:

(a) Evaluation during client sessions;

(b) Using treatment activities that provide clients with opportunities for expression through the creative process;

(c) Using art therapy assessment methods to determine treatment goals and implement therapeutic art interventions to meet clients’ developmental, emotional and mental needs; and

(d) Employing art media, the creative process and the resulting artwork to assist clients in coping with and reducing psychiatric symptoms, including anxiety, attachment disorders, depression and post-traumatic stress, enhancing neurological, cognitive and verbal abilities and promoting appropriate skills development.

(6) “Registered art therapist” means a person who is credentialed by the Art Therapy Credentials Board, Inc., or its successor organization, as a registered art therapist. [2017 c.155 §1]

Note: 681.740 to 681.758 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 681 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

681.743 Licensed art therapist; fees. The Health Licensing Office may issue a license to engage in the practice of art therapy as a licensed art therapist to an applicant who:

(1) Is at least 18 years of age;

(2) Has received at least a master’s degree from a program accepted by the Art Therapy Credentials Board, Inc., or its successor organization, and approved by the office;

(3) Submits sufficient proof, as determined by the office, of:

(a) As approved by the office by rule, satisfying the requirements to be credentialed as a registered art therapist by the Art Therapy Credentials Board, Inc., or its successor organization; and

(b) Being in good standing in any other states where the applicant is licensed or certified to practice art therapy; and

(4) Pays a licensure fee. [2017 c.155 §2; 2019 c.456 §44]

Note: See note under 681.740.

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681.746 Licensed certified art therapist; fees. The Health Licensing Office may issue a license to engage in the practice of art therapy as a licensed certified art therapist to an applicant who:

- (1) Is at least 18 years of age;
- (2) Has received at least a master's degree from a program accepted by the Art Therapy Credentials Board, Inc., or its successor organization, and approved by the office;
- (3) Submits sufficient proof, as determined by the office, of:
 - (a) As approved by the office by rule, satisfying the requirements as a board certified art therapist by the Art Therapy Credentials Board, Inc., or its successor organization; and
 - (b) Being in good standing in any other states where the applicant is licensed or certified to practice art therapy; and
- (4) Pays a licensure fee. [2017 c.155 §3; 2019 c.456 §45]

Note: See note under 681.740.

681.749 Compliance with rules; permitted actions; prohibitions. (1) A licensed art therapist and a licensed certified art therapist shall comply with the rules adopted by the Health Licensing Office pursuant to ORS 681.758.

(2) A licensed art therapist or licensed certified art therapist may, in accordance with that person's education and training, administer and use appropriate assessment instruments to measure and treat a client's affective, behavioral and cognitive disorders or problems. A licensed art therapist or licensed certified art therapist shall refer a client who presents with a disorder or problem that is beyond the licensed art therapist's or licensed certified art therapist's education and training to a licensed health care practitioner qualified to treat that disorder or problem.

(3) A licensed art therapist or licensed certified art therapist may not perform psychological or other assessments or testing designed to diagnose or measure mental illness. [2017 c.155 §4; 2019 c.456 §46]

Note: See note under 681.740.

681.752 Unauthorized practice of art therapy or use of title "art therapist"; exemptions. (1) A person may not engage in the practice of art therapy, purport to be engaged in the practice of art therapy or use a title, word or abbreviation, including "art therapist," to indicate or imply that the person is authorized or qualified to engage in the practice of art therapy unless the person is licensed under ORS 681.743 or 681.746.

(2) Subsection (1) of this section does not apply to:

- (a) The practice of art therapy as an integral part of a supervised course of study in art therapy;
- (b) A person who holds a master's degree in art therapy and who is engaged in the practice of art therapy under supervision as part of clinical training to fulfill the supervised experience requirement to be credentialed as a registered art therapist;
- (c) A person licensed under the laws of this state in a profession or occupation other than art therapy who uses art in a manner incidental to the person's practice;
- (d) A person who has training and national certification that attest to the person's preparation and ability and who practices the profession or occupation in which the person is certified, if the person does not represent that the person is an art therapist;
- (e) A person who is employed by a state, local or federal government agency or by a community mental health program or drug and alcohol treatment program authorized by this state, if the person provides services within the person's scope of employment and the person does not use the term "art therapy" in connection with the services; or

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(f) A person who is authorized by this state to provide mental health services if the person provides those services within the person's authorized scope of practice and does not use the title "art therapist" in connection with the services. [2017 c.155 §5]

Note: See note under 681.740.

681.755 Discipline. In the manner prescribed in ORS chapter 183 for contested cases, the Health Licensing Office may impose a form of discipline as specified in ORS 676.612 against any person practicing art therapy for any of the grounds listed in ORS 676.612 and for any violation of ORS 681.740 to 681.758, or the rules adopted under ORS 681.740 to 681.758. [2017 c.155 §6]

Note: See note under 681.740.

681.758 Rules. The Health Licensing Office shall adopt rules to:

- (1) Establish a process for issuing licenses under ORS 681.743 and 681.746;
- (2) Establish licensure fees for licenses issued under ORS 681.743 and 681.746;
- (3) Determine qualifications for applicants for initial licensure, license renewal and licensure by reciprocity for licenses under ORS 681.743 and 681.746;
- (4) Develop and maintain a publicly available record of licensed art therapists and licensed certified art therapists; and
- (5) Establish standards of professional practice and standards of ethical conduct for licensed art therapists and licensed certified art therapists that take into consideration the code of ethics, conduct and disciplinary procedures of the Art Therapy Credentials Board, Inc., or its successor organization. [2017 c.155 §7; 2019 c.456 §47]

Note: See note under 681.740.

PENALTIES

676.992 Civil penalties. (1) Except as provided in subsection (3) of this section, and in addition to any other penalty or remedy provided by law, the Health Licensing Office may impose a civil penalty not to exceed \$5,000 for each violation of the following statutes and any rule adopted under the following statutes:

- (a) ORS 688.701 to 688.734 (athletic training);
- (b) ORS 690.005 to 690.225 (cosmetology);
- (c) ORS 680.500 to 680.565 (denture technology);
- (d) Subject to ORS 676.616 and 687.445, ORS 687.405 to 687.495 (direct entry midwifery);
- (e) ORS 690.350 to 690.410 (tattooing, electrolysis, body piercing, earlobe piercing, dermal implanting and scarification);
- (f) ORS 694.015 to 694.170 (dealing in hearing aids);
- (g) ORS 688.800 to 688.840 (respiratory therapy and polysomnography);
- (h) ORS chapter 700 (environmental sanitation);
- (i) ORS 675.365 to 675.410 (sexual abuse specific treatment);
- (j) ORS 678.710 to 678.820 (nursing home administrators and residential care facility administrators);
- (k) ORS 691.405 to 691.485 (dietitians);
- (L) ORS 676.612 (prohibited acts);

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- (m) ORS 676.802 to 676.830 (applied behavior analysis);
- (n) ORS 681.700 to 681.730 (music therapy);
- (o) ORS 676.630 to 676.660 (advanced nonablative esthetics procedure);
- (p) ORS 681.740 to 681.758 (art therapy);
- (q) ORS 676.665 to 676.689 (lactation consultation);
- (r) ORS 676.730 to 676.748 (genetic counseling); and
- (s) ORS 676.750 to 676.789 (signed language interpretation).

(2) The office may take any other disciplinary action that it finds proper, including but not limited to assessment of costs of disciplinary proceedings, not to exceed \$5,000, for violation of any statute listed in subsection (1) of this section or any rule adopted under any statute listed in subsection (1) of this section.

(3) Subsection (1) of this section does not limit the amount of the civil penalty resulting from a violation of ORS 694.042.

(4) In imposing a civil penalty under this section, the office shall consider the following factors:

- (a) The immediacy and extent to which the violation threatens the public health or safety;
 - (b) Any prior violations of statutes, rules or orders;
 - (c) The history of the person incurring a penalty in taking all feasible steps to correct any violation;
- and

(d) Any other aggravating or mitigating factors.

(5) Civil penalties under this section shall be imposed as provided in ORS 183.745.

(6) The moneys received by the office from civil penalties under this section shall be deposited in the Health Licensing Office Account and are continuously appropriated to the office for the administration and enforcement of the laws the office is charged with administering and enforcing that govern the person against whom the penalty was imposed. [2003 c.547 §4; 2005 c.648 §14; 2007 c.841 §17; 2009 c.701 §17; 2009 c.768 §31; 2011 c.346 §31; 2011 c.630 §20; 2011 c.715 §21; 2013 c.82 §5; 2013 c.314 §17; 2013 c.568 §33; 2013 c.657 §10; 2013 c.771 §17; 2015 c.632 §6; 2015 c.674 §16; 2015 c.722 §11; 2017 c.155 §13; 2017 c.421 §9; 2017 c.499 §20; 2018 c.61 §25; 2021 c.231 §14; 2023 c.414 §26; 2023 c.500 §5]